



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.C.R. NO. 128, S.D. 1, REQUESTING THE ATTORNEY GENERAL TO PRODUCE AND PROVIDE A LIST OF STATE LANDS CURRENTLY LEASED TO THE UNITED STATES OF AMERICA OR ANY FEDERAL AGENCY.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Tuesday, April 15, 2025 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Miranda C. Steed, Deputy Attorney General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) opposes this resolution as drafted.

The purpose of this resolution is to request the Attorney General to produce and provide a list of all state lands currently leased to the United States, including lands leased to the military or any federal agency. This resolution further requests that the Attorney General determine whether there are any state constitutional or other legal impediments to continued leasing to the federal government or offering new leases, noting particularly whether leasing for nominal amounts is violative of any state constitutional or statutory provisions.

As written, this resolution sets forth a broad request for legal advice. The Department recommends that rather than seek legal advice through this resolution, that legislators work with the Department following sine die. At that time, the Department can more fully understand the questions being asked and narrowly tailor its advice.

Thank you for the opportunity to testify.



Environmental Caucus of The Democratic Party of Hawai'i

April 14, 2025

Testimony in Support of SCR128, SD1 REQUESTING THE ATTORNEY GENERAL TO PRODUCE AND PROVIDE A LIST OF STATE LANDS CURRENTLY LEASED TO THE UNITED STATES OF AMERICA OR ANY FEDERAL AGENCY

To: Chair David A. Tarnas, Vice Chair Mahina Poepoe, and Members of the Committee on Judiciary & Hawaiian Affairs

Date: Tuesday, April 15, 2025 **Time:** 2:00 p.m. **Place:** Conference Room 325 & via videoconference

From: Environmental Caucus of the Democratic Party of Hawai'i

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

The Environmental Caucus of the Democratic Party of Hawai'i strongly supports SCR128, SD1, which requests the Attorney General to produce and provide a list of state lands currently leased to the United States of America or any federal agency. This resolution is a critical step toward ensuring transparency and accountability in the stewardship of Hawai'i's precious lands.

Arguments in Support:

- **Transparency:** The resolution promotes transparency by requesting a comprehensive list of state lands leased to the federal government, enabling informed decision-making.
- **Environmental Stewardship:** Hawai'i's Constitution mandates the conservation and protection of the state's natural beauty and resources. This resolution aligns with that mandate by ensuring oversight of land use.
- **Accountability:** Historical incidents, such as the Red Hill water contamination crisis and the incomplete cleanup of unexploded ordnance on Kaho'olawe, highlight the need for greater accountability in federal land stewardship.
- **Environmental Justice:** Federal policies and actions have disproportionately impacted communities with environmental justice concerns. This resolution provides an opportunity to address these inequities.

- **Sustainability:** Understanding the extent and terms of federal leases is essential for advocating policies that prioritize the protection and sustainable use of Hawai‘i’s state lands.

Mahalo for the opportunity to testify in support of this resolution.

Respectfully submitted,

Melodie Aduja and Alan Burdick

Co-chairs, Environmental Caucus of the Democratic Party of Hawai‘i

SCR-128-SD-1

Submitted on: 4/11/2025 4:41:08 PM

Testimony for JHA on 4/15/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

Aloha

I SUPPORT SCR 128 SD 1 which REQUESTs THE ATTORNEY GENERAL TO PRODUCE AND PROVIDE A LIST OF STATE LANDS CURRENTLY LEASED TO THE UNITED STATES OF AMERICA OR ANY FEDERAL AGENCY.

In my support of this resolution, I would like to ask that this list is provided with public access and the total amounts paid for the leases. As we know, there are current leases for which \$1.00 was the only amount paid.

Mahalo

C. Burghardt

Kou Oahu

SCR-128-SD-1

Submitted on: 4/13/2025 10:07:28 AM

Testimony for JHA on 4/15/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Mae Buscemi	Individual	Support	Written Testimony Only

Comments:

Good Day All,

I believe that it is important for the State of Hawaii to get an accounting from the United States Federal government. It will be an increasing burden on the states to prove any cause or damage by the administration, as we are being stripped of recourse. It is prudent to gather all evidence and information now.

Sincerely,

Donna Buscemi

96797