



**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FIFTH LEGISLATURE, 2009**

ON THE FOLLOWING MEASURE:

H.B. NO. 901, RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

BEFORE THE:

HOUSE COMMITTEE ON HAWAIIAN AFFAIRS

DATE: Saturday, February 14, 2009 **TIME:** 10:05 AM

LOCATION: State Capitol, Room 329

TESTIFIER(S): Mark J. Bennett, Attorney General,
WRITTEN TESTIMONY ONLY

Chair Carroll and Members of the Committee:

The Administration does not at this time take any position on the overall intent of this measure. We note, however, that this bill does not include an effort to resolve "future payment" issues. We testify to point out portions of S.B. No. 995 which we believe have serious problems irrespective of the merits of moving this concept forward at this time.

This bill authorizes the transfer of land totaling \$200,000,000 in value to OHA, in two phases. The first transfer which includes land in Hilo and Kakaako valued at \$127,203,140, is to be made by October 1, 2009 or six months after OHA receives access to that property and all documents related to that property from the State, with which to conduct due diligence. The second transfer of yet to be identified land is to be made by an act passed by the Legislature in 2010. See page 5, lines 16-22, and page 6, lines 1-5.

At "its sole and absolute discretion," and without any recourse on the State's behalf by the Legislature or the Executive Branch, OHA is allowed to unilaterally reject the Hilo or Kakaako lands, by individual parcels or in their entirety, without having, or specifying any cause. See page 20, lines 14-22. If that occurs, again without any further

input from the Legislature or the Executive Branch, the \$72,796,860 balance for which land must be transferred in 2010, must be increased by the 2008-2009 tax assessed value of the property OHA rejects. In other words, the actual lands to be transferred are unknown at this time. They could ultimately encompass lands wholly different from those described in the bill.

This also means that the State could then be faced with the real possibility that once contiguous property would be fragmented and substantially de-valued by OHA's rejection of some but not all of the parcels that make up the Hilo and Kakaako property.

The bill also makes no provision for either undoing the first transfer of lands that this bill effectuates, or offsetting the value of the lands that are transferred, against future efforts to finally resolve issues relating to the past, should legislation to effectuate the 2010 transfer of land not pass.

We also note that the bill should cover the period between November 7, 1978 and July 1, 2009, rather than July 1, 2008.

There are also technical problems which we will bring to the attention of this committee and the other committees to which it is referred at the appropriate time.



HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009
Room 329

10:05 a.m. - 4:00 p.m.

Aloha Chair Carroll, Vice Chair Shimabukuro, and Members. This testimony is presented on behalf of Chair Apoliona and the OHA Board of Trustees. **OHA strongly supports House Bill No. 901** Relating to the Office of Hawaiian Affairs.

The purpose of this bill is to allow the State to most effectively and responsibly make progress toward meeting part of its constitutional obligation to Native Hawaiians pursuant to sections 4 and 6 of Article XII of the State Constitution by addressing the additional amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July 1, 2008. The bill would accomplish this by conveying to OHA in fee simple certain parcels of real property in Kaka`ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai`i. The combined value of the Honolulu and Hilo properties is about \$127.2 million. The bill says that in 2010, additional, yet-to-be-determined real property valued at about \$72.8 million will be conveyed to OHA, bringing the total value of the conveyed properties to \$200 million.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai`i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn obligation to Hawaiians.

The bill is based on the results of negotiations, and of extensive beneficiary and legislative feedback from 2008, when other related legislation was introduced. OHA held over 45 meetings in the community and spent several months addressing comments received from those meetings. For example, to address concerns raised by the community, the legislation does not resolve future claims and instead continues the annual payments of \$15.1 million to OHA. Also in response to concerns, OHA is doing full due diligence on the lands.

The bill contains a provision in Section 4 that requires that the property conveyances made under the bill shall be deemed income and proceeds from the public land trust. This is important to ensure that the payments and transfers are counted towards the State's constitutional obligation under Article XII, section 6, to provide OHA with a pro rata share of the public land trust revenues.

While a detailed historical narrative of the issue of land trust revenues would not be appropriate in this testimony, kindly note the following:

- Following many years of relatively small transfers to OHA, Act 304, Session Laws of Hawaii of 1990, sought to establish how the State would carry out its state constitutional and statutory mandate to dedicate 20 percent of public land trust revenues to OHA's activities.
- Act 35, Session Laws of Hawaii 1993, appropriated \$136.5 million in general obligation bond funds to OHA as a settlement of undisputed claims to that point in time.
- Act 329, Session Laws of Hawaii 1997, established OHA's pro rata share to be \$15.1 million for each of the fiscal years 1997-1998 and 1998-1999.
- In 2001, the Hawaii Supreme Court ruled that Act 304 was invalid due to a conflict between one of its technical provisions and federal law.
- Act 34, Session Laws of Hawaii 2003, required the transfer of several million dollars to OHA to help continue the revenue stream following the court ruling against Act 304.
- Executive Order No. 03-03 set forth Governor Lingle's procedure for continuing the revenue stream.
- Act 178, Session Laws of Hawaii 2006, included an interim provision setting OHA's annual amount of land trust revenues at \$15.1 million and providing a lump sum payment of \$17.5 million for certain amounts that the Legislature determined were underpaid between July 1, 2001 through June 30, 2005.

Following the passage of Act 178, OHA resumed negotiations with the Attorney General over remaining unresolved issues. In the course of those negotiations, the parties agreed on the sum

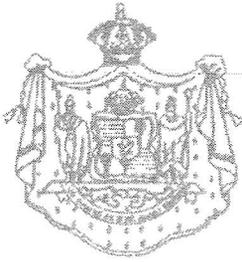
of \$200 million as being owed. The Attorney General suggested that the debt could be satisfied by a combination of land and money. OHA agreed with that suggestion and undertook to establish internal programs and staffing to manage any such real property that OHA would receive, either in these negotiations or otherwise. OHA engaged Dr. Stephen Roulac, an internationally known real estate consultant, to assist us. Dr. Roulac interviewed all of the OHA Trustees in order to understand how OHA's real estate management capacities could be maximized. His final report was adopted by the Board of Trustees on June 6, 2007.

Some people have been circulating a preliminary report by Dr. Roulac to attempt to show that OHA's Trustees and staff are incapable of managing real estate. That is a misuse of the document. Dr. Roulac's preliminary report is being erroneously called an audit. In actuality, it was merely a review of the existing capacities of OHA as a basis for developing the final strategy. It was not an audit.

The preliminary document led to the Board's adoption of OHA's "Real Estate Vision, Mission, and Strategy Policy" on June 6, 2007, which contains clear guidelines designed to enable OHA to competently manage real properties that it receives, however they may be received. As a result, authorized positions in OHA's Land Management hale have gone from three to twelve, and separate legal entities (LLCs) have been created to hold certain property and protect the Trust from liability. Particular to this bill, the Trustees proposed selections of land based not on small details but by approving criteria derived from our long-term real estate asset allocation. The lands proposed for acquisition by OHA in this bill are consistent with those Board-adopted criteria and will serve to promote OHA's mission of the betterment of the conditions of Native Hawaiians.

We thank you for taking all of these points into consideration. The issue is complex, but when all the small points are stripped away, and thirty years of struggle to address this issue are examined, one key truth remains: it is ultimately the Legislature's task to resolve the issue. You have before you OHA's considered attempt at a solution, and we urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.



