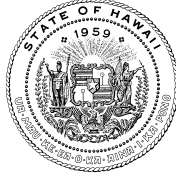


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



KEITH A. REGAN
COMPTROLLER
KA LUNA HO'OMALU HANA LAULĀ

MEOH-LENG SILLIMAN
DEPUTY COMPTROLLER
KA HOPE LUNA HO'OMALU HANA LAULĀ

STATE OF HAWAII'Ī | KA MOKU'ĀINA O HAWAII'Ī
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES | KA 'OIHANA LOIHELU A LAWELAWĒ LAULĀ
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WRITTEN TESTIMONY
OF
KEITH A. REGAN, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

S. B. 731

MARCH 29, 2023, 3:00PM
CONFERENCE ROOM 325 AND VIA VIDEOCONFERENCE, STATE CAPITOL

RELATING TO HAWAIIAN INDEPENDENCE DAY.

Chair Tarnas, Vice Chair Takayama, and Members of the Committee, thank you for the opportunity to testify on S.B. 731.

The Department of Accounting and General Services (DAGS) **supports** this bill and wishes to add the following comments for consideration:

1. The signing of the Anglo-French Declaration on 28 November 1843 was one of the most pivotal moments in Hawaiian history. At a time when Captain George Paulet of the British Navy had seized control of the Hawaiian Kingdom, this declaration between two of the most powerful nations of the day made clear to all the world that the Hawaiian Islands were one political geographic unit under the complete and exclusive control of the Hawaiian People. With the United States joining this recognition, it made clear to the other world powers that Hawai'i was to stay whole and under its own government, able to

negotiate amongst the nations of the world as equals. This was an accomplishment for which the Hawaiian diplomat Timoteo Ha'alilio gave his life, having succumbed to illness acquired during the journey.

2. The State of Hawai'i is the only government of Hawai'i that has not yet recognized and celebrated the significance of the Anglo-French Declaration. Lā Kū'oko'a was first recognized as a holiday in Hawai'i in 1847, was recognized as an official holiday of the Republic of Hawai'i in 1896, and continued to be celebrated as an official holiday by the Territory of Hawai'i – with schools closing in 1900, and government buildings and principle places of business closing in 1902.
3. As the Keepers of Public Memory, the State Archives has extensive documentation on the events leading up to the seizure of the Hawaiian Kingdom by Capt. Paulet, the diplomatic mission to Europe and America, the signing of the Anglo-French Declaration, the many treaties that were signed between Hawai'i and foreign nations that resulted from the Declaration, important historical documents the clearly illustrate the many ways in which this singular event has been celebrated in Hawai'i for the past century and a half.
4. Recognition of this event will provide a unique opportunity for the People of Hawai'i to reflect upon their history and the prominent place that Hawai'i has held on the world stage for over two centuries.

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



SB731
RELATING TO HAWAIIAN INDEPENDENCE DAY
House Committee on Judiciary & Hawaiian Affairs

March 29, 2023

2:00 PM

Room 325

The Office of Hawaiian Affairs (OHA) offers its **STRONG SUPPORT** for SB731, which would designate November 28, of year, as Lā Kū'oko'a, Hawaiian Independence Day.

OHA takes care to note that Native Hawaiians continue to struggle against the current of settler-colonialism in all attempts to exercise self-determination – a unified plight stemming from a substantial wrong that was committed against the Native Hawaiian people and the independent government through which they exercised sovereignty.¹

Native Hawaiians continue to endure inequities and disparities that stem from unresolved historical injustices² – injustices that established systems of oppression and institutions of racism that have yet to be dismantled and which persist in their severing of Native Hawaiians from their ancestral lands, their annihilation of Native Hawaiian presence in the Hawaiian Islands, and their attempted erasure of Native Hawaiian identity.³ The State of Hawai'i, on the condition of its admission to the Union,⁴ was obligated with an extra duty of care to the Native Hawaiian people,⁵ as a result of these historical injustices.

