

**JOSH GREEN, M. D.**  
GOVERNOR  
KE KIA'ĀINA



**BRENNA H. HASHIMOTO**  
CHIEF NEGOTIATOR

**SYLVIA LUKE**  
LT. GOVERNOR  
KA HOPE KIA'ĀINA

**STATE OF HAWAII**  
**OFFICE OF COLLECTIVE BARGAINING**  
**EXECUTIVE OFFICE OF THE GOVERNOR**  
235 S. BERETANIA STREET, SUITE 1201  
HONOLULU, HAWAII 96813-2437

Statement of  
**BRENNA H. HASHIMOTO**  
Chief Negotiator, Office of Collective Bargaining

Before the  
**SENATE COMMITTEE ON WAYS AND MEANS**  
Tuesday, February 28, 2023  
10:00 AM  
State Capitol, Conference Room 211

In consideration of  
**SB 732 SD1, RELATING TO STATE HOLIDAYS**

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Office of Collective Bargaining (OCB) appreciates the intent of SB 732, SD1, which designates the second Monday in October of each year as Indigenous Peoples' Day and establishes Indigenous Peoples' Day as a state holiday. However, OCB offers the following comments on this measure:

1. While the Legislature is the governing body to both establish and remove official state holidays, the potential impact on public employees is a negotiable matter, subject to collective bargaining pursuant to Hawaii Revised Statutes (HRS), §89-9.
2. This was evident when, as early as the mid-1970s, the exclusive representatives and the employers mutually agreed to remove references to HRS, §8-1 from the holiday provisions of the respective collective bargaining agreements. This action reflected the parties' agreement that holidays are a negotiable matter and cannot be solely legislated.
3. As such, the establishment of Indigenous Peoples' Day, as an official state holiday and the repealing of election day would have no effect on public workers unless it is negotiated and mutually agreed to.
4. Finally, it should be noted that election day only occurs every other year, whereas SB 732, SD1 as currently written, would establish Indigenous Peoples' Day to be observed every year on the second Monday in October. Should this measure pass prompting the exclusive representatives to

initiate negotiations for inclusion of Indigenous Peoples' Day as another observed holiday for public employees, the employer would have serious concerns regarding the operational and financial impact to the State.

Thank you for the opportunity to provide testimony and comments on this measure.

JOSH GREEN, M.D.  
GOVERNOR



LUIS P. SALAVERIA  
DIRECTOR

SABRINA NASIR  
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**  
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ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT

**WRITTEN ONLY**  
TESTIMONY BY LUIS P. SALAVERIA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEE ON WAYS AND MEANS  
ON  
SENATE BILL NO. 732, S.D. 1

**February 28, 2023**  
**10:00 a.m.**  
**Room 211 and Videoconference**

RELATING TO STATE HOLIDAYS

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

Senate Bill No. 732, S.D. 1: a) designates the second Monday in October of each year as Indigenous Peoples' Day; b) establishes the day as the 14th State holiday; and c) repeals the designation of general election days as State holidays.

B&F estimates that the annual cost in terms of lost productivity to add another State holiday is approximately \$17,000,000. This estimate is based on current collective bargaining data projected for FY 24 increases. It includes base pay, Social Security, Medicare, and pension accumulations, but does not include any potential hard costs such as overtime pay for employees who may be required to work and, therefore, are eligible for holiday pay. Because of the elimination of general election days as State holidays in S.D. 1, this cost would be incurred only in non-election years.

Thank you for your consideration of our comments on this bill.

**SB-732-SD-1**

Submitted on: 2/23/2023 4:03:38 PM

Testimony for WAM on 2/28/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kenneth R. Conklin, Ph.D.	Testifying for Center for Hawaiian Sovereignty Studies	Oppose	Written Testimony Only

Comments:

Oppose. First we had Columbus Day. Then that was changed to "Discoverer's Day" to avoid singling out Columbus for honor because he was criticized for bringing death and colonial oppression to the Americas, and explicitly (in the bill's text) to add the Polynesian explorers to the pantheon of honorees. Now this bill proposes to get rid of all the explorers (presumably including especially Columbus, Captain Cook, Marco Polo, Magellan, and other haoles) and honor only the "indigenous people" -- especially ethnic Hawaiians -- whose ancestors arrived throughout the world before the White guys got there. But as my dear friend Professor emeritus Rubellite Kawena Kinney Johnson famously said: "We are all indigenous people of this Earth." So let's leave "Discoverer's Day" the way it is, and honor all of ourselves and our brave ancestors (even the haoles). The virulent hatred toward USA, the missionaries, Captain Cook et. al. in the first couple of paragraphs is outrageous. We also should leave this day on the calendar as a day of observance not as another official state holiday where government workers get the day off with pay.

