



LATE TESTIMONY

**HB 625 HD1
RELATING TO EDUCATION**

House Committee on Water, Land and Ocean Resources

February 11, 2011

8:30 am

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB 625 HD1, which requires land and facilities under the jurisdiction of the DOE not being used to be transferred to the DLNR; provided that the land or facilities is first offered to, or used for charter schools, other educational purposes, or to an eligible county where the land or facility is situated.

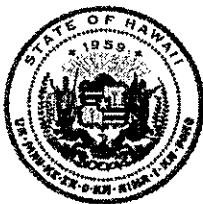
OHA supports the bill's proposal to prevent the sale of DOE lands, approximately 68 percent (1,222 acres) of which are classified as Admission Act section 5(b) lands, which are subject to the public land trust. Another 179 acres are classified as Admission Act section 5(a) lands. Much of the section 5(a) and 5(b) lands are former government and crown lands that were ceded by the Republic of Hawai'i to the United States in 1898.

OHA maintains that the state cannot diminish the ceded lands corpus until the Native Hawaiian people's claim to ceded lands has been resolved. *See, e.g.,* P.L. 103-150 (1993) ("the Republic of Hawaii . . . ceded 1,800,000 acres of crown, government and public lands of the Kingdom of Hawaii, without the consent of or compensation to the Native Hawaiian people of Hawaii or their sovereign government").

OHA urges the committee to PASS HB 625. Mahalo for the opportunity to testify on this important measure.

LATE TESTIMONY

NEIL ABERCROMBIE
GOVERNOR



ROGER MCKEAGUE
INTERIM EXECUTIVE DIRECTOR

STATE OF HAWAII
CHARTER SCHOOL ADMINISTRATIVE OFFICE
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: 586-3775 Fax: 586-3776

FOR: HB 625 HD1 Relating to Education
DATE: Friday, February 11, 2011
TIME: 8:30 a.m.
COMMITTEE(S): Committee on Water, Land, & Ocean Resources
ROOM: Conference Room 325
FROM: Roger McKeague, Interim Executive Director

Testimony in support of the intent of H.B. No. 625 H.D. No. 1

Chair Chang, Vice Chair Har, and Members of the Committee:

Aloha, I am Roger McKeague, interim executive director of the Charter School Administrative Office ("CSAO"). I want to thank the chair and the entire committee for the time and effort being spent addressing the facilities needs for public charter schools.

This bill enables the transfer of DOE lands to the DLNR provided that charter schools or other education programs be given the highest priority as an alternative use of these lands prior to their transfer.

The CSAO would ask that line 1 of page 7 of the draft be amended by replacing "*is*" with "*shall first be*".

The CSAO continues to support the intent of this bill and any others that seek to provide charter schools with additional opportunities for access to facilities.

The CSAO is ready, willing, and able to help with any language that will strengthen this bill as it advances forward. Thank you for this opportunity to testify.