Hawaiian Civic Club of Honolulu

Established December 1918

P.O. Box 1513 • Honolulu, Hawai'i 96806

Liholiho

Onaona wale ia puna
I ka niki 'ala mau 'in
Ua hele wale a nohea

(Hele a nohehea)
I ka nou i ke keheu
(I ka nou a ke keheu)

O beautiful 'ilima
Choice of my heart
O sweet and charming
flower
Soft and lovely to behold

LEGISLATIVE TESTIMONY

HB 901

Relating to the Office of Hawaiian Affairs

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m.-4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro, and Members. My name is Leatrice Maluhia Kauahi, Pelekikena of the Hawaiian Civic Club of Honolulu, representing approximately 200 members, and I am a beneficiary of the OHA. Our 200 members are also beneficiaries of OHA. I wish to express my support and our members' support of House Bill 901 relating to OHA.

I feel that is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

Our members and myself urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

Leatrice Maluhia Kauahi



**THE TRUST FOR PUBLIC LAND'S TESTIMONY IN SUPPORT OF
HB 901 Relating to the Office of Hawaiian Affairs
House Committee on Hawaiian Affairs
Saturday, February 14, 2009, 10:05 a.m.
State Capitol, 415 South Beretania, Senate Conference Rm. 329
testimony@capitol.hawaii.gov**

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Dear Chairperson Carroll and Committee Members:

The Trust for Public Land (TPL) supports HB 901 Relating to the Office of Hawaiian Affairs.

TPL conserves land for people to enjoy as parks, gardens and other natural places, ensuring livable communities for generations to come. Nationwide, TPL has five program initiatives: (1) providing parks for people, (2) protecting working lands (farms, ranches, and forests), (3) conserving natural lands (wilderness, wildlife habitat), (4) safeguarding heritage lands (cultural and historical resources), and (5) preserving land to ensure clean drinking water and the natural beauty of our coasts and waterways. In Hawai'i, TPL has worked with public and private partners to conserve over 36,000 acres of land in the State, with a focus on coastal lands and lands important to Hawaiian communities.

Over the past several years, TPL has worked with the Office of Hawaiian Affairs (OHA) to acquire and conserve 1,875 acres at Waimea Valley on O'ahu, 24,856 acres at Wao Kele o Puna on Hawai'i Island, and 73 acres at Mū'olea Point on Maui. Throughout our dealings with OHA, the Board of Trustees and Land Management Hale Director Jonathan Scheuer and his staff have been very professional and supportive as conservation partners. OHA is well aware of the responsibilities (and liabilities) that come with ownership and management of land. OHA has prepared a strategic plan for its land acquisition priorities, and has hired additional land hale staff. OHA continually balances the need to continue the living Hawaiian culture, while at the same time, create a sound economic foundation for the betterment of the Hawaiian people.

This bill would provide OHA with an annual payment of \$15,100,000 as its pro rata share of the income and proceeds of the public land trust, as well as convey to OHA the fee title of two properties with a combined tax assessed value of \$127,203,140. The 2010 legislature would then pass additional legislation to convey to OHA the fee title to real property in the value of \$72,796,860

This bill would put to rest some 30+ years of ongoing negotiations, court battles and community disenchantment and would allow OHA and the State to focus on other extremely pressing issues of education, economy, environment, and cultural preservation.

THE
TRUST
for
PUBLIC
LAND

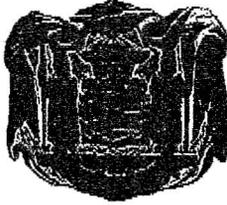
OHA's programs and services greatly benefit the Hawaiian community as well as the general public by advocating for Hawaiian rights, land, and culture, facilitating and funding culture based educational programs, and assisting Hawaiians achieve economic self-sufficiency. Therefore, TPL supports HB 901.



Mahalo for this opportunity to testify.

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Lea Hong
Hawaiian Islands Program Director



Hawai'i Maoli

P.O. Box 1135, Honolulu, Hawai'i 96807

Phone: (808) 394-0050 Fax (808) 394-0057

LEGISLATIVE TESTIMONY

Hawai'i Maoli
Board of Directors

Henry Halenani Gomes
President

Ranizay Taum
Vice President

Jalna Kesla
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Daniel Naho'opi'i
Treasurer

Mahealani Cypher
Director

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Director

Antoinette Lee
Director

Verlie-Ann Malina-Wright
Director

Wm. Kekoa McClellan
Director

HB 901

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009 10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Kathryn Chung, Executive Director of Hawai'i Maoli, and a beneficiary of OHA. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

It is time for the State to meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July 1, 2008.

It is reasonable that, in making progress toward meeting its obligation, the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of any certain other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

A Native Hawaiian 501 (c) 3 Non-Profit Organization • www.hawaiiamaoli.org



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

February 14, 2009

TO: Rep. Mele Carroll, Chair
And Members
House Committee on Hawaiian Affairs

FROM: Mahealani Cypher, President
Ko'olaupoko Hawaiian Civic Club

SUBJECT: **H.B. 901, Relating to the Office of Hawaiian Affairs**

With reservations, the Ko'olaupoko Hawaiian Civic Club supports House Bill 901 as a partial settlement of claims against the State of Hawai'i for the use of Hawaiian ceded lands between 1978 and the present.

We are disappointed that this bill does not offer as meaningful a package as was submitted to this Legislature a year ago, nor does it offer as much as was offered in the 1990s by then-Governor Cayetano.

However, we appreciate the efforts that have gone into crafting this legislation, and offer the following suggested comments and amendments:

1. The land valuations for the parcels noted in this legislation are based on 2008 values which have declined significantly since a year ago. Therefore, additional parcels should be added to this legislation's partial settlement package.
2. The bill should be amended to include conservation lands in Ha'iku Valley at Ko'olaupoko, O'ahu, conveyed to the State of Hawai'i approximately 10 years ago, and any other significant Hawaiian cultural resources on non-Ceded state lands.

Mahalo for this opportunity to offer our mana'o.

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www.koolaupokohcc.org



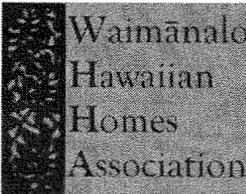
To: Committee on Hawaiian Affairs
Re: House Bill Number 901
Title: Relating to the Office of Hawaiian Affairs
Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair, Representative Maile S.L. Shimabukuro, Vice-Chair and Members of the Committee on Hawaiian Affairs

I strongly support HB 901 because as the Director of the smallest and only native language public school in Hawaii I am keenly aware that education is one of the most crucial factors in building a strong community. Unpaid revenue due to OHA from use of public trust lands will enable OHA to further support the educational needs of all students.

Please take to heart the testimonies from students who attend Ke Kula Ni'ihau O Kekaha and Waimea High School and who also participate in an after-school enrichment program here at KKNOK. They speak the truth when saying they recognize that education is the key to the health of future generations.

O wau iho no
Haunani Seward, Director
Ke Kula Ni'ihau O Kekaha
P. O. Box 129
Kekaha, HI 96752



P.O. Box 353, Waimanalo, Hawaii 96795-0353

**TESTIMONY IN SUPPORT OF
HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Hawaiian Affairs

February 14, 2009 10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members of the House Committee on Hawaii Affairs.

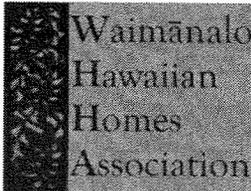
I am Paul P. Richards, President of the Waimanalo Hawaiian Homes Association (WHHA) and a beneficiary of the Department of Hawaiian Home Lands (DHHLO) and the Office of Hawaiian Affairs (OHA.) I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel it is time the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds OHA should receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable in making this proposal as a demonstration of the State progress toward in meeting its obligation by conveying to OHA in fee simple, certain parcels of real property in Kaka`ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA compliance efforts by initiating full due diligence on the lands will have an opportunity to identify and reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties now under its stewardship.

