

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WAYS AND MEANS
And
JUDICIARY
Wednesday, February 19, 2025
10:16 AM

State Capitol Conference Room 211 & Videoconference

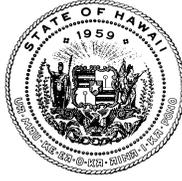
In consideration of
SENATE BILL 1432, SENATE DRAFT 1
RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH
CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE KALAUPAPA
SETTLEMENT

Senate Bill 1432, Senate Draft 1 proposes several measures to address the continued and immediate treatment of Hansen's disease patients as well as the long-term management needs of managing natural and cultural resources at Kalaupapa. Additionally, it will reunite Kalawao County with the County of Maui. **The Department of Land and Natural Resources (Department) supports this measure.**

The proposed measure recognizes the historic and cultural significance of Kalaupapa and commemorates those resources by establishing the Kalaupapa State Historical Area. Kalaupapa has been identified by the United States Department of the Interior as a National Historic Landmark, the nation's highest recognition for historic resources. It is also listed in the Hawaii and National Registers of Historic Places. The recognition of Kalaupapa as a State Historical Area is appropriate for the long-term preservation and use of the settlement and the historic and cultural resources located throughout the peninsula.

Furthermore, the County of Maui has established its own historic preservation program and has been recognized as a Certified Local Government through the National Park Service. The County of Maui and the Maui County Cultural Resources Commission will be an important partner in continuing to preserve, protect, and share the important history of Kalaupapa and its patients.

Mahalo for the opportunity to provide testimony on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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Testimony in SUPPORT of SB1432 SD1
RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH
CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE KALAUPAPA SETTLEMENT
SENATOR DONOVAN DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

SENATOR KARL RHODES, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: February 19, 2025 @ 10:16 am

Room Number: 211

- 1 **Fiscal Implications:** This measure does not in itself have fiscal implications. However, the
- 2 Department of Health (“Department”) has submitted operating requests to fund staff to
- 3 maintain structures and CIP requests for important projects at Kalaupapa.
- 4 **Department Position:** The Department supports this bill and requests an amendment.
- 5 The Department recognizes the importance of this proposed bill and values the comments,
- 6 concerns and insights shared by various members of the public, members of the Senate
- 7 Committees on Health and Human Services and Energy and Intergovernmental Affairs, the
- 8 Chair of the Hawaiian Homes Commission and the Maui County Mayor and Councilmember.
- 9 **Department Testimony:** The Communicable Disease and Public Health Nursing Division
- 10 (CDPHND) provides the following testimony on behalf of the Department.
- 11 The Department’s role at Kalaupapa

1 In recognition of the social stigma and hardships suffered by so many of the patients that lived
2 in the Kalaupapa Settlement, the Legislature retained and amended sections of Chapter 326,
3 HRS in 1969 to assure those patients that wished to remain at Kalaupapa:

- 4 • Would be treated with dignity, respect, courtesy, and sensitivity (§326-1.3);
- 5 • Would be provided with adequate healthcare and other medical treatment and
6 services for the remainder of their lives (§326-1.5); and
- 7 • Were permitted to remain at the facility for as long as the person choose (§326-26).

8 Today, seven individuals who are eligible continue to receive care and residency at Kalaupapa
9 from the Department.

10 Why the Department requested the introduction of this bill

11 The Department seeks to amend or repeal appropriate sections of §326 as outlined in this bill
12 for when the Department's patient care role at Kalaupapa is no longer required.

13 The bill was developed with input from DHHL, DLNR, NPS, Maui County Mayor's Office, Maui
14 County Council and others and outlines the proposed amendments or repeals of sections of
15 Chapter 326, HRS that specifically define the Department's role in patient care at Kalaupapa
16 Settlement. A "trigger date" is specified in the bill which would make the amendments and
17 repeals effective one year after the passing of the last Kalaupapa Registry patient.

18 Sections of Chapter 326, HRS that are not specific to patient care at Kalaupapa, but apply to the
19 Department's ongoing role in disease surveillance and the treatment and care of persons with
20 Hansen's Disease throughout the State are retained.

21 The Department's plan is to transfer our operational responsibilities to the remaining
22 government organizations that are designated as landowners and/or have statutory authority
23 for operations in Kalaupapa. We expect that the bulk, if not all, of our non-patient care
24 operational responsibilities will transfer to NPS.

1 What this bill does not do

2 While the Department is an interested party, from our perspective, most decisions about the
3 “future of Kalaupapa” are beyond our authority and reside with all landowners and the
4 National Park Service, which has designated authority to manage the Park under federal law.
5 This bill does not interfere with the National Park Service’s General Management Plan, any
6 existing cooperative agreements between the National Park Service and other State
7 departments, or with the existing land lease between the Department of Hawaiian Home Lands
8 (DHHL) and National Park Service that expires July 14, 2041.