**LATE**

**SB-732-SD-1**

Submitted on: 2/27/2023 7:20:34 PM

Testimony for WAM on 2/28/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barbara Sarbin	Testifying for Volcano School of Arts & Sciences	Support	Written Testimony Only

Comments:

**Written Testimony from the students of Volcano School of Arts & Sciences Middle School Civics classes (Papa Pono Kiwila):**

100% of the Middle School students support the Bill, but some wanted to submit written testimony, which I am doing here on their behalf. Each student here responded to the question, why do you support Indigenous People’s Day as a State Holiday? As their Civics and US History teacher, it has been an honor to participate in the process of the formation of this Bill, which I support.

-Barbara Sarbin

Grade 8:

I think Indigenous People’s Day is important so that we can be together and go around spreading aloha, helping others, like the homeless, so they could come to celebrate the culture with us, and have a big cookout with different types of cultural foods, and so we can feed the homeless. We can also come together as a family and do the things that our family that died did, and we can do the things they did long ago.

-Kailani Hauoli-Nalu

I think Indigenous People’s Day is important so we can celebrate indigenous people, to celebrate my culture, and how we have come to find this beautiful place that we call home.

-Harley Kuniho

I think Indigenous People’s Day is important because it’s a great opportunity to bring people together as a whole and celebrate our differences and our similarities.

-Magda Czerepak

I think we should celebrate Indigenous People's Day on social media, so that all people can see it and celebrate at the same time with us.

-Kailen Kaluahine-Salmo

I think Indigenous People's Day is important to show how much we care about our culture.

-Arya Waiamau-Cureton

Grade 7:

I think Indigenous People's Day is important and I am thankful for all the people who are making this holiday and taking the time to look at our issue.

-Patrick Kailiawa

I think Indigenous People's Day is important because there should be one day a year to learn more about your own heritage.

-Haylee Toomey

I think Indigenous People's Day is important because we should learn to be proud of our culture and not ashamed.

-Kamalu DeLao

I think Indigenous People's Day is important so you can connect with your culture and dig deep.

-Dhaylee Cabrerros

I think Indigenous People's Day is important to honor people of all cultures.

-Bergamot Fossel

I think Indigenous People's Day is important because it's important to celebrate our cultures.

-Zion Pascubillo

I think Indigenous People's Day is important because it's important to learn about other people's cultures.

-Stella Montgomery

I think Indigenous People's Day is important because I want to learn more about my native culture.

-Gabe Adams-Rodriguez

I think Indigenous People's Day is important to celebrate because other states in our country celebrate it.

-Zen Lucero

I think Indigenous People's Day is important because we should learn the history of our culture.

-Kalia Melau Kalewahea

Grade 6:

I think Indigenous People's Day is important because it's important to celebrate the people who were here before us.

-Malia Wells

I think Indigenous People's Day is important so there is a day to honor the ancestors of this island.

-Charlie Beevers

I think Indigenous People's Day is important because the Hawaiians made Hawai'i.

-Ben Sutton

I think Indigenous People's Day is important because we should get to know about the people who lived here before.

-Clapton White

**SB-732-SD-1**

Submitted on: 2/23/2023 6:31:05 PM

Testimony for WAM on 2/28/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

You spend More time Not working as it is we do not need any more Holidays we need the Government to start working FOR THE PEOPLE!!!!

**SB-732-SD-1**

Submitted on: 2/26/2023 8:00:49 PM

Testimony for WAM on 2/28/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ted Bohlen	Individual	Support	Written Testimony Only

Comments:

SUPPORT declaring Indigenous People's Day!