Paul P. Richards, President • Roxanne Hanawahine, 1st Vice President • N. Kilauea Wilson, 2nd Vice President • Maile Villarin, Recording and Corresponding Secretary • John K. Sang, Treasurer • Mary Ann Crowell, Historian • Roy Sang, Director • Squeaky Peahi, Director • Heidi "Ilima" Ho-Ramseyer • Anthony H. Sang, Sr., Director



P.O. Box 353, Waimanalo, Hawaii 96795-0353

Page 2

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incomplete and unaddressed for three decades. Furthermore, the Hawai'i Supreme Court ruled it is primarily under the authority and responsibility of the Legislature to resolve and settle the matter. This bill and its companion bill would help fulfill the State's solemn and continuing obligation to the Hawaiian population.

I urge your Committee to respond favorably by placing your full support to this bill. Mahalo for allowing me the opportunity to submit this testimony.

O 'au me ka ha'aha'a,

Paul P. Richards

Paul P. Richards, President
Waimanalo Hawaiian Homes Association (WHHA)

Paul P. Richards, President • Roxanne Hanawahine, 1st Vice President • N. Kilauea Wilson, 2nd Vice President • Maile Villarin, Recording and Corresponding Secretary • John K. Sang, Treasurer • Mary Ann Crowell, Historian • Roy Sang, Director • Squeaky Peahi, Director • Heidi "Ilima" Ho-Ramseyer • Anthony H. Sang, Sr., Director

HISTORIC HAWAII FOUNDATION

VIA EMAIL: HAWTestimony@capitol.hawaii.gov

To: Representative Mele Carroll, Chair
 Representative Maile S.L. Shimabukuro, Vice Chair
 Committee on Hawaiian Affairs

From: Kiersten Faulkner *Kiersten Faulkner*
 Executive Director, Historic Hawai'i Foundation

Committee Date: Saturday, February 14, 2009
 10:05 a.m.
 Room 329

Subject: **Support for HB901, Relating to the Office of Hawaiian Affairs**

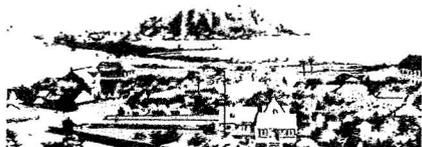
On behalf of Historic Hawai'i Foundation (HHF), I am writing in support of HB901, which would address the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 1978 to July 2008.

Since 1974, Historic Hawai'i Foundation has been a statewide leader for historic preservation. HHF works to preserve the unique architectural and cultural heritage of Hawai'i and believes that historic preservation is an important element in the present and future quality of life, environmental sustainability and economic vitality of the state.

Historic Hawai'i Foundation is one of the beneficiaries of OHA's grant program. In 2008, a substantial grant to HHF was used to initiate the Preservation Resource Center, which provides technical assistance to stewards of cultural and historic properties. It specifically supports a circuit rider program to provide increased services to the neighbor islands and rural areas, as well as information services and technical assistance to homeowners, caretakers, businesses and public agencies with responsibilities for historic resources. In the first five months of the program, the field services include over 350 individual contacts in support of cultural resources.

The historic and cultural sites of Hawai'i are irreplaceable. It takes many people working together to ensure that the historic places we use and enjoy today will be here for future generations. To ensure that the special places of Hawai'i are preserved, used and enjoyed, all people need to work together to protect the heritage and physical legacy of the Islands.

The Office of Hawaiian Affairs has demonstrated leadership in perpetuating the cultural sites of the Islands for the benefit of the Hawaiian people and for the community at large. By resolving outstanding claims, OHA will be able to have greater certainty and resources to provide for its beneficiaries. By ending a long-unsettled issue, all parties will be able to turn their time, energy and attention to the betterment of Hawai'i.





Kaumakapili Church

Established 1838

UNITED CHURCH OF CHRIST
766 NORTH KING STREET
HONOLULU, HAWAII 96817
PHONE: (808) 845-0908

Kahu Richard K. Kamanu, Senior Pastor
Kahu David K. Kaupu, Emeritus (Retired)

To: Representative Mele Carroll
Chair, House Committee on Hawaiian Affairs

From: Henry Maunakea
President, Kaumakapili Church

Date: February 13, 2009

RE: HB 901 relating to the Office of Hawaiian Affairs

Aloha Chair Mele Carroll, Vice Chair Shimabukuro and Members. I am Henry Maunakea, President of Kaumakapili Church and a beneficiary organization of the Office of Hawaiian Affairs. I wish to express our support of House Bill 901 relating to the Office of Hawaiian Affairs.

We feel that it is time that the State meets its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

We believe it is reasonable that in making progress toward meeting its obligation, the State of Hawaii convey to OHA the fee simple title to certain parcels of real property in *Kaka'ako Makai* in Honolulu and along the *Banyan Drive Resort* area in Hilo

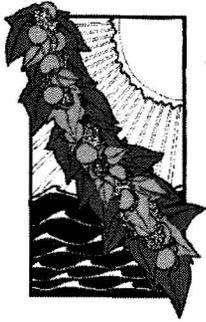
While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawaii Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Native Hawaiians.

Kaumakapili has been instrumental with the assistance of the Office of Hawaiian Affairs in meeting our mission to serving our community with various outreach programs including the Native Hawaiians. Without OHA's kokua, we could not do what we have done for the community.

We urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify. Mahalo Ke Akua.



I Ola Lāhui, Inc.

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HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Dr. Aukahi Austin, Executive Director of I Ola Lāhui Rural Hawai‘i Behavioral Health Program. I wish to express my strong support of House Bill 901 relating to the Office of Hawaiian Affairs.

I Ola Lāhui provides psychology training and behavioral health services to Hawai‘i’s rural and underserved communities. Our mission is to provide culturally-minded evidence-based behavioral health care that is responsive to the needs of medically underserved and predominantly Native Hawaiian rural communities. In recognition of Hawai‘i’s urgent need for more quality mental health care, I Ola Lāhui is committed not only to providing services, but also to investigating the effectiveness of the services we provide and to training future providers with the hope of making a substantial contribution to the health and well being of our lāhui.

I Ola Lāhui is a recipient of the OHA Community Grants program and relies on these funds to support our efforts to meet the growing demand for behavioral health services in Hawai‘i’s most needy communities. In this difficult economic climate, OHA has been given the heavy responsibility of providing funds to support programs that have encountered heavy cutbacks in state funding.

By meeting the State’s meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008, countless individuals across the state, Native Hawaiian and non-Hawaiian will get the support services they need.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka‘ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai‘i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA’s mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to vote in favor of this bill.

Mahalo for the opportunity to testify.

A. Aukahi Austin, Ph.D.
Executive Director
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KO`OLAU FOUNDATION

February 14, 2009

To: Rep. Mele Carroll, Chair, and Members
Committee on Hawaiian Affairs

From: Leialoha "Rocky" Kaluhiwa, President
Ko`olau Foundation

Subject: Testimony in Support of H.B. 901, Relating to the Office of Hawaiian
Affairs

Aloha kakahiaka kakou!

My name is Rocky Kaluhiwa, president of the Ko`olau Foundation and a lifelong resident of He`eia-Kea.

The Ko`olau Foundation supports House Bill 901, which would provide for a partial settlement to the Hawaiian people for the use of Ceded lands during the period from 1978 to the present.

We believe this payment is long overdue and, as our State courts have ruled, it is the kuleana of this Legislature to make good on its past-due obligations.

While we feel there should have been additional lands added to this package, such as Ha`iku Valley, we urge your committee to vote favorably on this bill.

Mahalo for this opportunity to testify in support of this bill. Aloha.