9 **The Department continues to defer to the decisions and plans of DHHL, DLNR and NPS to**
10 **determine the future of Kalaupapa and any transition from current uses.**

11 Status of Kalawao County

12 The Department is aware of the expressed desire of some Maui County residents to unite the
13 Kalaupapa peninsula with the rest of Moloka’i Island and to bring the area under the
14 jurisdiction of Maui County, as expressed in a recent Maui County Council resolution and
15 amendment of language in Maui County Charter’s definition of “Geographical Limits” (Maui
16 County Charter – 2023 - Section 1-2. Geographical Limits).

17 When the Department’s patient care role in Kalaupapa ends, the Department proposes to
18 repeal its assigned “jurisdiction and control” (§326-34) over Kalawao County, which we believe
19 will remove any state law that excludes the area from Maui County’s jurisdiction. This would
20 allow the County to assume jurisdiction.

21 Structure Preservation

22 The Department is not designated as an “owner” of any structures or land in Kalawao County,
23 but is committed to maintaining facilities and infrastructure to support our responsibility for
24 patient care. The Department and NPS are currently working to maintain usable structures

1 within the confines of staffing limitations. DHHL and NPS are working to identify structures of
2 the highest priority for historic preservation as guided by State and Federal Law given the
3 regions designation as both a state and national historic site. The Department remains
4 committed to environmental remediation projects in partnership with the landowning and
5 operational agencies.

6 The Department's current "transition plan"

7 At the request of the patients to protect the historical, cultural and natural resources of this
8 sacred place, the Kalaupapa National Historical Park was established in 1980. When there is no
9 longer a patient care role at Kalaupapa, the Department intends to transfer its remaining
10 operational responsibilities to NPS following the terms outlined in a *Cooperative Agreement*
11 *with NPS (continuous since 1984)* and "*A Strategic Plan for Transition at Kalaupapa Settlement*"
12 that was created in 1991 in response to a Senate Concurrent Resolution. Many non-patient
13 related responsibilities have already been transferred to the National Park Service following this
14 planning. Details, including a timeline, of the Department's plan to transfer responsibilities
15 after there is no longer a patient care role at Kalaupapa are in the attached *DOH Kalaupapa*
16 *Transfer Plan*.

17 In 2015, the Department began an effort to regularly meet with the government agencies with
18 statutory responsibility for Kalaupapa in an effort to "un-silo" our discussions - keeping all
19 agencies informed of the various operations, events and plans. The group would gather 3-4
20 times per year and it resulted in better coordination of project schedules, allowed for shared
21 resources and brought previously missing expertise and connections that enhanced the
22 Settlement's emergency preparedness efforts. The purpose of the group has always been to
23 manage operations, coordinate project schedules and share resources to support all of the
24 government missions at Kalaupapa.

1 A formal “*transition planning team*” does not exist. The “future” of what will happen at
2 Kalaupapa is currently described in the NPS General Management Plan – and the Department
3 of Hawaiian Home Lands has been conducting (and planning to conduct more) beneficiary
4 consultations regarding their future plans for their parcel of land at Kalaupapa.

5 We recommend deleting Section 26 that was added in the SD1. However, if retained, it will
6 have no effect because there is no such transition planning team.

7 Thank you for hearing this measure and for the opportunity to testify.

8

9 **Proposed amendment to SB1432 SD1:**

10 ~~[SECTION 26. The department of health, in developing a plan for the permanent transfer of~~
11 ~~the powers and duties of the department and any other state agency over Kalaupapa~~
12 ~~Settlement to other governmental or qualified non-governmental entities, shall include Ka~~
13 ~~Ohana O Kalaupapa and a topside community organization from Molokai in the transition~~
14 ~~planning team. The department of health shall select the topside community in consultation~~
15 ~~with the Molokai community. For purposes of this section, "topside community organization~~
16 ~~from Molokai" means a community of Molokai outside of the county of Kalawao.]~~

17 SECTION ~~[27]~~26. For the purposes of this Act, "full- or part-time patient resident of
18 Kalaupapa" means a person who was institutionalized for segregation by order of the
19 department of health because of Hansen's disease and who chose to remain at Kalaupapa or
20 Hale Mohalu after June 30, 1969.

21 SECTION ~~[28]~~27. Statutory material to be repealed is bracketed and stricken. New statutory
22 material is underscored.

