



**Testimony to the House Committees on  
Water and Land, Education, and  
Finance  
Saturday, February 9, 2013  
9:00 am  
State Capitol - Auditorium**

**RE: HOUSE BILLS NO.'S 219, 593, 1134, 1133, and 589 RELATING TO THE PUBLIC  
LAND DEVELOPMENT CORPORATION**

Chairs Evans, Takumi, and Luke and Vice Chairs Lowen, Ohno, and Nishimoto, and members of the committees:

The Chamber of Commerce of Hawaii provides comments on the following bills dealing with the Public Land Development Corporation.

Bill	Description
H.B. 219	Subjects PLDC to laws regarding land exchanges, land use, zoning, and OHA's pro rata portion of the public land trust. Requires PLDC to consult with OHA.
H.B. 593	Requires the PLDC to initiate a pilot project after the adoption of rules. Prohibits the PLDC from planning, developing or implementing any projects other than the pilot project until the pilot project has been completed.
H.B. 1134	Changes references from the public land development corporation to the public private partnership corporation. Requires the Public Land Development Corporation to initiate a pilot project after the adoption of rules. Prohibits the Public Land Development Corporation from planning, developing or implementing any projects other than the pilot project until the pilot project has been completed.
H.B. 1133	Repeals the Public Land Development Corporation. Transfers certain assets to the Department of Land and Natural Resources.
H.B. 589	The bill proposes to repeal Chapter 171C, HRS, relating to the public land development corporation which was created through Act 55, SLH 2011.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber supports the overall intent and concept of the Public Land Development Corporation as we believe there needs to be a clear focus on creating opportunities for private investment in development opportunities on the underutilized public land assets in the State.

There is no question that the implementation of Act 55 could have been done with more clarity and focus to address the broad powers of the PLDC. At this point, it is prudent to reconsider Act 55 in light of the concerns raised and perhaps, amend the law to provide more

specific guidance in the implementation such as developing a process that is open, competitive and transparent in how lands are selected and subsequently on how developers are selected.

We suggest that the appropriate vehicle would be either H.B. 593 or H.B. 1134 which would require PLDC to develop a pilot project so there is a clearer understanding of the processes that will be used by the PLDC in developing or redeveloping underutilized State owned lands. We believe that further discussion should focus on a process to select and develop underutilized public assets before considering repeal of Act 55.

Thank you for this opportunity to express our views.



the rights of Native Hawaiians, and it is firmly committed to reconciliation with the Native Hawaiian people. Accordingly, important regulatory mechanisms have been established to acknowledge the legal, moral, and political implications of these duties and commitments, including the aforementioned land use and zoning laws, statutory restrictions on the disposition of public lands (most of which are “ceded” lands to which Native Hawaiians have never relinquished their claims), the designation of a pro rata portion of revenues generated from certain public lands for the betterment of Native Hawaiians, and the mandate that PLDC projects be developed in a “culturally sensitive” manner. In order to ensure that the PLDC is provided with appropriate and sufficient guidance in carrying out its duties and commitments to the Native Hawaiian people, this bill will:

- Clarify that the PLDC must comply with OHA’s right to the **constitutionally-mandated pro-rata portion of public land trust revenues**;
- Clarify that the **PLDC must abide by all existing restrictions on the disposition of public lands**;
- Provide **OHA with the opportunity to be consulted** on proposed PLDC projects; and
- Require specific provisions in the Public Land Optimization plan and individual PLDC project proposals that would **guide the PLDC in carrying out its legal duties and responsibilities to Native Hawaiians**.

**This bill restores checks and balances in the development of our limited public lands base.** Finally, OHA notes that the decisions and actions of the PLDC, which holds substantial power to direct the development of our public lands, are currently determined by a five-member board. Of this five-member board, three members – a controlling majority – are members of the governor’s cabinet. OHA believes that the intrinsic value of public lands to Native Hawaiians and the public at large, as well as the enormous socioeconomic benefits provided by our undeveloped public lands base, counsel the inclusion of additional voting members. Such additional voting members will better ensure transparency in PLDC board decisions, and provide necessary checks and balances in the potential long-term commitment of our public lands for development projects. The additional board members included by this bill would also add to the PLDC board’s expertise in cultural issues, sustainable planning, and resource management, which is necessary for any environmentally and culturally sensitive land development program.