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rockyfromhecia@aol.com

Aloha Chair Carroll, Vice Chair Shimabukuro and Members.

I am Naomi Digitaki, President /CEO of the Hawaii Technology Institute (HTI). It has been an honor and a privilege for me to serve alongside a team of dedicated and committed faculty and staff to provide quality vocational training and education to a predominantly Native Hawaiian student population – a community of learners who have made a positive difference in their lives, their families and their neighborhoods and have demonstrated the limitless possibilities education provides.

HTI is a not-for-profit 501 (c) 3 organization and is licensed by the State of Hawaii Department of Education as a private trade, vocational and technical school. HTI is a nationally accredited, vocational education institution with 22 years of experience in training and education. Since its inception in 1986, over 99.9% of HTI's total student population has been/is of Native Hawaiian ancestry.

Given HTI's main student population, countless students are ill equipped to finance their own education and have had to depend on grants, scholarships, and tuition subsidies to fulfill their educational goals. Over the years, OHA has supported our students, our school and our mission to provide students with avenues for excellence through training and education by providing tuition assistance and grants to students whose financial needs are the greatest! Given the socioeconomic status of the majority of our students, many would have been denied access to educational opportunities and a chance at a better life quality without the invaluable support of OHA.

OHA has been actively engaged and has played a key role in supporting HTI in its quest to provide training and education to our predominantly Native Hawaiian student population – opportunities that have allowed our students to improve their quality of life immensely. The impact of OHA's support on HTI's students, their

families and their communities is incalculable. A sampling of student testimonials to validate this is available on our website at www.hti.edu

I wish to express my wholehearted support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

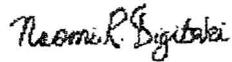
I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill so that OHA can continue to support causes that positively impact the legacy and lives of Native Hawaiians – the impact and effect of which inevitably affects us all!

Sincerely,



Naomi R. Digitaki
President / CEO

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Paul Kaipo Pomaikai Sr., President and Co/founder of the Wai'anae Maritime Academy, and a beneficiary of the OHA. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meets its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties, which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

Captain and Mrs. (Donna) Pomaikai Sr.
President, ED and Founders of,
The Wai'anae Maritime Academy

P.O. Box 1601
Wai'anae, Hawaii 96792

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Jonah Hau'oli Akaka, Director of Education at the Office of Hawaiian Affairs and a beneficiary of OHA. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am BJ Allen, Executive Director, State Council on Hawaiian Heritage and a beneficiary of the OHA. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meets its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka`ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Jerry F. Halverson, Vice President, Kai 'Opua Canoe Club, which has been and is now a grateful beneficiary of the interest and efforts OHA in regard to the needs and welfare of Hawaiian young people and of the Hawaiian community generally in Kailua-Kona. We wish to express our support for House Bill 901 relating to the Office of Hawaiian Affairs. Through the efforts and generosity of the OHA, we are in a position to enhance and improve the opportunities of the young people of Kailua-Kona to engage in the state team sport of Hawaiian outrigger canoe racing with all of its attendant benefits.

More to the point, we believe that it is past time for the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008. Therefore, we believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA, in fee simple, those certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i as described in the proposed legislation.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

We urge your Committee to respond favorably to this bill. Mahalo for the opportunity to testify.

Sincerely,

Jerry F. Halverson, Vice President
Kai 'Opua Canoe Club

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Shirley Swinney, President for Malu'ohai Residents Association, a Hawaiian homestead in Kapolei. Mahalo for this opportunity to testify **in support** of House Bill 901 that amends the law to provide for the Office of Hawaiian Affairs to receive a portion of the income and proceeds from land in the public trust.

As a leader of a Hawaiian homestead community association, I respectfully urge that you pass this bill. By providing the fee simple conveyance of certain parcels of land from State controls, this bill would allow the lands to be put to use in OHA programs. Through its various programs, the Office of Hawaiian Affairs reaches all the beneficiaries of the trust and help build stronger and healthier Hawaiian communities.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

We respectfully ask that you approve this bill and thank you for this opportunity to testify.

Personal Testimony

**HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am Lovette L. Suganuma, a resident of Honolulu, Hawai'i and a beneficiary of the OHA.** I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs **for my benefit and that of generations to follow.**

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to me and all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

Personal Testimony

**HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am Shareen S. U. Crowton, a resident of Wailuku, Maui and a beneficiary of the OHA.** I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs **for my benefit and that of generations to follow.**

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to me and all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

Personal Testimony

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am Judy Burrows/Pastor/New Jerusalem Church** and **not a beneficiary** of the OHA. I wish to express **my support of House Bill 901** relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka`ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs for the benefit of all Hawaiians.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

Personal Testimony

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am Kenneth Burrows/Pastor/New Jerusalem Church and not a beneficiary of the OHA.** I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka`ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs for the benefit of all Hawaiians.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

Personal Testimony

**HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am Stephanie K. Kon, a resident of Honolulu and a beneficiary of the OHA.** I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs **for my benefit and that of generations to follow.**

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to me and all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

Personal Testimony

**HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am James Kon, a resident of Honolulu and a beneficiary of the OHA.** I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs **for my benefit and that of generations to follow.**

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to me and all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

Personal Testimony

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am Aaron I. K. Ha'o, a resident of Ewa Beach, Hawai'i, and a beneficiary of the OHA.** I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs **for my benefit and that of generations to follow.**

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to me and all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

Personal Testimony

**HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. **I am Dora M. E. Ha'o, a resident of Ewa Beach, Hawai'i, and a beneficiary of the OHA.** I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs **for my benefit and that of generations to follow.**

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help **fulfill the State's solemn and continuing obligation to me and all Hawaiians.**

I urge your Committee to pass this bill.

Mahalo for the opportunity to testify.

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Quentin Flores, a Native Hawaiian and a Citizen of the State of Hawaii, and I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

The State must meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

As our economy spirals, and we as citizens of the State of Hawaii look to ways to cut expenses and increase revenues, the State of Hawaii needs to have the same foresight in looking at HB 901. As the state tries to balance its budget, this bill can assist with addressing that issue in the forthcoming years. Yes it is political hot issue, but it is also smart economics.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka`ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

These properties in question have the potential of becoming great revenue generating sources for OHA of which it will not only benefit Native Hawaiians but also benefit the State of Hawaii by reducing the amount of general funds appropriated for departmental budgeting in future fiscal years.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill not because it is right, but it is the right thing to do.

Mahalo for the opportunity to testify.

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Leilani Williams-Solomon, a board member of Kauakoko Foundation, which is a beneficiary of the Office of Hawaiian Affairs. I would like to express my strong support of House Bill 901 relating to the Office of Hawaiian Affairs.

It is time for the State to step up and meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

In making progress toward meeting its obligation, I believe it is reasonable for the State to convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

OHA has demonstrated its capacity and ability to responsibly manage Waimea Valley, Wao Kele O Puna, and other properties which have been brought within its purview. It would do no less with the lands we are asking to be conveyed.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained inadequately addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

Please do the right thing and respond favorably to this bill.

Mahalo for the opportunity to testify.

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Naomi Kamakanalani Kim a resident of Hawaii, and a beneficiary of the OHA. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Shirley Okamoto. I wish to express my strong support of House Bill 901 relating to the Office of Hawaiian Affairs ("OHA").

This legislation presents an opportunity for the State to finally meet its constitutional obligation to the Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period November 7, 1978 to July, 2008 in a responsible and effective manner.