23 SECTION ~~[29]~~28. This Act shall take effect on December 31, 2050; provided that part II of this
24 Act shall take effect on the one-year anniversary of the passing of the last full- or part-time

1 patient resident of Kalaupapa as affirmed in the governor's proclamation, as described in
2 section 25 of this Act.

3

4

5 **Attachment:**

6 1. DOH's Kalaupapa Transfer Plan (with timeline)

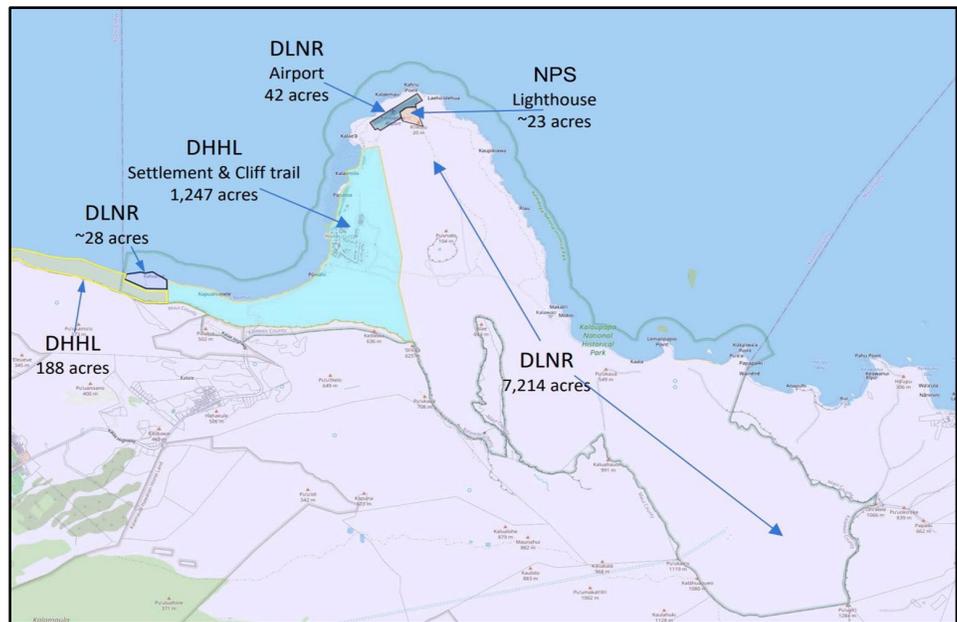
7



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
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Kalaupapa Transfer Plan
November 2024

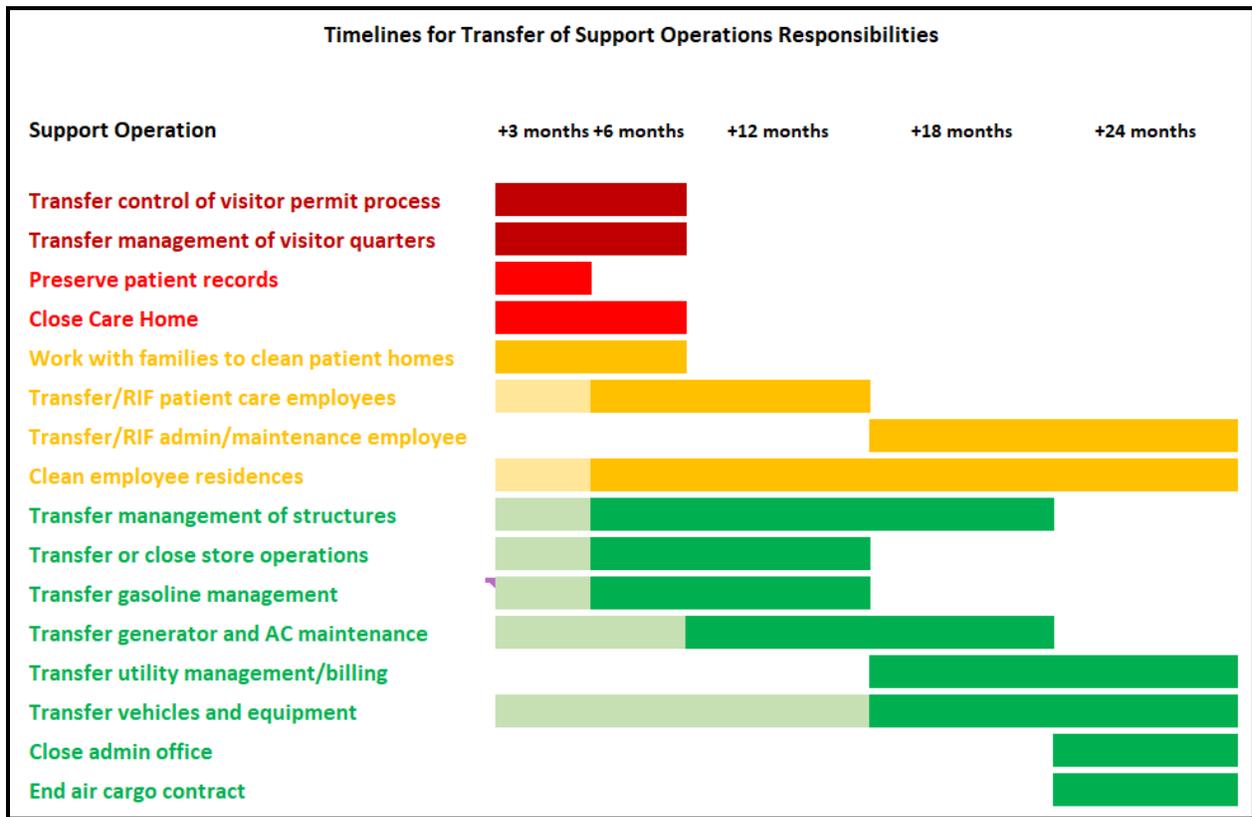
Kalaupapa National Historical Park (outlined in green in map below) was created by the U.S. Congress in 1980 and is managed by the National Park Service (NPS). “[Kalaupapa National Historical Park](#) honors the mo'olelo (story) of the isolated Hansen's disease (leprosy) community by preserving and interpreting its site and values. The historical park also tells the story of the rich Hawaiian culture and traditions at Kalaupapa that go back at least 900 years.” NPS has a [cooperative agreement](#) with the State of Hawaii Department of Land and Natural Resources (DLNR) for conservation and land management purposes that expires in 2029, and it has a [lease](#) with the State of Hawaii Department of Hawaiian Home Lands (DHHL), upon which the Kalaupapa settlement is located, to utilize its land to advance the purpose of the Kalaupapa National Historic Park that expires in 2041.