The State reinforced that extra duty of care for the betterment of conditions of Native Hawaiians by enshrining this founding principle within the Hawai'i State Constitution.⁶ The State has continuously acknowledged its extra duty of care to the Native Hawaiian people through additional statutory obligations vested in OHA⁷ and in recognition of Native Hawaiians as the only indigenous, aboriginal, and maoli people of Hawai'i.⁸ For Native Hawaiians to thrive alongside all others who call Hawai'i, home, historical and ongoing injustices must be recognized and their systems must be dismantled. **Recognizing the**

¹ “By an act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress, the Government of a feeble but friendly and confiding people has been overthrown. A substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people requires we should endeavor to repair.” President Grover Cleveland, December 18, 1893, *Message Regarding Hawaiian Annexation to Congress*.

² Pub. L. 103-150 (1993), 107 Stat. 1510 “Apology Resolution.”

³ “If we are ever to have peace and annexation the first thing to do is to obliterate the past,” stated by Samuel Mills Damon, Vice President of the Provisional Government and Executive Council for the Republic of Hawai'i, Council of State (Provisional Government of the Hawaiian Islands, 1895). 26 November 1895. Hawaii State Archives Series 424 Vol. 4.

⁴ Pub. L. 86-3, 73 Stat. 4; Hawai'i Admissions Act of 1959.

⁵ Id. at §5(f).

⁶ Haw. Stat. Con. Art. XII, Section 4-7 (1978).

⁷ Haw. Rev. Stat. §10.

⁸ Haw. Rev. Stat. §10H-1.



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achievements of the Native Hawaiian people builds the necessary reinforced foundation upon which a brilliant future may be launched for the betterment of conditions of Native Hawaiians and their collective contribution to all others in building a truly wonderful civilization. Ua lehulehu a manomano ka 'ikena a ka Hawai'i.

OHA appreciates the opportunity to support SB731. Mahalo nui loa.

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Unity, Equality, Aloha for all



To: HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

For hearing Wednesday, March 29, 2023

Re: SB 731 RELATING TO HAWAIIAN INDEPENDENCE DAY.
Designates November 28 of each year as La Kuokoa, Hawaiian Independence Day, to celebrate the historical recognition of the independence of the Kingdom of Hawaii.

TESTIMONY IN OPPOSITION

There were many holidays in the Kingdom of Hawaii which have never been proposed to become officially acknowledged by the State of Hawaii. For example, Kauikeaouli Kamehameha III, whose glorious statue now graces Thomas Square, did not know the date of his birth and was unable to reconstruct it on the Western calendar based on stories or other events that happened on that same day; so, like royals in other nations sometimes do (even when they do know their actual birthdate), he proclaimed for himself an "official birthdate" of March 17 to enable his subjects to celebrate. Today we call that St. Patrick's Day, and that's no blarney. But perhaps the Hawaiian sovereigntists will present the legislature with another bill like this one, to rename that date Kauikeaouli Day. Might as well!

First of all: The academic language police will not like the name "La Kuokoa." They would insist on spelling it with correct diacritical marks as "Lā Kū'oko'a".