OHA therefore urges the committee to **PASS** HB219. Mahalo nui for the opportunity to testify today.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of**  
**WILLIAM J. AILA, JR**  
**Chairperson**

**Before the House Committees on**  
**WATER & LAND**  
**and**  
**FINANCE**

**Saturday, February 9, 2013**  
**9:00 AM**  
**State Capitol, Auditorium**

**In consideration of**  
**HOUSE BILL 219**  
**RELATING TO PUBLIC LAND DEVELOPMENT CORPORATION**

House Bill 219 proposes to amend Chapter 171C, Hawaii Revised Statutes (“HRS”), to: (1) Subject the Public Land Development Corporation (the “PLDC”) to laws regarding land exchanges, land use, zoning, and the Office of Hawaiian Affairs’ (“OHA”) pro rata portion of the public land trust revenues; (2) Require the PLDC to consult with OHA; (3) Increase membership of the board of directors of PLDC from five to seven; (4) Require the Hawaii public land optimization plan to include the protection of cultural practices; and (5) Require the PLDC to include a culturally-sensitive development plan for each of its projects. **The Department of Land and Natural Resources (“Department”) appreciates the intent of this measure to improve the PLDC, however, prefers and supports the amendments to Chapter 171C, HRS, proposed in House Bill 942.** House Bill 942 embraces a rational approach toward boosting the public benefit of state-owned lands and recreational assets while addressing most of the concerns about the PLDC.

The Department is responsible for managing approximately 1.3 million acres of State-owned lands and the State’s natural, cultural and recreational resources, including the State’s small boat harbors and parks. These recreational facilities are enjoyed by both the people of Hawaii as well as our visitors. Many of these facilities, however, are in dire need of repairs and improvements and have fallen into a shameful state of disrepair due to the lack of funding and resources. Some of those facilities are located on or in the immediate vicinity of public lands that are not being utilized effectively. Those public lands and facilities can, and should, be maintained and improved in a manner that will be sensitive to the intrinsic cultural and natural values of the area, while preserving and protecting traditional Native Hawaiian rights and practices. The assistance

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER KIA’AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

provided by the Harbors and Parks Development Authority, as proposed by House Bill 942, would enable the Department to do exactly that, while simultaneously addressing the long overdue repairs and improvements to the State's recreational facilities in a timely manner, creating revenue opportunities to help fund such improvements, and sustaining the Department's operational mandates.

By enacting Chapter 171C, HRS, the Legislature concurred that underutilized public lands provided opportunities for developing high quality recreational and leisure centers and generating revenue for the benefit the people of Hawaii. The PLDC was created to pursue such opportunities.

The Department acknowledges the concerns expressed by various legislators, cultural, environmental, labor, and community organizations, and members of the general public that Chapter 171C, HRS, is overly broad may grant excessive powers to the PLDC. However, the intent to improve economic and recreational opportunities for our public lands is still a laudable goal. As such, the Department recommends amending Chapter 171C, HRS, rather than repealing it.

The amendments proposed in House Bill 942 would limit the scope of Chapter 171C, HRS, to the State's small boat harbors and parks, eliminate the contentious land use exemptions previously granted to the PLDC, and allow the State to demonstrate the potential of public-private partnerships.

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 06, 2013 4:16 PM  
**To:** waltestimony  
**Cc:** jalna.keala2@hawaiiintel.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM  
**Attachments:** PLDCin3.doc

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jalna Keala	Assn. of Hawaiian Civic Clubs	Comments Only	Yes

Comments: President Soulee Stroud will be testifying

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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## Association of Hawaiian Civic Clubs

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

Testimony of President Soulee Stroud

JOINT HOUSE COMMITTEES ON WATER & LAND,  
EDUCATION AND FINANCE  
HB 219, HB593, HB 1134, HB1133 & HB589

RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION  
Saturday, February 9, 2013; 9:00am; State Capitol Auditorium

Aloha Madam Chair Evans, Chairman Takumi and Madam Chair Luke of the joint committees on Water & Land, Education and Finance. I am Soulee Stroud, president of the Association of Hawaiian Civic Clubs here to submit recommendations relating to the Public Land Development Corporation.