Prior to the creation of the Kalaupapa National Historical Park, Kalawao County was established and placed under the control and jurisdiction of the State of Hawaii Department of Health (DOH) as described in [Hawaii Revised Statutes §326](#). DOH has a mission to provide care for patients who had Hansen's Disease and administers operations to support the care of patients there such as utilities, maintenance, and supplies. These general support operations also support the NPS mission at Kalaupapa National Historical Park. DOH has operated under a [cooperative agreement with NPS](#) since 1984, and the two parties have been collaborating to gradually transfer responsibility of support operations from DOH to NPS.

When DOH's patient care mission at Kalaupapa National Historical Park concludes, it will begin the final transfer of its responsibilities in Kalaupapa to NPS based on the estimated timeline below. This timeline

represents the key activities that DOH anticipates embarking on when the Department’s patient care role at Kalaupapa ends but is not intended as an exhaustive list. Additions and changes are expected.



*Support operations are grouped by category.
 **Lighter colors indicate the timeline of planning and preliminary efforts for that operation with bright colors indicating estimated official start of that activity.

DOH will maintain responsibility for environmental remediation until completion. The timing is dependent on the availability of funding. The currently identified projects are:

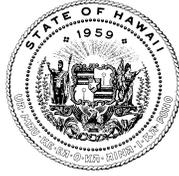
- Applying synthetic cover to closed municipal solid waste (MSW) landfill
- Closing the construction and demolition (C&D) landfill
- Reroofing the care home building and the storage warehouse
- Coordinating with NPS and DHHL on abandoned vehicle removal
- Cesspools closure
- Hazardous material identification and abatement

The cooperative agreement between NPS and DLNR as well as the lease between NPS and DHHL will continue beyond DOH’s role in managing Kalaupapa Settlement/Kalawao County, and NPS will continue to manage the Park for the foreseeable future under the guidance outlined in its [General Management Plan \(2021\)](#). Should a landowner seek to change the use of its land in the National Historical Park, this would be negotiated between the landowner and NPS.

DOH will continue to work closely with all stakeholders to ensure a smooth transfer of its responsibilities at Kalaupapa and will frequently review and update this plan as conditions change.