Second: This bill is mistaken in saying that "Lā Kū'oko'a" (however spelled) means "Hawaiian Independence Day" -- the word "Hawaiian" or even "Ko Hawai'i Pae 'Āina" is not included in the historical name of this former holiday, which could yield the word "Hawaiian." So if the term to be used is "Lā Kū'oko'a" then the word "Hawaiian" should be removed from the English part of the designation. Note also that today's race-activists strongly insist that the word "Hawaiian" refers exclusively to people who have a drop of the magic blood [Associated Press stylebook endorses this usage], whereas the Kingdom of Hawaii was multiracial with full equality for Hawaii-born Euro-Americans and Asians, and many hundreds of Asians and Euro-American immigrants who took the loyalty oath to become naturalized subjects of the Kingdom, some of whom were elected or appointed to the legislature or served in the cabinet or as department heads. The historic rationale described in the text of this bill asserts that the holiday was observed "throughout the Provisional Government of Hawaii, the Republic of Hawaii, and the initial years of the Territory of Hawaii. "La Kuokoa was included in the codified list of national holidays enacted by the Republic of Hawaii in 1896." During those periods ethnic Hawaiians were a shrinking minority of Hawaii's population primarily because of the many tens of thousands of Japanese, Chinese, and Filipinos (after 1906) who were recruited to work on the sugar plantations by King Kalakaua and later Hawaii heads of government. Hawaii was thoroughly multiracial. Calling it "HAWAIIAN Independence Day" thus falsely implies that what is to be recognized is a racial group, not a multiracial nation/territory and certainly not what the sovereignties call the the "Fake" State of Hawaii.

For those reasons, and to avoid any confusion that this ever was or now should be a race-based holiday, the word "Hawaiian" should be removed from the English version of the holiday's name. The English name should also display upfront that this is an acknowledgment of a historic holiday which does not in any way imply that Hawaii is now or ever should be an independent nation. Therefore the title of this bill and the name of this revived holiday should be as follows:

SB 731 RELATING TO THE HISTORIC HAWAII NATIONAL INDEPENDENCE DAY.

Designates November 28 of each year as Lā Kū'oko'a, the "historic Hawaii national independence day", to celebrate the 1843 recognition of the independence of the Kingdom of Hawaii by Britain and France on November 28, 1843.

SB-731

Submitted on: 3/28/2023 5:57:44 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angelina Woo	Individual	Support	In Person

Comments:

Aloha, ‘o Angelina Woo ko‘u inoa. He ‘umikūmāono o‘u makahiki. Hello everyone, my name is Angelina Woo, I am 16, a proud native Hawaiian, and testifying in support of Senate Bill 731. What makes this bill unique is that it doesn’t talk about buildings or budgets, it’s about the mana (or spirit) of Hawai‘i’s people over centuries.

Lā Kū‘okō‘a was established in 1843 when England and France recognized the Kingdom of Hawai‘i as a sovereign nation; it marks the day the Hawaiians were heard. People would chant and celebrate in the streets with pride, and we only lost that because of the illegal overthrow. We were forced to forget our practices, language, and mana.

But times have changed...we are in a sort of Hawaiian Renaissance. Around the state, Native Hawaiians promote cultural issues and find mana within each other. Currently, during Lā Kū‘okō‘a, Kamehameha students march with pride, waving the Hawaiian flag, and singing Hawai‘i Pono‘i, Hilo’s Boys and Girls Club hosted an educational conference, and news channels speak about its importance.

Recognizing Lā Kū‘okō‘a will inspire youths like me, give peace to our kupuna, take a vital step forward for our natives, and unify our aloha without ANY monetary cost. It is something so simple, but so filled with mana. Mahalo nui, e ola nā lāhui, e ola ka Hawai‘i.

SB-731

Submitted on: 3/25/2023 9:44:00 AM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julia Estigoy-Kahoonei	Individual	Support	Written Testimony Only

Comments:

Yes La Ku'o Ko'a needs to be recognized as another reminder to everyone who lives here that Hawaii is NOT part of America and recognition of Hawai'i's history needs to be acknowledged and celebrated

SB-731

Submitted on: 3/25/2023 10:02:02 AM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support SB731.

SB-731

Submitted on: 3/29/2023 9:39:40 AM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Malakai	Individual	Support	Written Testimony Only

Comments:

I support

SB-731

Submitted on: 3/29/2023 10:07:31 AM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Destin	Individual	Support	Written Testimony Only

Comments:

I am in not support of this independance day to be a state holiday because the state already has a independence day

SB-731

Submitted on: 3/29/2023 12:06:13 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Support	Written Testimony Only

Comments:

Please support for all of the reasons stated in the introduction of the bill.