



SB696 SD1
RELATING TO THE FESTIVAL OF PACIFIC ARTS
Ke Kōmike ‘Aha Kenekoa o ka Ho‘okolokolo

Pepeluali 23, 2021

9:45 a.m.

Hālāwai Keleka‘a‘ike

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB696 SD1, which extends the date on which the temporary commission on the 13th Festival of Pacific Arts (FESTPAC) shall cease to exist to August 31, 2025, in light of the postponement of FESTPAC until at least 2024 due to the COVID-19 pandemic.

FESTPAC is well-regarded as the world’s largest celebration of indigenous Pacific Islanders, showcasing an array of native arts and cultures with live performances, workshops, demonstrations, storytelling, and discussions of urgent issues facing Pacific Islanders. The theme of the upcoming FESTPAC will be “E Kū i ka hoe uli” or “Take hold of the steering paddle,” from a chant warning of turbulent changes ahead, symbolically urging indigenous peoples to reclaim our rights to self-determination now and in the future. The upcoming festival in Hawai‘i presents a great opportunity for Native Hawaiians and other Pacific Islanders to highlight our unique yet closely connected cultures and values, as well as hold important discussions on key issues facing Oceania and its indigenous peoples.

Since the COVID-19 pandemic forced the FESTPAC commission to postpone the festival until June 2024, this measure is necessary to extend the life of the commission and grant it the flexibility needed to fully realize the potential of this event, including its potential positive impacts on Hawai‘i’s economy. If successful, FESTPAC would not only uplift and celebrate our Native Hawaiian culture and values, but could also contribute to the resuscitation of Hawai‘i’s economy on the heels of the pandemic.

Accordingly, OHA urges the Committee to **PASS** SB696 SD1. Mahalo for the opportunity to testify on this measure.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: Senate Committee on Judiciary

From: Cheryl Kakazu Park, Director

Date: February 23, 2021, 9:45 a.m.
Via Videoconference

Re: Testimony on S.B. No. 696, S.D. 1
Relating to the Festival of Pacific Arts

Thank you for the opportunity to submit testimony on this bill, which would extend the existence of the Commission on the Thirteenth Festival of Pacific Arts and allow less than a quorum of its members to discuss board business outside a meeting as a permitted interaction under the Sunshine Law, provided that it holds a public meeting at least once a month. The Office of Information Practices (OIP) has no objection to the proposed permitted interaction. However, OIP understands that the Commission seeks an amendment to the permitted interaction to allow any number of members to discuss board business outside a meeting for the period of time leading up to, and after, the festival, during which the members will primarily be occupied with actually running the Festival rather than making decisions on how to run it and planning it in general.

OIP is open in concept to such an amendment, but would recommend that the period of time during which all members can discuss board business outside a meeting be limited to the time during which this Committee finds that the Commission will be actively engaged in running the Festival. OIP therefore proposes language for the amendment, and recommends that this Committee fill in

the blanks as it deems suitable. **Specifically, on bill page 4, line 5, OIP recommends adding the following language to the end of bill section 3** to address the Commission's concern:

. . . and provided further that during the period from ___ months before the opening day of the festival of pacific arts to ___ months after the closing day, the number of commission members who may discuss matters relating to official board business outside a meeting under this section shall not be limited.

Thank you for considering OIP's proposed amendment.



Hawai'i Convention Center
1801 Kalākāua Avenue, Honolulu, Hawai'i 96815
kelepona tel 808 973 2255
kelepa'i fax 808 973 2253
kahua pa'a web hawaii-tourism-authority.org

David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES

Hawai'i Tourism Authority
before the
SENATE COMMITTEE ON JUDICIARY

Tuesday, February 23, 2021
9:45 AM
via videoconference

In consideration of
SENATE BILL NO. 696 SD1
RELATING TO THE FESTIVAL OF THE PACIFIC ARTS

Chair Rhoads, Vice Chair Keohokalole, and members of the Committee on Judiciary: the Hawai'i Tourism Authority (HTA) **supports** Senate Bill 696 SD1, which extends the date on which the temporary commission on the 13th Festival of Pacific Arts & Culture shall cease to exist to August 31, 2025. It permits less than a quorum of commission members to discuss matters relating to official board business outside a commission meeting as a permitted interaction under Part I of Chapter 92, Hawaii Revised Statutes, to enable them to perform their duties faithfully, provided that the commission holds a meeting at least once a month and discusses the progress of the permitted interaction matter at the next meeting.

The 13th Festival of Pacific Arts & Culture was originally scheduled to be held in Hawai'i last summer, but due to the COVID-19 pandemic, it is now set to take place June 6-16, 2024. As a result, it is necessary to extend the date of the temporary commission to allow its members to continue planning for the festival in 2024.

It is for that reason that HTA **supports** SB696, SD1. We appreciate this opportunity to provide testimony.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE
GOVERNOR
MIKE MCCARTNEY
DIRECTOR
CHUNG I. CHANG
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: dbedt.hawaii.gov

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
MIKE MCCARTNEY
Director

Department of Business, Economic Development, and Tourism
before the

SENATE COMMITTEE ON JUDICIARY

Tuesday, February 23, 2021

9:45 AM

Via Videoconference

In consideration of
SB696, SD1
RELATING TO THE FESTIVAL OF PACIFIC ARTS.