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawai'i*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawai'i*



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

KATIE L. LAMBERT
DEPUTY TO THE CHAIR
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawai'i

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TESTIMONY OF KALI WATSON, CHAIR
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEES ON WAYS AND MEANS AND JUDICIARY
DECISION MAKING HEARING ON FEBRUARY 19, 2025 AT 10:16AM IN CR 211

**SB 1432, SD 1, RELATING TO CHANGES TO RESPONSIBILITIES OF THE
DEPARTMENT OF HEALTH CONCERNING PATIENTS, THE COUNTY OF
KALAWAO, AND THE KALAUPAPA SETTLEMENT.**

February 18, 2025

Aloha Chairs Dela Cruz and Rhoads, Vice Chairs Moriwaki and Gabbard, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) takes no position and supports the intent of this bill which 1) establishes the Kalaupapa State Historical Area 2) authorizes the Department of Health to continue providing services statewide to Hansen's disease patients living in the community and 3) repeals sections of chapter 326, Hawaii Revised Statutes, upon the one-year anniversary of the passing of the last patient resident of Kalaupapa as affirmed in the Governor's proclamation, 4) requires the Department of Health to include Ka Ohana O Kalaupapa and a topside community organization from Molokai in the transition planning team.

The area commonly known or designated as the Kalaupapa Settlement, described in Section 2 of the bill, which proposes a new section to Chapter 6E to create the Kalaupapa state historical area, includes Hawaiian Home Lands. Thus, DHHL recommends that SB1432, SD1, explicitly state that Hawaiian Home Lands, identified by tax map key: 6-1-01:01 located in Kalaupapa, is Hawaiian Home Lands.

Because the Hawaiian Homes Commission (HHC), as codified in the Hawaii State Constitution, has exclusive land use and zoning authority for HHL, any land use designation changes regarding HHL would be subject to HHC approval and beneficiary consultation.

DHHL agrees with the intent of preserving the historical importance of the Kalaupapa Settlement but believes there may be unintentional jurisdictional implications to DHHL's parcel if it is made part of a state historical area and not clearly delineated.

Thank you for your consideration of our testimony.



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 204-2466 (VP)

LATE

February 19, 2025

TESTIMONY TO THE SENATE COMMITTEES ON WAYS AND MEANS, AND JUDICIARY

Senate Bill 1432 SD1 – Relating to Changes to Responsibilities of the Department of Health Concerning Patients, the County of Kalawao, and the Kalaupapa Settlement

The Disability and Communication Access Board (DCAB) supports Senate Bill 1432 SD1 – Relating to Changes to Responsibilities of the Department of Health Concerning Patients, the County of Kalawao, and the Kalaupapa Settlement. This bill establishes the Kalaupapa State Historical Area. It authorizes the Department of Health to continue providing services statewide to Hansen's disease patients living in the community. And it repeals sections of chapter 326, Hawai'i Revised Statutes, upon the one-year anniversary of the passing of the last patient resident of Kalaupapa as affirmed in the Governor's proclamation.

For many decades the Department of Health (DOH) has been responsible for both the patient services at Kalaupapa and much of the physical infrastructure. This bill ensures that the patients continue to receive care from DOH while preparations occur to transfer the physical land and infrastructure to the County of Maui's control. Hawaii has a historical obligation to the residents of Kalaupapa, and this bill ensures those obligations are met.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW
Executive Director

Kehaulani Lum
Member of the Board Directors, Ka 'Ohana O Kalaupapa
Lineal Descendant of Deceased Residents of Kalaupapa
Statement

Before the
SENATE COMMITTEE ON WAYS AND MEANS
SENATE COMMITTEE ON JUDICIARY
Wednesday, February 19, 2025
10:16 AM
State Capitol, Conference Room 211

In consideration of
SB 1432 SD 1, Relating to changes to responsibilities of the Department of Health concerning patients, The County of Kalawao, and the Kalaupapa Settlement.

Aloha Chair Donovan M. Dela Cruz, Chair Karl Rhoads, Vice Chair Sharon Y. Moriwaki, Vice Chair Mike Gabbard, and the members of the Committee on Ways and Means and the Committee on Judiciary.

Mahalo nui loa for your steadfast support for the residents of Kalaupapa and the mission of Ka 'Ohana O Kalaupapa, an 'ohana of Kalaupapa patients, their family members and friends, that is dedicated to promoting the value and dignity of every individual exiled to Kalaupapa since 1866.

As a descendant of Henry Nala'ielua, whose bones rest at Kalaupapa after having endured 75 years under the care of fellow residents and the Department of Health, his sisters Evelyn and Christina who were exiled at ages 16 and 9 and died there a century ago (with no marked graves), and Uncle Joe Palau who died within 9 years of forced removal to the peninsula, the future of Kalaupapa is deeply personal to me.

I respectfully submit my comments regarding SD 1432 SD1, in echo to those of esteemed resident Gloria Marks and Ka 'Ohana O Kalaupapa.

