

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON LABOR, CULTURE AND THE ARTS
ON
HOUSE BILL NO. 2329, H.D. 2

March 21, 2022
3:05 p.m.
Room 225 and Videoconference

RELATING TO HISTORIC PRESERVATION

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 2329, H.D. 2, requires the Department of Land and Natural Resources (DLNR) to place historical markers in the State in consultation with the Hawai'i Tourism Authority and State Foundation on Culture and the Arts, to identify significant sites in the life of President Barack Obama and appropriates an unspecified amount of general funds for FY 23 to be expended by DLNR's State Historic Preservation Division for this purpose.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

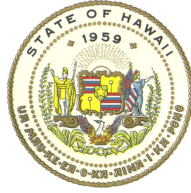
Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
LABOR, CULTURE, AND THE ARTS**

Monday, March 21, 2022

3:05 PM

State Capitol, Conference Room 225 & Videoconference

**In consideration of
HOUSE BILL 2329, HOUSE DRAFT 2
RELATING TO HISTORIC PRESERVATION**

House Bill 2329, House Draft 2 proposes to direct the Department of Land and Natural Resources (Department) to place markers at locations important to President Barak H. Obama as a youth born in and growing up in Hawaii. **The Department supports this measure.**

House Bill 2329, House Draft 2 proposes to direct the Department to place markers at locations important to President Obama growing up in Hawaii. The measure specifies a list of places where markers are to be placed. In the case of locations that are privately owned, the measure also proposes to require that such markers only be placed with the permission of the property owner. Lastly, House Bill 2329, House Draft 2 proposes to appropriate an unspecified sum to the Department to carry out this activity. The Department believes that it is important and entirely appropriate that the State of Hawaii celebrate and commemorate President Obama's life in Hawaii.

The Department appreciates the appropriation of funds for this activity and notes that this is not funded in the Executive Supplement Budget request. The Department estimates that it will require approximately \$200,000 to complete this task.

Thank you for the opportunity to comment on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



HAWAII

STATE FOUNDATION on
CULTURE and the ARTS

No. 1 Capitol District Building
250 South Hotel Street
Second Floor
Honolulu, HI 96813

Governor
David Y. Ige

Comptroller
Curt T. Otaguro

Chairperson
Lloyd I. Unebasami

Commissioners
Susan Browne
Nalani Brun
Jane Clement
Kālewa Correa
Ronald Michioka
Karen Tiller Polivka
Clyde Sakamoto
Allison Wong

Executive Director
Jonathan Johnson

Telephone
808.586.0300

Fax
808.586.0308

Website
sfca.hawaii.gov

**TESTIMONY OF
THE STATE FOUNDATION ON CULTURE AND THE ARTS
TO THE SENATE COMMITTEE ON LABOR, CULTURE AND THE ARTS
March 21, 2022, Conference Room 225 & Videoconference at 3:05PM
H.B. 2329 H.D.2
RELATING TO HISTORIC PRESERVATION**

Chair Taniguchi and members of the Committee, I am Jonathan Johnson, Executive Director of the State Foundation on Culture and the Arts (SFCA), and we are grateful for the opportunity to testify with COMMENTS on H.B. 2329 H.D.2.

Regarding the placement of historical markers to indicate significant sites in the life of President Barak Obama, the State Foundation on Culture and the Arts would consult with the Department of Land and Natural Resources in areas of our expertise, upon request.

Thank you for the opportunity to submit testimony on this matter.

HB-2329-HD-2

Submitted on: 3/20/2022 7:20:56 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Alexis Antracoli	Individual	Oppose	Written Testimony Only

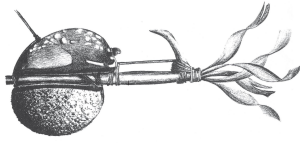
Comments:

I am writing in strong opposition to this proposed bill.

I am a professional archivist and have worked in the field for over a decade. This bill contravenes current professional ethics and archival standards. In particular, I would like to draw the legislature's attention to the [Protocols for Native American Archives](#), which is a standard endorsed by the Society of American Archivists, the national professional organization for archivists in the United States. In particular, the Protocols section on Intellectual Property issues are relevant here, which emphasize that right of possession of indigenous materials held in archives often belongs to indigenous communities, in particular "due to the fact that previous original collecting that may have been carried out with deception, duress, subterfuge, and other unethical or illicit means." This bill would only continue to collect via unethical means and under duress. It gives no attention to the choices of the native Hawaiian community, who many have chose to deposit documents in a number of public and private repositories, or to the fact that some of these documents may already have been acquired by unethical means.

The appropriate action, according to current professional standards, would center the needs and choices of the native Hawaiian community in caring for the the records of the Kingdom of Hawaii. Individual institutions in possession of such records should review the records related to the Kingdom of Hawaii in their possession and engage in a process of either replevin or holding materials in trust with the consent of the community. Additionally, the Hawaii State Archives should inventory all materials related to the Kingdom of Hawaii in its possession and then to work with the native Hawaiian community in the process of replevin or a co-custodial approach that centers the consent of the creators of the records rather than continuing to enact unethical colonialist practices that take documents out of their context and away from the care of their rightful owners and creators.