I believe it is reasonable that as part of its progress toward meeting its obligation to OHA, the State convey to OHA, in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain State controls allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill is the vehicle that will allow the Legislature to take a major step forward in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing constitutional obligation to Native Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Jim Patterson, a lifelong resident of Hawaii. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is important for all residents of Hawaii that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka`ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians and will provide OHA with an income stream and an ongoing ability to provide services to its beneficiaries. This will benefit everyone who lives here.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009
Capitol, Room 329

10:05 a.m. - 4:00 p.m. State

Aloha Chair Carroll, Vice Chair Shimabukuro and Members.
My name is Charlyn Ontai, a beneficiary and Board Services
Assistant for the Office of Hawaiian Affairs. I wish to express
my full support of House Bill 901.

I feel that the State should meet its constitutional
obligation to Native Hawaiians by addressing the amount of
income and proceeds that OHA is to receive from the public land
trust for the period from November 7, 1978 to July 2008.

I believe it is reasonable that in making progress toward
meeting its obligation that the State convey to OHA in fee
simple, certain parcels of real property in Kaka`ako Makai in
Honolulu and along the Banyan Drive resort area in Hilo,
Hawai'i. OHA is doing full due diligence on the lands and will
have an opportunity to reject properties which do not serve its
best interests. Moreover, the fee simple conveyances should be
free of certain any other State controls, allowing the lands to
be put to use in OHA programs.

While OHA's mission and powers are broad, it has already
demonstrated its capacity and ability to manage Waimea Valley,
Wao Kele O Puna, and other properties that it has brought within
its kuleana.

This bill provides the opportunity for the Legislature to
take a major step in resolving an issue that has remained
incompletely addressed for three decades and that the Hawai'i
Supreme Court has ruled is primarily under the authority and
responsibility of the Legislature. The bill would help fulfill
the State's solemn and continuing obligation to Hawaiians.

I implore your Committee to respond favorably to this bill.

Thank you for this opportunity to testify.

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Sally Koba, Personnel Specialist, Office of Hawaiian Affairs. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel that it is about time that the State meets its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

Rep. Maile Shimabukuro

From: Claud [claud@hawaiiantel.net]
Sent: Friday, February 13, 2009 10:47 AM
To: HAWtestimony
Cc: 'Kealapualoke Hook'
Subject: Support for HB 901

Aloha Rep. Carroll and Members of the House Committee on Hawaiian Affairs!

Please support HB 901, OHA's revenue bill. As you must know, OHA's ability to fund worth-while projects has gone down with the stock market, yet each of you can think of good examples of good projects that need funding in your own districts,

So it is really important to grant OHA full funding from the Legislature, so the Hawaiian people can continue to go forward. And if the Hawaiian people benefit, then all of Hawaii –including me, a non-Hawaiian- will benefit, too.

Mahalo and Aloha!

Claud Sutcliffe, Ph.D., Center for World Peace, Kakahai'a, Molokai 96748

Rep. Maile Shimabukuro

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 13, 2009 10:49 AM
To: HAWtestimony
Cc: talbort@hotmail.com
Subject: Testimony for HB901 on 2/14/2009 10:05:00 AM

Testimony for HAW 2/14/2009 10:05:00 AM HB901

Conference room: 329
Testifier position: oppose
Testifier will be present: No
Submitted by: Talbort Hook
Organization: Individual
Address: 96-045 Mauele St. Waipahu, Hawaii
Phone: 754-3883
E-mail: talbort@hotmail.com
Submitted on: 2/13/2009

Comments:

I am against any more attacks by enacting laws that negatively impact's Hawaiian programs and governmental institutions that supports Hawaiian's culture, preservation, and benefits. The State has not lived up to its responsibilities to compensate (by court ruling)and support (OHA) the native people of Hawaii. I believe it is an outrage that any small gains made by the Hawaiian people be again compromised. Enough! What is it going to take to make this point armed insurrection?

LEGISLATIVE TESTIMONY

**HB901, RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS
HOUSE COMMITTEE ON HAWAIIAN AFFAIRS**

Saturday, February 14, 2009

10:05 a.m.

Conference Room 329

Aloha Chairperson Carroll, Vice Chairperson Shimabukuro, and committee members. My name is Carol Ho'omanawanui and I am Hawaiian. I support House Bill 901 relating to the Office of Hawaiian Affairs.

I believe this bill is an opportunity for the Legislature to resolve the past due amount of the income and proceeds that OHA is to receive from the public land trust. This bill will also help fulfill the State's on-going obligation to Hawaiians which is clearly established in our constitution.

The proposed properties to be conveyed to OHA currently generate income and/or have the potential for future income. The ability for OHA to have other sources of income is reassuring to me because it means OHA will have additional resources to carry out programs that benefit Hawaiians—both current and future generations, including myself and my family.

One of the purposes of OHA is the betterment of conditions of native Hawaiians and Hawaiians. This purpose is very broad and OHA will need a lot of resources in order to fulfill it. I think it's important that OHA initially be given properties that generate positive cash flow so that the management and stewardship costs of the properties received by OHA do not take away resources from programs that currently serve Hawaiians.

Please do not leave this issue for another generation of legislators and Hawaiians to resolve. I urge this committee to pass HB901. Mahalo for the opportunity to testify.

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009 10:05 a.m. - 4:00 p.m. State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Nana Kawasaki-Jones and wish I could be there in person today to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel strongly about honoring obligations and debts. As a non-Hawaiian resident, it is the least I can do to support the people who have allowed me to enjoy an ideal life in their islands. I was able to raise my family in a safe, nurturing community with tolerance and kokua as the main values.

It seems reasonable that the State convey to OHA the parcels in Kaka`ako Makai in Honolulu and along Banyan Drive in Hilo. These fee simple conveyances should be free of other State controls so that OHA can use the land for it's programs.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has shamefully remained unaddressed for three decades and will help fulfill the State's solemn and continuing obligation to Hawaiians.

I urge your Committee to respond favorably to this bill. Mahalo for listening.

Rep. Maile Shimabukuro

From: Jennifer Chiwa [jenniferchiwa@oha.org]
Sent: Tuesday, February 10, 2009 6:48 PM
To: HAWtestimony
Subject: TESTIMONY IN SUPPORT OF HB 901

LEGISLATIVE TESTIMONY

HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

HOUSE COMMITTEE ON HAWAIIAN AFFAIRS

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha, Chairperson Carroll, Vice Chairperson Shimabukuro and Members. I am Jennifer Chiwa. I support House Bill 901 relating to the Office of Hawaiian Affairs.

I think addressing the amount of income and proceeds that OHA is to receive from the public land trust will help OHA greatly in its mission to better the conditions of the Hawaiian people.

While OHA's mission is broad, it is managing Waimea Valley, Wao Kele O Puna and other properties.

This bill would help to fulfill the State's obligation to Hawaiians, and thereby, the State would be helping OHA to make great strides in its mission.

I urge Committee Members to respond favorably to this bill.

Mahalo for the opportunity to testify.

Jennifer Chiwa

Rep. Maile Shimabukuro

From: Dennis Handa [muddymuscle2@hawaiiantel.net]
Sent: Thursday, February 12, 2009 10:35 AM
To: HAWtestimony
Subject: On-line Testimony HB1665 and SB1664

Submitting testimony re HB1665 and SB1664.

I am a volunteer for the community-based environmental group Malama Maunalua and I am supporting the aforementioned bills. I feel that in the past, the ahupua'a of the Maunalua area has been developed without too much priority on balanced assessments of the ecological consequences of rampant loosely regulated development. Flood prevention stream channelization, filling in traditional Hawaiian fishponds for housing, disruption of natural fresh water spring sources, over-fishing, introduction of alien species have without question impacted the area in a very negative way.