I am a volunteer Board Member of Ka 'Ohana o Kalaupapa, whose essence is to cherish and look for guidance from our kupuna of Kalaupapa, through the values of aloha, lōkahi, mālama, kokua, and pono. The goal of the 'Ohana is to ensure that the state and federal laws are carried out to guarantee that all patients can live out their lives in Kalaupapa with all the necessary support and services. We also work with and serve as a resource for other entities to help shape the community's future, assist with the interpretation of history, educate the public and make certain that the legacy of Kalaupapa will remain a living inspiration and testament for generations to come, including through the building of a beautiful Memorial approved by Congress and President Barack Obama and gratefully supported by all of you.

As one of only two stakeholders in Kalaupapa so-designated by an Act of Congress, the other being the National Park Service, we take our kuleana seriously, without salary, and commit wholeheartedly to the vision of the kupuna who founded us.

To ensure the well-being of the residents and their descendents, in perpetuity, I humbly request that SB 1432 SD 1 be specifically amended to ensure that Ka 'Ohana will be an integral part of the transitional planning team making decisions on jurisdictional, operational and other important matters regarding the future management of Kalaupapa and its future legacy, when there is no longer a patient community at Kalaupapa and the Department of Health (DOH) departs Kalaupapa and transfers its administrative and operations responsibilities to another government or non-government entity(ies). If it is the will of your Committees to advance this measure, I respectfully recommend the following amendments:

1) That the following language be inserted in Part I, Section 1 as the third paragraph starting at the bottom of Page 1 as a new paragraph:

“The legislature finds that there are six major stakeholders authorized to operate at Kalaupapa by government statute. Two of the six are authorized by federal statute. They are the National Park Service, a federal agency, and Ka 'Ohana O Kalaupapa, a non -profit organization conceived, fostered and formed by patient residents of Kalaupapa. The remaining four stakeholders are state agencies including the Department of Health, the Department of Land and Natural Resources, the Department of Hawaiian Home Lands, and the Department of Transportation all of which are authorized to operate at Kalaupapa by state statute. “

2) That the following associated language in Part 1, Section 1 on Page 2 as the fourth purpose of the Act read:

(4) Require the department of health, in developing a plan for the permanent transfer of the powers and duties of the department and any other state agency over Kalaupapa Settlement to other governmental or qualified non-governmental entities, to include Ka Ohana O Kalaupapa and a topside community organization from Molokai in the current decision-making transition planning team, which is made up solely of self-appointed government agencies.

Mahalo nui loa for your deep concern for the transition of Kalaupapa, as expressed by one of the last remaining residents and the 'Ohana. If carried out with compassion and aloha, it will help ensure that the impact of the forced relocation can truly be healed. Without our voices on the transition team, we and our ancestors are cast into darkness, yet again, and remain invisible and stigmatized, still.

Me ke aloha pumehana,

Kehaulani Lum
99-045 Nalopaka Place
'Aiea, Hawai'i 96701



February 18, 2025

Senator Donovan Dela Cruz, Chairman, Committee on Ways and Means, and
Senator Karl Rhoads, Chairman, Committee on Judiciary

SB1432-SD1 -- Relating to Changes to Responsibilities of the Department of Health Concerning Patients, the County of Kalawao and the Kalaupapa Settlement

Wednesday, February 19, 10:15 a.m. Conference Room 211

I write to provide comments about SB1432-SD1, regarding the future of Kalaupapa

Aloha Chairmen Dela Cruz and Rhoads and Committee members,

Thank you for hearing SB1432-SD1 and giving us the opportunity to learn more about plans for the future of Kalaupapa. Even though government officials have been meeting for many years about this important transition, the public has no knowledge of what is being discussed.

My name is Valerie Monson, Executive Director of Ka 'Ohana O Kalaupapa, a 501-c-3 nonprofit organization created by the residents of Kalaupapa in 2003. Ka 'Ohana was the vision of Bernard Punikai`a, who was taken from his mother when he was just 6 ½ years old and sent to Kalaupapa a few years later in 1942.

As Bernard saw the population of Kalaupapa getting smaller and the community getting older, Bernard felt it was critical to bring together family members, descendants and friends of Kalaupapa to make sure the voices of the Kalaupapa residents were always heard in directing the future and how Kalaupapa would be remembered.

Other residents echoed his concerns and played a key role in laying the foundation of Ka 'Ohana O Kalaupapa nearly 22 years ago. Many of them have now passed -- are their voices forgotten?