Founded in 1918, for almost a century the Hawaiian civic club movement has expanded and never deviated from its course to be involved in those issues of importance to Native Hawaiians. Each year there is a convention that brings delegates together to discuss and consider issues that have been submitted by clubs via written resolutions. If adopted by the body, AHCC resolutions that require follow up are subsequently acted upon.

At the AHCC convention of 2012 in Washington, D.C. two resolutions relating to the Hawaii State Public Land Development Corporation were introduced. Following AHCC procedure the resolutions were taken up in committee with pro and con positions expressed, and followed by a vote of those present. **Resolution #L12-57 “Urges the Hawaii State Legislature to Repeal HRS 171C Which Established the Public Lands Development Corporation”** and was not adopted by the committee.

However, **Resolution #12-56 “Requesting the Public Land Development Corporation Consider the Following Guidelines In Its Promulgation Of Rules and Development of Projects”** was adopted. It was brought forth out of committee to the plenary session where it was further discussed then adopted by the entire House of Delegates. Our delegates took the position that with some work and the right amendments, there may be some merit to the law. Attached is our testimony with regard to all the PLDC bills on this agenda.

- The PLDC shall not sell, license, or gift public lands and shall not make any long term encumbrances in excess of 35 years.
- PLDC project shall not interfere with Native Hawaiian traditional and customary practices, or any historic or cultural properties.

- The PLDC shall be required to host early consultation and collaboration with groups whose culture, traditions, practices or historic resources may be adversely impacted.
- PLDC projects shall have access to a long term source of reliable water to support project needs when applicable; recognize that projects need to secure water service that meets applicable rules and regulations either by having received an approved water allocation from the State Commission on Water Resource Management or through municipal or private systems; and comply with all water department regulations and requirement for development of water facility infrastructure.
- PLDC projects shall not adversely affect any adjacent properties or the community at or near the proposed PLDC project location.
- PLDC development projects shall not exceed established zoning regulations, including location, use, density, intensity, size and height.
- A PLDC project mitigation fund shall be created that will correct any adverse effect, significant or otherwise that is identified by PLDC or through Haw. Rev. Stat. Chapter 343 for any PLDC project.
- A portion of a PLDC project's profit shall be in community investments to provide benefits that improve the physical and cultural quality of life in the neighborhood and/or county community in which a project is completed.
- The PLDC shall be required to consult with applicable governmental agencies. If the recommendations received through inter-agency consultation are not implemented, the PLDC must provide written justification to the consulted agency. The written justification must be sent to the agency within 60 days of receipt of recommendations and must be included within the monthly PLDC Board meeting minutes in which the justification was sent to the relevant agency.
- PLDC public meetings shall be conducted in compliance with Haw. Rev. Stat. Chapter 92, and that the community stakeholders are granted clear opportunities for meaningful input on PLDC project prior to approval, during project development, and post project completion.
- The PLDC shall hold at least three community stakeholder meetings for any PLDC project proposed on or affecting coastal or conservation land.
- The proposed Hawaii Administrative Rule §13-302-28 Community input on project proposals be 60 day advanced notice is given for any PLDC public meeting as described.
- Notice of any proposed PLDC projects and related public meetings shall be sent to interested neighborhood boards on O`ahu, and interested and affected community and cultural organizations on O`ahu, Kaua`i, Maui, Lana`i, Moloka`i and Hawai`i islands.
- Prior to the first public hearings on any project, the PLDC shall specifically identify which statutes, ordinances or rules, or portions of statutes, ordinances or rules, from which the project is proposed to be exempted.
- The PLDC shall use open and transparent procurement methods and institute practices that maximize value and reward quality craftsmanship and efficiency. For example, see Federal methods on Design-Build, Multiple Award Construction Contracts and Single Trade Indefinite Delivery/Indefinite.