I am hoping that the legislature will see fit to help us in preserving what little remains of our traditions and culture for the enjoyment, recreation and education for our kids, grandkids and future generations and that we do not end up being another "Anytown USA" where we have nothing diverse to show the world.

Mahalo nui loa and Malama Aina,

Dennis Handa

Rep. Maile Shimabukuro

From: Onaona Maly [onaona@wave.hicv.net]
Sent: Thursday, February 12, 2009 10:42 AM
To: HAWtestimony
Subject: HB 901 - Testimony

February 12, 2009

RE: HB 901 – RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

Aloha Chair Carroll, Vice Chair Shimabukuro and Members.

We are writing you, requesting support of House Bill 901 relating to the Office of Hawaiian Affairs.

Kupuna have taught us:

“Maika’i ka hana a ka lima, ‘ono no ka ‘ai a ka waha!” (When the hands do good work, the mouth has good food to eat!) Doing what is pono, sustains the well-being of the people.

The island of Lāna‘i is comprised of thirteen traditional ahupua‘a. During the Māhele ‘Āina of 1848, eight of those ahupua‘a were retained as Crown and Government lands (becoming ceded lands by actions of 1893, 1898, 1900 and 1959). In 1906, Territorial Governor Carter, authorized the sale of all ceded lands on Lāna‘i to one party. The errors of that sale are today, manifest in many facets of Lāna‘i’s history, and have resulted in a steady degradation of natural and cultural resources on this island. That action has also led to a lost legacy and benefit to Hawaiians and organizations such as the Office of Hawaiian Affairs and Department of Hawaiian Home Lands.

We urge the State to meet its constitutional obligation to Native Hawaiians by allocating the mandated income and proceeds that Office of Hawaiian Affairs is to receive from the public land trust for the period from November 7, 1978 to July, 2008. While this opportunity has been lost for the island of Lāna‘i, other locations remain to the benefit of present and future generations of Hawaiians.

In taking affirmative action on this bill, the State can ensure that progress is made towards meeting its obligation to Hawaiians. Conveyance by the State, in fee simple, to the Office of Hawaiian Affairs, certain parcels of real property in Kaka‘ako Makai in Honolulu and

along the Banyan Drive resort area in Hilo, Hawai'i, is a step towards pono. At present, the Office of Hawaiian Affairs is doing full due diligence on the lands, so the program will be able to fully access the properties, ensuring that they serve its best interests of the Hawaiian beneficiaries.

While the mission and powers of the Office of Hawaiian Affairs are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele o Puna, and other properties which it has brought within its program kuleana. Also, the fee simple conveyances should be free of other State controls, thus allowing the lands to be put to best and wisest use in Office of Hawaiian Affairs programs.

We urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

I. Onaona Maly (Beneficiary)

Kepa Maly (Beneficiary Program Director)

Kawena Maly (Beneficiary)

P.O. Box 631599

Lāna'i City, Hawai'i 96763
(808) 565-7175

Rep. Maile Shimabukuro

From: Kaniloa Kamaunu [bkofmor@yahoo.com]
Sent: Wednesday, February 11, 2009 2:07 PM
To: HAWtestimony
Subject: HB 901

This is in reference to HB 901 where OHA wants to have proceeds from lands in questioned due to settlement from the State Of Hawaii owing back payments to Kanaka Maoli.

I am opposed to such funds being turned over to OHA due to the fact that this said organization is a department of the State Of Hawaii who by right cannot show any prejudice or favoritism to anyone party even though it states Hawaiian Affairs. This was proven in the case of Rice vs Cayetano, where the plaintiff's argument was that though he was not Kanaka Maoli that he should have the right to vote for delegates who would be representatives for OHA because he was a citizen of the State Of Hawaii. So being that OHA is a state entity by law they cannot show prejudice of anykind towards citizens of the State Of Hawaii.

With this understading OHA should be dismantled and a true delegation of Kanaka Maoli representation should be organized by the Kanaka Maoli especially with the admission by the United States government recognizing the sovereignty of Kanaka Maoli.

I fear OHA will again be influenced by outside entities of non Kanaka Maoli with agendas that are detremental to the survival of the Kanaka.

February 12, 2009

To: Representative Carroll, Chair – Hawaiian Affairs Committee
Representative Shimabukuro, Vice Chair – Hawaiian Affairs Committee
Members of the Hawaiian Affairs Committee

From: Suzanne Kalikolehua King
Treasurer, Na 'Ohana O Na Hui Wa'a (Canoe Paddling Association)

Re: HB 901 - Testimony in SUPPORT

To Be Heard: Saturday, February 14, 2009 at 10:05 a.m., State Capitol, Room 329

VIA: Email to HAWtestimony@capitol.hawaii.gov

Aloha Chair Carroll, Vice Chair Shimabukuro and Members of the Hawaiian Affairs Committee. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

My name is Suzanne Kalikolehua King. I am a Native Hawaiian, born, raised and educated here in Hawaii.

I believe that the State of Hawaii has a constitutional obligation to Native Hawaiians by addressing the money that OHA should receive from the public land trust.

My daughter and two nephews paddle for Koa Kai Canoe Club and we have many Native Hawaiian youth in our club. Through paddling, which is the state sport, we educate our keiki about their Hawaiian culture and teach them about working together as a team and respecting each other's contributions in the canoe.

Each year we struggle to raise funds to support our club in purchasing equipment such as paddles for our keiki and our new koa canoe, Moloka'i. We have been fortunate the past two years to be the beneficiaries of the Office of Hawaiian Affairs grant program to support us in this effort.

The Office of Hawaiian Affairs is asking for certain parcels of land so that it can continue to generate sufficient income to continue providing grants to organizations like ours that benefit our Native Hawaiians.

By passing this bill, it will allow the Legislature to take a major step in resolving an issue that has gone unresolved for thirty (30) years and would help to fulfill the State's obligations to Native Hawaiians.

I humbly ask for your support of HB 901.

Suzanne

Suzanne K. King
2343 Kula Kolea Drive, Honolulu, HI 96819
Email: sking@hawaii.rr.com

LEGISLATIVE TESTIMONY

HB 901

Relating to the Office of Hawaiian Affairs

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro, and Members. We are the Williams' Ohana; John Williams, Sr., 88 years old, Dorothy Williams, 84 years old, and John Williams, Jr., 50 years old. We are beneficiaries of OHA. We have not received direct benefits from OHA, yet, however, we have seen members of our families receive some benefits and are gratified more of our Hawaiian people have benefited from OHA's programs. Our ancestors were here before 1778 and we wish to express our support of House Bill 901 relating to OHA.

We feel that it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

We believe it is reasonable that in making progress toward meeting its obligation the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians. Please be pono and do your part to keep the uniqueness of Hawaii and its Hawaiian people.

We urge your Committee to respond favorable to this bill

Mahalo for the opportunity to testify.

Legislative Testimony

HB 901

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

House Committee on Hawaiian Affairs

February 14, 2009

10:05 a.m. – 4:00 p.m.

State Capitol, Room 329

Aloha Chair Carroll, Vice Chair Shimabukuro and Members. I am Cary Kanemoto. I wish to express my strong support of House Bill 901 relating to the Office of Hawaiian Affairs ("OHA").

This legislation presents an opportunity for the State to finally meet its constitutional obligation to the Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period November 7, 1978 to July, 2008 in a responsible and effective manner.

I believe it is reasonable that as part of its progress toward meeting its obligation to OHA, the State convey to OHA, in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyances should be free of certain State controls allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele O Puna, and other properties which it has brought within its kuleana.

This bill is the vehicle that will allow the Legislature to take a major step forward in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing constitutional obligation to Native Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

February 12, 2009

RE: HB 901 – RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS
House Committee on Hawaiian Affairs

Aloha Chair Carroll, Vice Chair Shimabukuro and Members.