Ka 'Ohana O Kalaupapa has been an active participant in the Legislature since we organized -- always taking the chance to meet with lawmakers and update you on conditions at Kalaupapa. Some of you may remember us from hearings last year when a bill about the transition of

Kalaupapa was introduced. Ka 'Ohana was advocating to be included as a member of the Kalaupapa Transition Team which now includes only government officials, some of them somewhat new to their positions. We also supported bringing in a community group from upper Molokai.

We believe that those of us with Ka 'Ohana O Kalaupapa -- those who had family at Kalaupapa or who have been involved with the Kalaupapa community for many years -- have a great deal of knowledge and experiences that would help this transition team produce a better future. People on upper Molokai also have a wealth of knowledge and must be involved in planning the future of a significant part of their island. Because approximately 1,300 acres of the Kalaupapa peninsula are designated as Hawaiian Homelands, beneficiaries might also request to be included.

Many people will be affected by the future of Kalaupapa.

The Kalaupapa "transition team" has been meeting for many years, yet we hear such conflicting statements about where they're at in the process -- some of these statements are from officials who are members of this team who seem to have a different idea of what has been accomplished.

There are times when we are told that the transition team is still in the early stages of planning the future -- such as deciding on who has the key to what -- but we also hear that the decision has already been made: that the National Park Service will have full jurisdiction at Kalaupapa, that the federal government will have complete control of one of Hawaii's most sacred places.

Recently we've also heard that Maui County will assume jurisdiction of Kalaupapa.

What is true? We just don't know. We hope you can find out.

This bill before you states that Kalawao County -- which now comprises the entire Kalaupapa peninsula -- will cease to exist and -- I quote -- "**shall** be and form a portion of Maui County." (emphasis added).

Has there ever been a public hearing or meeting on Molokai or Maui about this transfer? If there has been, I apologize that we did not know about it. Has Maui County weighed in on this?

Is Maui County aware of the poor condition of the natural environment and houses at Kalaupapa? Because there is little oversight at Kalaupapa and few visitors are allowed, there is little public knowledge about the takeover of the invasive deer (huge herds everywhere, even in residents' yards, impossible to grow any vegetables or flowers without a fence), proliferating pigs digging in sacred Kalawao, huge stands of invasive trees and weeds blocking once-iconic ocean views -- and no progress on making things better. Many houses in the settlement -- a number of them historic -- are in need of repairs and fresh paint.

In Public Law 96-565 which established Kalaupapa National Historical Park in 1980, Section 109 reads: "At such time when there is no longer a resident patient community at Kalaupapa, the Secretary **shall reevaluate the policies governing the management, administration, and public use of the park** in order to identify any changes deemed to be appropriate." (emphasis added).

How does that federal language fit with this State bill?

The bill before you also proposes creating a "Kalaupapa State Historical Area," which is subject to the State's 6-E process that includes special restrictions. According to the bill, the purpose of this historical area is "to educate the public, to commemorate the lives of the residents with Hansen's disease and the lives of the people who served them, and to recognize the county of Kalawao and its role in the history of Hawaii." How does that impact all these other government responsibilities?

Ka 'Ohana O Kalaupapa has been doing all of the above in historical preservation and education for the past 22 years without a special designation.

Our organization has helped nearly 1,000 descendants learn about or learn more about their ancestors -- no one was reaching out to the families and descendants until Ka 'Ohana O Kalaupapa. We have created two traveling exhibits that have been to every island and are currently on display -- one at 'Iolani Palace and the other at the Molokai Museum and Cultural Center -- and we have developed a host of other educational and outreach programs. We have been presented with seven Preservation Awards by Historic Hawai'i Foundation.

And, yet, we have been completely left out of the planning process.

There are so many components to this plan for the future of Kalaupapa, it makes us wonder who would have the final decision: Kalaupapa National Historical Park, Maui County or the lead agency of the Kalaupapa State Historical Area? What will be the role of the State of Hawai'i, of the Department of Land and Natural Resources, of the Department of Hawaiian Homelands?

Will there be independent oversight of these agencies at Kalaupapa by knowledgeable community members to keep the public involved?

Will homesteaders live at Kalaupapa and give the area additional life?

We have many other questions about how the new system at Kalaupapa will work.

We hope your committees will support the amendments being proposed by Ka 'Ohana O Kalaupapa -- and recommend adding Ka 'Ohana O Kalaupapa and a community group on upper Molokai to the current decision-making process so voices of those with so much knowledge will be included along with government concerns.

We also believe many discussions need to take place before a final decision is made. Please help us -- and help provide Kalaupapa with the proud future it deserves, a future decided by the people who care so deeply about the nearly 8,000 men, women and children who were forcibly isolated there and who care about this important history.

Thank you for considering my comments.