- The PLDC shall protect the safety of the public by clarifying that State Contractor laws (Haw. Rev. Stat. Chapters §444 and §448E) shall be applicable to all projects developed.
- The PLDC shall guarantee living wages for person working on all projects developed by or through the PLDC by clarifying that Wages and Hours of Employees shall be provided under Haw. Rev. Stat. Chapter 104.
- The rights of injured workers shall be guaranteed on all projects developed by or through the PLDC by clarifying that Workers' Compensation shall be provided for under Haw. Rev. Stat. Chapter 386.
- Any building constructed by or through the PLDC shall meet and comply with fire and life safety codes.
- PLDC projects shall consider labor peace agreements for hotel, concession and lodging projects when applicable.
- The PLDC shall ensure local jobs for local people as stated in Act 68, SLH 2010.

Mahalo for the opportunity to provide recommendations from the AHCC.

Contact: [jalna.keala2@hawaiiantel.net](mailto:jalna.keala2@hawaiiantel.net)

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 06, 2013 2:26 PM  
**To:** waltestimony  
**Cc:** mz@conservehi.org  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marjorie Ziegler		Comments Only	Yes

Comments: We support honoring the State's commitment to OHA. We oppose the PLDC and prefer that it be repealed. Mahalo nui loa.

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## lowen2-Anosh

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**From:** Windward Ahupua`a Alliance [info@waa-hawaii.org]  
**Sent:** Thursday, February 07, 2013 12:09 PM  
**To:** waltestimony; FINTestimony  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* HB 219, HB 593, HB 1134 - RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION

### Submitted By:

Shannon Wood, *President*  
*Windward Ahupua`a Alliance*  
P.O. Box 6366  
Kane`ohe, HI 96744  
Voicemail: 808/247-6366; Cellular: 808/223-4481 or 808/224-4496 (personal)  
Website: <http://www.waa-hawaii.org>; E-mail: <mailto:info@waa-hawaii.org>

### **COMMITTEE ON WATER & LAND**

*Rep. Cindy Evans, Chair*  
*Rep. Nicole E. Lowen, Vice Chair*

### **COMMITTEE ON FINANCE**

*Rep. Sylvia Luke, Chair*  
*Rep. Scott Y. Nishimoto, Vice Chair*  
*Rep. Aaron Ling Johanson, Vice Chair*

### **HEARING**

**9 am**  
**Saturday, February 9, 2013**

**HB 219 - RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION**  
**HB 593 - RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION**  
**HB 1134 - RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION**

### **Comments and Proposed Amendments**

My name is Shannon Wood, the president and co-founder of the *Windward Ahupua`a Alliance*, a 501c3 Hawai`i non-profit corporation, which was established in July, 2002, to create the Ko`olau Greenbelt & Heritage Trails System in order to restore, protect & provide public access to the *mauka* lands on the windward side of O`ahu along the base of *Na Ko`olau* as well as to support locally-owned sustainable economic activities in the more developed areas. Its mandate, however, has expanded over the past ten years well beyond these important regional issues.

*WAA* now works to educate & inform residents, visitors, businesses, policymakers at all levels of government, and the media about using **SMART GROWTH** principles which promote sustainability through urban (re)development to protect agricultural and conservation lands.

Although we have become involved in more than two dozen county, state, national, and international issues and concerns over the past decade, our top four priorities are: 1) Waste management including sewers, illegal dumping, landfills & recycling; 2) **Transit-Oriented Development** ; 3) The remediation & restoration of approximately 400 acres in the north end of **Kawainui Marsh**; 4) Educating & informing policy-makers about climate change and its impacts locally, nationally, and internationally.

Two years ago, I began working closely with policy-makers on legislation which later became **ACT 55-2011** because I was particularly interested in making sure that **SMART GROWTH** concepts such as **Complete Streets**, **TOD** between **Aloha Stadium** & Iwilei., and urban (re)development would be underlie its rationale.

Because of time constraints on public testimony, I shall focus six proposed amendments to help address concerns about the **Public Land Development Corporation** so that it will remain alive.