My name is Irmalee Kamakaonaona Adams Pomroy. I wish to express my support of House Bill 901 relating to the Office of Hawaiian Affairs.

I feel it is about time that the State meet its constitutional obligation to Native Hawaiians by addressing the amount of income and proceeds that OHA is to receive from the public land trust for the period from November 7, 1978 to July, 2008.

I believe it is reasonable that in making progress toward meeting its obligation, the State convey to OHA in fee simple, certain parcels of real property in Kaka'ako Makai in Honolulu and along the Banyan Drive resort area in Hilo, Hawai'i. OHA is doing full due diligence on the lands and will have an opportunity to reject properties which do not serve its best interests. Moreover, the fee simple conveyance should be free of certain any other State controls, allowing the lands to be put to use in OHA programs.

While OHA's mission and powers are broad, it has already demonstrated its capacity and ability to manage Waimea Valley, Wao Kele o Puna, and other properties which it has brought within its kuleana.

This bill provides the opportunity for the Legislature to take a major step in resolving an issue that has remained incompletely addressed for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians.

We urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

Irmalee Kamakaonaona Adams Pomroy
P.O. Box 600
Anahola, HI 96703

Shaina Kuuleialoha Kanahele

P.O. box 50974

Ele'ele HI 96705

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating to the Office of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representatives Mele Carroll, Chair, Representative Maile S.L. Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am a sophomore at Ke Kula Niihau O Kekaha. I am testifying on HB No.901 , Relating to the Office of Hawaiian Affairs. I strongly support this Bill because if there was no Office of Hawaiian Affairs then we wouldn't have our school we have today. Also we would not have the education we have today as well. I also want to say that without you then we wouldn't have any after school activities to learn more about our Hawaiian culture. I would also like to say that if we didn't have our school then we wouldn't have our new cafeteria and our studio, so thank you for everything.

Sincerely,

Shaina Kuuleialoha Kanahele

Shawna Kuuleilani Kanahele
P.O Box 96704
Eleele, HI 96705

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating to the Office of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair, Representative Maile S.L. Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am an 8th grader at Ke Kula Ni'ihau O Kekaha. I am testifying on HB No.901, relating to the space of Hawaiian Affairs. I strongly support this Bill because if it wasn't for you nice people then we wouldn't have this wonderful Hawaiian Public Charter School.

Mahalo,

Shawna Kuuleilani Kanahele

Rosanna Ku'uleimokihana Beniamina
P. O. Box 129
Kekaha, HI 96752

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating To The Office Of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair, Representative Maile S.L.
Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am an 8th grader at Ke Kula Ni'ihau O Kekaha. I am testifying on HB No.901, Relating To The Office of Hawaiian Affairs. I strongly support this Bill, because if it wasn't for you people we wouldn't have such a great Hawaiian Public Charter School and we are very grateful for that.

Sincerely

Rosanna Ku'uleimokihana Beniamina

Myrahann Kahikiui Kanahele

P.O. Box 690083

Makaweli, HI 96769

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating to the Office of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll Chair, Representative Maile S.L. Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am a junior at Ke Kula Nīihau O Kekaha. I am testifying on HB Number 901, Relating to the Office of Hawaiian Affairs. I support this bill because I want my family to have a good fortune. I'm not sure if you the lawmakers are really going to help my family to have a better future but I ask for your support.

Mahalo

Myrahann Kahikiui Kanahele

Rochelle Leialoha Kawahalau

P. O. Box 50982

Eleele, Hawaii 96705

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating to the Office of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair, Representative Maile S. L. Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am an eight grader at Ke Kula Niihau O Kekaha . I am testifying on HB No. 901 , Relating to the Office of Hawaiian Affairs. I strongly agree with this bill because I want to help support the Hawaiian people who need a house and to give them a better life. Also I want to help my ohana in getting a house because we have been homeless for the last nine years.

Mahalo.

Rochelle Leialoha Kawahalau

Joseph Aipolani Kanahale
P.O Box 690083
Makaweli Hawaii 96769

To: Committee on Hawaiian Affairs
House Bill Number 901
Title: Relating to the Office of Hawaiian Affairs
Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair, Representative Maile S. L. Shimabukuro,
Vice-Chair and members of the Committee on Hawaiian Affairs

I am a Junior at Ke Kula Ni'ihau O Kekaha . I am testifying on HB No. 901

Relating to the Office of Hawaiian Affairs. I strongly support this Bill because

I want to help my family with health care and I also want to help my family living on
Niihau. Money from public trust lands will help me do this.

Mahalo nui loa and God bless you.

Kelsey Kanahele
P.O Box 690083
Makaweli, Hi 96769

To: Committee on Hawaiian Affairs
House Bill Number 901
Title: Relating to the Office of Hawaiian Affairs
Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair, Rep. Maile S. L. Shimabukuro,
Vice-Chair and members of the Committee on Hawaiian Affairs

I am a senior at Ke Kula Niihau O Kekaha. I am testifying on HB No. 901 relating to the Office of Hawaiian Affairs. I strongly support this Bill because I've been going to Ke Kula Niihau O Kekaha for 12 years and never seen so many Hawaiians not affording the new life of future generations. I think that the Bill should help out all Hawaiian families with their health care and homes for more Hawaiians to live in and not on the beach or parks.

Mahalo for your time,

Kelsey Anuenuenaniokalani Kanahele & Ohana

Hoku Kanahale

PO BOX 690247

Makaweli, HI 96769

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating To the Office Of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair Representative Maile S. L. Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am a freshman at Waimea High School. I am testifying on HB No.901, Relating to the Office to the Hawaiian Affairs. I strongly support this Bill because it gives Hawaiians the chance to have a better education. This benefits the Hawaiians to help keep and support their ability to go to college and try to get the education to get a higher paying job. This bill also help keeps the charter school where the Hawaiians like me and my family can attend school and also the after school program. This gives many Hawaiians the chance to explore their dreams, and have the want to go to college because they know they are able to. If this bill is passed many Hawaiians have a chance to go to college and become what they have dreamt of being.

Sincerely,

Hoku Kanahale

Joseph Keoua Kanahele
5230 Pa'anau Rd.
Box e101
Koloa, HI 96756

To: Committee on Hawaiian Affairs
House Bill Number 901
Title: Relating to the Office of Hawaiian Affairs
Hearing Date & Time: Saturday, Feb. 14, 2009 at
10:05AM

Aloha Representative Mele Carroll, Chair, Representative
Maile S. L. Shimabukuro, Vice-Chair and members of the
Committee on Hawaiian Affairs

I am a junior at Ke Kula Ni'ihau O Kekaha. I am testifying
on HB No. 901 , Relating to the Office of Hawaiian
Affairs. I strongly support this Bill, because the lands was
first the Hawaiians, and the lands was stolen from
Lili'uokalani .

I also support this Bill, because it could help my
'ohana and friends on the island of Ni'ihau. so mahalo for
your time.

Mahalo,
Joseph Keoua Kanahele

Malia Kaleolaniakealoha Keliikuli

P.O. box 60

Eleele, HI 96705

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating to the Office of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair Representative Maile S.L. Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am a sophomore at Waimea High School. I am testifying on HB No. 901, Relating to the Office of Hawaiian Affairs. I strongly support this Bill because it helps provide educational programs for young Hawaiians that we can participate in. It also helps Hawaiians by giving them scholarships if they don't have enough money to pay to go to college. If it wasn't for this Bill I would probably be one of those Hawaiians who doesn't have enough money to pay for college and I probably would not be planning on going to college to become a nurse. They also help to fund the charter school where I attend an after school program and also help fund some of the Hawaiian Homes. I strongly support this Bill because I want to see a lot of Hawaiians attend college and not drop out of school.