With aloha,

A handwritten signature in black ink that reads "Valerie Monson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Valerie Monson, Executive Director
Ka 'Ohana O Kalaupapa

Statement of
DEGRAY VANDERBILT
Member of Board Directors, Ka 'Ohana O Kalaupapa

Before the
SENATE COMMITTEE ON WAYS AND MEANS
SENATE COMMITTEE ON JUDICIARY
Wednesday, February 19, 2025
10:16 AM
State Capitol, Conference Room 211

In consideration of
SB 1432 SD 1, Relating to changes to responsibilities of the Department of Health concerning patients, The County of Kalawao, and the Kalaupapa Settlement.

Aloha Chair Donovan M. Dela Cruz, Chair Karl Rhoads, and members of the Committee on Ways and Means and the Committee on Judiciary

My name is DeGray Vanderbilt, I have been requested to provide testimony, which presents Ka 'Ohana's proposed amendments in a formal format to facilitate consideration by the members of the Committees.

Ka 'Ohana O Kalaupapa (Ka 'Ohana), a non-profit organization conceived and fostered by patient residents of Kalaupapa, offers the following comments on SB 1432 SD specifically adding amended language which provides for Ka 'Ohana to be an integral part of the transitional planning team making decisions on jurisdictional, operational and other important matters regarding the future management of Kalaupapa and its future legacy, when there is no longer a patient community at Kalaupapa and the Department of Health (DOH) departs Kalaupapa and transfers its administrative and operations responsibilities to another government or non-government entity(ies).

As such, should this measure be advanced, Ka 'Ohana recommends the following:

Ka 'Ohana recommends that the following language be inserted in Part I, Section 1 as the third paragraph starting at the bottom of Page 1 as a new paragraph: The legislature finds that there are six major stakeholders authorized to operate at Kalaupapa by government statute. Two of the six are authorized by federal statute. They are the National Park Service, a federal agency, and Ka 'Ohana O Kalaupapa, a non-profit organization conceived, fostered and formed by patient residents of Kalaupapa. The

remaining four stakeholders are state agencies including the Department of Health, the Department of Land and Natural Resources, the Department of Hawaiian Home Lands, and the Department of Transportation all of which are authorized to operate at Kalaupapa by state statute.

Ka 'Ohana also recommends amending the following associated language in Part 1, Section 1 on Page 2 as the fourth purpose of the Act: (4) Require the department of health, in developing a plan for the permanent transfer of the powers and duties of the department and any other state agency over Kalaupapa Settlement to other governmental or qualified non-governmental entities, to include Ka Ohana O Kalaupapa and a topside community organization from Molokai in the current decision-making transition planning team, which is made up solely of self-appointed government agencies.

Mahalo for the opportunity to testify on this measure.

SB-1432-SD-1

Submitted on: 2/15/2025 8:26:27 AM

Testimony for WAM on 2/19/2025 10:16:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Support	Written Testimony Only

Comments:

I support this measure.

**Gloria Marks
c/o Hale Mohalu, Leahi Hospital
3675 Kilauea Ave
Honolulu, HI 96816
(808) 733-8047**

February 17, 2025

Aloha Senator Dela Cruz

Happy to be in contact with you again. . I am Gloria Marks resident of Kalaupapa now residing at Hale Mohalu in the Leahi Hospital.

I have enclosed two pictures. They mean a lot to me. One shows another Ka 'Ohana Board member Pauline Chow and me with you. The other picture shows the last three Kalaupapa residents on the Ka 'Ohana Board of Directors, Boogie Kahilihiwa, Pauline and me. Both Boogie and Pauline recently passed away while serving on our Board. Boogie also served as President of Ka 'Ohana, which you may recall.

All of us were at the legislature in 2022 testifying on the funding bill, which you supported. The bill requested \$5,000,000 from the state for the construction of the Kalaupapa Memorial. Your support was key in the bill being approved. Unfortunately, through delays resulting from state agency buracracy, we have yet to see a single dime of the money.

I was told there is no oral testimony for your February 19 Committee meeting on SB1432, so I am submitting my written testimony.

I would hope that your Committee accepts the proposed amendments provide by Ka 'Ohana in other written testimony, which I have read. The proposed amendments are reasonable and presented to highlight the fact that Ka 'Ohana has Congressional authority to operate at Kalaupapa. We are on the same level as the government agencies, which continue to dismiss our status. Ka 'Ohana was conceived of and formed by patient residents at Kalaupapa. Certainly, Ka 'Ohana must be at the table when the future of Kalaupapa and its legacy are being determined.

Please support, the amendments we have submitted. Mahalo.

Me ke aloha pumehana

Gloria S. Marks