Chair Rhoads, Vice Chair Keohokalole, and members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) supports SB696, SD1, that extends the date on which the Temporary Commission on the 13th Festival of Pacific Arts will sunset to August 31, 2025; and permits less than a quorum of the Commission members to discuss matters relating to official board business outside of a properly noticed public meeting in the course of planning the Festival, as a permitted interaction under section 92-2.5, HRS, provided that the Commission hold a properly noticed public meeting at least once a month and report its progress in the matters discussed outside a meeting under this section.

The Festival, which was originally scheduled for June 2020, was rescheduled to 2024, due to the Covid-19 pandemic, thus making it necessary to extend the sunset date of the Commission.

Regarding the language in SD1 on the permitted interaction, DBEDT defers to the Commission.

Thank you for the opportunity to testify.



HO'OUULU LĀHUI
Regenerating Oceania
13th Festival of Pacific Arts & Culture
Hawai'i 2024

**Commission on the 13th
Festival of Pacific Arts
& Culture**

Chair

Kalani Ka'anā'anā
Hawai'i Tourism Authority

Commissioners

Snowbird Bento
Community

Māpuana de Silva
Community

Sen. Jarrett Keohokālole
Hawai'i State Senate

Mike McCartney
*Dept. Of Business,
Economic Development &
Tourism*

Monte McComber
Governor's Designee

Rep. Richard Onishi
*Hawai'i State House of
Representatives*

Makanani Salā
City & County of Honolulu

Hinaleimoana Wong-Kalu
Office of Hawaiian Affairs

No. 1 Capitol District Bldg.
250 S. Hotel St. 5th Floor
Honolulu, Hawai'i 96813

Mail: P.O. Box 2359
Honolulu, Hawai'i 96804

festpachawaii.org
f @ festpachawaii



Pacific
Community
Communauté
du Pacifique

Statement of
KALANI KA'ANĀ'ANĀ
Chair of the
Commission on the 13th Festival of Pacific Arts and Culture
before the
SENATE COMMITTEE ON JUDICIARY

Tuesday, February 23, 2021
9:45 AM
Via Videoconference

In consideration of
SB696, SD1
RELATING TO THE FESTIVAL OF PACIFIC ARTS.

Chair Rhoads, Vice Chair Keohokālole, and members of the
Committee.

I am Kalani Ka'anā'anā, Chair of the Commission on the 13th
Festival of Arts and Culture, or FestPAC. I am pleased to offer
testimony on SB696, SD1, on behalf of the Commission. The
commission supports SB 696, SD1 with amendments.

This measure extends the date on which the Commission will
sunset to August 31, 2025; and permits less than a quorum of the
Commission members to discuss matters relating to official board
business outside of a properly noticed public meeting in the course of
planning the Festival, as a permitted interaction under section 92-2.5,
HRS, provided that the Commission hold a properly noticed public
meeting at least once a month and report its progress in the matters
discussed outside a meeting under this section.

FestPAC was originally scheduled to take place in June 2020;
however, due to the Covid-19 pandemic, the Pacific Community, the
international custodian of the Festival, made the decision to postpone
the event until 2024. This requires the Commission sunset date to be

extended.

Senate Draft 1 provides language that permits less than a quorum of Commission members to discuss matters outside of a public meeting as a permitted interaction under section 92-2.5, HRS. The Commission is a working group, having divided up the responsibilities of planning and implementing the Festival amongst the members. The Commission is concerned that as the Festival date approaches, and their responsibility turns more to running than planning the 10-day event, the permitted interaction will need to allow for more than a quorum of Commission members to meet, in between public meetings, in order to put on a successful Festival.

The Commission understands the concerns of the Office of Information Practices (OIP) and has been in discussion with them to protect the public's right to know and participate in the Commission's work. The Commission is open to the amended language being proposed by OIP that, for a specific period of time before and after the Festival, would allow Commission members to meet to discuss board business outside of a public meeting without limit on the number of members. The Commission recommends that the period of time be nine (9) months prior to the opening day of the Festival and one (1) month after the closing day of the Festival. We also request that page 2, lines 12-13, be amended to read: "The commission has been holding its meetings once or twice a month and is committed to continuing to regularly meet on that schedule."

Thank you for the opportunity to testify and should you have any questions please feel free to reach me at 808-973-2281 or kalani@gohta.net.

SB-696-SD-1

Submitted on: 2/18/2021 9:28:53 PM

Testimony for JDC on 2/23/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

Fully support this bill to enable the planning and organizing for the Festival to continue, and for all of the reasons articulated by other testifiers, in particular Monte McComber. He makes a good argument of how continuing with the festival will help our economy besides the cultural value of malama that would prevail among all participants from the Pacific Islands.

The 13th Festival of Pacific Arts & Culture was originally scheduled to be held in Hawai'i last summer, but due to the COVID-19 pandemic, it is now set to take place June 6-16, 2024. As a result, it is necessary to extend the date of the temporary commission to allow its members to continue planning for the festival in 2024.