



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

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Statement of
MIKE MCCARTNEY
Director
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON FINANCE

Wednesday, March 31, 2021
1:30 PM
Via Videoconference
Conference Room 308
State Capitol

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

Chair Luke, Vice Chair Cullen, 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.

Thank you for the opportunity to testify.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
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To: House Committee on Finance

From: Cheryl Kakazu Park, Director

Date: March 31, 2021, 1:30 p.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. If this Committee chooses to make such a change to the permitted interaction, OIP suggests the following 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 would recommend adding the following language to the end of bill section 3** if this committee wishes 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 comments.



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David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES

Hawai'i Tourism Authority
before the
HOUSE COMMITTEE ON FINANCE

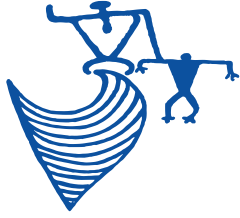
Wednesday, March 31, 2021
1:30 PM
via videoconference

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

Chair Luke, Vice Chair Cullen, and members of the Committee on Finance: 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.



HO'OU LU 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
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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
HOUSE COMMITTEE ON FINANCE

Wednesday, March 31, 2021
1:30 PM
Via Videoconference

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

Chair Luke, Vice Chair Cullen, and members of the
Committee.

I am Kalani Ka'anā'anā, Chair of the Commission on the 13th
Festival of Pacific Arts and Culture, or FestPAC. I am pleased to
offer testimony in support of SB696, SD1, on behalf of the
Commission.

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 to August 31, 2025 as presently drafted.

The bill also includes 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 continues to meet at properly noticed meetings every other week and are committed to doing so. Further, all of the Commission's meetings are live streamed on Facebook to make the meetings available to the public in Hawai'i and Pacific Island colleagues across the region. Lastly, all of the Commission's written work is required to be made available in 'Ōlelo Hawai'i, English, and French and requires additional time and coordination in making the translations available.

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