Whitney Kawaiokalani Keliikuli

P.O. box 60

Eleele, HI 96705

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating to the Office of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair Representative Maile S.L. Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am a senior at Waimea High School. I am testifying on HB No. 901, Relating to the Office of Hawaiian Affairs. I strongly support this Bill because they provide Hawaiians with educational programs and scholarship programs for us to participate in. It is because of them that I will have the opportunity to participate in college and I am very thankful for that.

Mahalo,

Whitney Kawaiokalani Keliikuli

Alana Kanahele

P.O.Box 690247

Makaweli, HI 96769

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating To the Office of Hawaiian Affairs

Hearing Date &Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair Representative Maile S.L. Shimabukuro, Vice-Chair and members of the Committee on Hawaii an Affairs

I am a junior at Waimea High School. I am testifying on HB No.901, Relating to the Office to the Hawaiian Affairs. I strongly support this Bill because this is an opportunity to help all Hawaiians have a better education. This will benefit them to help keep the Hawaiians in full support on getting to college and other programs to help each and every Hawaiian out. This bill also helps to keep charter schools where the Hawaiians like me and my ohana can attend school and the after school program. If you could imagine how many people you can help with this bill, it could actually give Hawaiians the chance to express their dreams on becoming one day a nurse, a massage therapist, etc. in the future. Please think twice before not passing this bill, because in my case I do hope this bill get passed to help Hawaiians like me and my family to have a better education in the future to come. As the saying goes "Don't judge a person, until you walk in their shoes" and try to imagine if you could place yourself in our situation, you will know and find out how this bill will help us. I would also like to thank you for the cooperation and your support.

Mahalo,

Alana Kanahele

Cherie Noelani Kawahalau

PO BOX 50982

Eleele, HI 96705

To: Committee on Hawaiian Affairs

House Bill Number 901

Title: Relating to the Office of Hawaiian Affairs

Hearing Date & Time: Saturday, Feb. 14, 2009 at 10:05AM

Aloha Representative Mele Carroll, Chair Representative, Maile S.L Shimabukuro, Vice-Chair and members of the Committee on Hawaiian Affairs

I am a sophomore at Waimea High School. I am testifying on HB Number 901, relating to the Office of Hawaiian Affairs. I agree to this bill because my family has been homeless for the last nine years and we have never had our own house because earning money to keep a house was a really big deal for us and I feel that the Hawaiian people need help so that we can help make better lives for the future generations to come.

I disagree to this bill because I have a lot of friends from all kinds of backgrounds that have been homeless just like me for a longer period of time and I feel that their problems should also be recognized.1

Mahalo,

Cherie Noelani Kawahalau

Rep. Maile Shimabukuro

From: albert tiberi [altiberi@yahoo.com]
Sent: Friday, February 13, 2009 12:32 PM
To: HAWtestimony
Subject: HB 901

**HB 901
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Hawaiian Affairs

February 14, 2009 10:05 a.m. – 4:00 p.m. State Capitol, Room 329

Aloha, my name is Albert Tiberi, an OHA beneficiary. I wish to express my support of House Bill 901 and SB995 Relating to the Office of Hawaiian Affairs.

This bill provides for the Legislature to take a major step in resolving an obligation that has remained unresolved for three decades and that the Hawai'i Supreme Court has ruled is primarily under the authority and responsibility of the Legislature. The bill would help fulfill the State's solemn and continuing obligation to Hawaiians and help OHA fulfill its mission of bettering the condition of Native Hawaiians.

I urge your Committee to respond favorably to this bill.

Mahalo for the opportunity to testify.

Date: 13 February 2009

House Committee on Hawaiian Affairs
Saturday, February 14, 2009 at 9:00 a.m.
State Capitol---Conference Room 329

RE: Relating to the Office of Hawaiian Affairs
Testimony on H.B. 901

The undersign supports H.B. 901, which amends the law to provide for the office of Hawaiian Affairs to receive a portion of the income and proceeds from land in the public land trust.

1. Fumiko Wellington
2. Coranne Park-Chun
3. Calvin G.W. Chun
4. Nicole Ku'upualalea Chun-Park
5. Keawe Coelho
6. Jason Keone Park
7. Cobey Kehaulani Park
8. Lolita Fernandes
9. Randall S. Fernandes
10. Vickie Donayri
11. Kalei Donayri
12. Kaiewa Donayri
13. Gil Donayri
14. Lee Ann Haunani Donayri
15. Leah Lei Fernandes
16. Rolano Agostine
17. Laverne A. Fernandes Moore
18. Myron Nakata
19. Lahoma Fernandes Nakata
20. Rusty Fernandes
21. Russell Fernandes Sr.
22. Kahookeleholu "Kale" Hannahs
23. Christopher Dasrigan
24. Gerald Honda
25. Kamoia Quitevis
26. Gwen Valbuena
27. Marisa Mendoza
28. Henry Valbuena
29. Mona Pang
30. Mylene Lacuesta
31. Nelson Pang
32. Maria Agpaoa
33. Lucky Vilorio

34. Jennifer Vilorio
35. Efren Manzano
36. Jason Manzano
37. Maria Manzano
38. Maria Cachola
39. Cezar Panglinan
40. Anita Manzano
41. Makana Kalima
42. Benjamin-Judah Kalima
43. Ken Li
44. Billy Li
45. Gail Li
46. Angie Agpaoa
47. Silakovai Sunia
48. Frank Villa
49. Roxanne Cullen
50. Jenifer Agpaoa
51. June Li
52. Myrna Madamba
53. Gloria Li
54. Arnel Madamba
55. John Li
56. Annette Hayashi
57. Thomas Yin
58. Tomalin Sunia
59. Lisa Parker
60. Kapualehua Parker

Thank you for the opportunity to testify/support this measure.

13 February 2009

Testimony on

H.B. 901

Relating to the Office of Hawaiian Affairs

House Committee on Hawaiian Affairs

Saturday, February 14, 2009

9:00a.m.

Conference Room 329

The undersign supports H.B. 901, which amends the law to provide for the office of Hawaiian Affairs to receive a portion of the income and proceeds from land in the public land trust.

Tomalin Sunia

Thomas Yin

Gloria Li

John Li

Annette Hayashi

Arnal Madanbu

June Li

Leimomi A. Fernades-Stark

Leona M. Kalima

Thank you for the opportunity to testify on this measure.

13 February 2009

Testimony on

H.B. 901
Relating to the Office of Hawaiian Affairs

House Committee on Hawaiian Affairs
Saturday, February 14, 2009
9:00a.m.
Conference Room 329

The undersign supports H.B. 901, which amends the law to provide for the office of Hawaiian Affairs to receive a portion of the income and proceeds from land in the public land trust.

Randall S. Fernandes
Vickie Donayri
Kalei Donayri
Kaiewa Donayri
Gil Donayri
Lee Anne Haunani Donayri
Leah Lei Fernandes Agostine
Rolano Agostine
Laverne A. Fernandes Moore
Myron Nakata
Lahoma Fernandes-Nakata
Billy Li
Gail Li
Lolita Fernandes
Ken Li
Henry L. Valbuena
Marisa Mendoza
Gwen S. Valbuena
Mylene Lacuesta
Mona Pang
Maria Agpaoa
Nelson Pang
Christopher Ousnigan
Rusty Fernandes Jr.
Russell Fernandes Sr.
Angio Agapaoa
Jennifer Agpaoa
Ailakivai Shnia
Frank Villa
Roxanne Cullen

Thank you for the opportunity to testify on this measure.