I strongly urge the members of the Hawaii legislature to vote no on this bill, which will serve not to preserve Hawaiian history, but to destroy it by removing records from their appropriate contexts and out of the control of those who best know how to care for the records.



SOCIETY FOR HAWAIIAN ARCHAEOLOGY

P.O. BOX 22458 HONOLULU, HAWAII 96823

TO: Senator Brian Taniguchi, Chair
Senator Les Ihara Jr., Vice Chair
Committee on Labor, Culture, and the Arts (LCA)

Senator Donovan Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Ways and Means (WAM)

FROM: Mara Mulrooney, Ph.D.
President, Society for Hawaiian Archaeology
membership@hawaiianarchaeology.org

HEARING: March 21, 2022, 3:05 PM, Conference Room 225 & Videoconference

SUBJECT: Testimony regarding HB 2329, Relating to Historic Preservation

I am Mara Mulrooney, President of the Society for Hawaiian Archaeology (SHA). We have over 150 members including professional archaeologists and advocates of historic preservation. On behalf of SHA, **we would like to provide comments on HB 2329 as written.**

The intent of HB 2329 requires the department of land and natural resources to place markers in the State to indicate significant sites in the life of President Barack Obama and appropriates funds to place the markers throughout the State. HB 2329 could possibly provide additional economic opportunities to public and private businesses.

Historical markers are a cost-effective investment in history for towns, cities, and states of all sizes. Besides the initial start-up costs for erecting a marker there is little expense beyond basic maintenance to maintain historical markers. Historical markers, combined with digital technology, allow for viewers to write, photograph, collect, and share their experiences at markers through websites and other social media platforms. Historical markers also emphasize the importance of local, regional, and state history that often gets passed over.

SHA recognizes the historical significance of each marker and their placements throughout the state. The markers indicated a significant site in the life of former President Barack Obama; whom is the only United States President to have hailed from the state of Hawai'i.

Should HB 2329 pass out of this committee, we request to be consulted as a stakeholder in future deliberations on an amended bill. Should you have any questions, please feel free to contact me at the above email.

Mahalo for your consideration of our testimony.

Mara Mulrooney, Ph.D.
President, Society for Hawaiian Archaeology

<https://hawaiianarchaeology.org/>

The Society for Hawaiian Archaeology is a registered tax-exempt organization established in 1980 to promote and stimulate interest and research in the archaeology of the Hawaiian Islands, encourage a more rational public appreciation of the aims and limitations of archaeological research, serve as a bond among those interested in Hawaiian archaeology, both professionals and non-professionals, and aid in directing their efforts into more scientific channels as well as encourage the publication of their results, advocate and assist in the conservation of archaeological data, discourage unethical commercialism in the archaeological field and work for its elimination.



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
COMMITTEE ON LABOR, CULTURE AND THE ARTS

March 21, 2022
3:05 p.m.
State Capitol
Conference Room 225 & Videoconference

In consideration of
HOUSE BILL NO. 2329 HD2
RELATING TO HISTORIC PRESERVATION

Aloha Chair Taniguchi, Vice Chair Ihara, and members of the Committee on Labor, Culture and the Arts.

The Hawai'i Tourism Authority (HTA) appreciates the opportunity to offer this testimony in **support** of HB2329 HD2, which requires the Department of Land and Natural Resources to place historical markers in the State to indicate significant sites in the life of President Barack Obama.

President Obama is one of Hawai'i's most globally recognized kama'āina, and he has credited the opportunity that Hawai'i offered – to experience a variety of cultures in a climate of mutual respect – to forming his world view, and a basis for the values that he holds most dear.

Understanding the physical spaces that contributed to the growth of an American president is important. These historical markers will be an important addition to Hawai'i's informational and interpretive infrastructure, upon which further storytelling about our kama'āina President can grow.

HTA stands ready to assist the Department of Land & Natural Resources in this effort. We appreciate the opportunity to provide this testimony in **support** of HB2329 HD2. Mahalo.

HB-2329-HD-2

Submitted on: 3/21/2022 9:23:26 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
ALPHONSO BRAGGS	Testifying for Hawai'i NAACP	Support	Written Testimony Only

Comments:

Aloha Chair Taniguchi, Vice Chair Les Ihara, and Members,

I stand in **strong support** of House Bill 2329 HD1, which recognizes historically significant sites in the life of President Barack Obama.

It is critically important to recognize the legacy of the first Hawai'i-born and first African-American President in US history. Highlighting these historically significant sites will help preserve Hawaii's contributions in shaping President Obama's legacy and serve as inspiration for future generations.

Mahalo nui loa for your consideration.

Sincerely,

Alphonso Braggs
President Hawaii NAACP
Member national board of directors