1. Establish a pilot project of no less than five years to be developed only on urban-designated land here on O`ahu to demonstrate the **PLDC**'s concepts. Furthermore, the land selected has to have been designated urban for at least five years prior to the application;
2. Establish **PLDC** transit-oriented development priorities between Pearl City and Iwilei - especially at **Aloha Stadium** ;
3. Preserve & protect the **Stadium Facilities Special Fund** from repeal of **ACT 282- 2012**. This concept was initiated by a small group of **University of Hawai`i** football fans back in 2009 when the **NCAA Division 1-A** conference realignment talks began to heat up. By (re)developing a portion of the 115 acres of parking lots right in the center of urban O`ahu, significant capital improvements could be generated from private sector resources over the next 35- 40 years. Income generated by this would be placed in the **Stadium Facilities Special Fund**;
4. Evaluate and, if appropriate, change **PLDC** administrative rules to amendments to **ACT 55 - 2011** and **ACT 282- 2012**;
5. If the **PLDC** remains "on the books," establish special capital improvement programs over time for other state departments besides the **Departments of Education , Accounting & General Services & Land & Natural Resources**;
6. Seriously consider moving the **PLDC** to the **Department of Business, Economic Development & Tourism**.

*Mahalo* for accepting this testimony. I can provide you with research on all of these amendments.

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 06, 2013 8:53 PM  
**To:** waltestimony  
**Cc:** gqm@biahawaii.org  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM  
**Attachments:** 130209\_House PLDC bills (WAL\_FIN).pdf

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gladys Marrone	BIA Hawaii	Comments Only	No

Comments: Thank you.

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# BIA-HAWAII

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*"Building Better Communities"*

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Pacific Rim Partners

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Castle & Cooke Homes Hawaii, Inc.

## Testimony to the House Committees on Water and Land, and Finance Saturday, February 9, 2013 9:00 am State Capitol - Auditorium

### RE: HOUSE BILLS 219, 593, 1134, 1133, and 589 RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION

Dear Chairs Evans and Luke, Vice-Chairs Lowen, Nishimoto and Johanson, and members of the Committees:

My name is Gladys Marrone, Government Relations Director for the Building Industry Association of Hawaii (BIA-Hawaii), the voice of the construction industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, affiliated with the National Association of Home Builders.

BIA-Hawaii supports the overall intent and concept of the Public Land Development Corporation (PLDC) and provides comments on the following bills addressing the PLDC:

Bill	Description
H.B. 219	Subjects PLDC to laws regarding land exchanges, land use, zoning, and OHA's pro rata portion of the public land trust. Requires PLDC to consult with OHA.
H.B. 593	Requires the PLDC to initiate a pilot project after the adoption of rules. Prohibits the PLDC from planning, developing or implementing any projects other than the pilot project until the pilot project has been completed.
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H.B. 589	The bill proposes to repeal Chapter 171C, HRS, relating to the public land development corporation which was created through Act 55, SLH 2011.

BIA-Hawaii believes there needs to be a clear focus on creating opportunities for private investment in development or redevelopment of underutilized public land assets in the State.

There is no question that the implementation of Act 55 could have been done with more clarity in addressing the broad powers of the PLDC. At this point, however, it is prudent to reconsider Act 55 in light of the concerns raised and,

perhaps, amend the law to provide more specific guidance in the implementation of Act 55. This could include outlining a process that is open, competitive, and transparent in how lands are selected and subsequently on how developers are selected.

We recommend the appropriate vehicle to be either H.B. 593 or H.B. 1134, either of which would require the PLDC to develop a pilot project so a clearer understanding of the processes that will be used by the PLDC in developing or redeveloping underutilized State owned lands can be realized. We believe that further discussion should focus on a process to select and develop underutilized public assets before considering a repeal of Act 55.

Thank you for this opportunity to express our views.

**Testimony of Robert Loy  
Director of Environmental Programs  
The Outdoor Circle**

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**Testimony for all House Bills relating to the PLDC  
HB 219, HB 593, HB 1134, HB 1133, HB 589  
Committee on Water and Land  
February 9, 2013  
9:00 AM  
State Capitol Auditorium**

The Outdoor Circle has long held that the legislation that created the PLDC is fatally flawed in numerous ways and that the entity--the Public Lands Development Corporation is a destructive and divisive government agency that must be dissolved through the repeal of Act 55. We are most concerned about:

- The undemocratic manner in which Act 55 was passed by the 2011 legislature
- The senseless exemptions the PLDC was granted from the very laws designed to protect the environment of our state in development decisions
- The removal of PLDC lands from the definition of "public land" and the inevitable commercialization of public land for the exclusive financial benefit of developers
- The manipulative public hearing process used for creating PLDC Administrative Rules
- The disrespectful manner in which its supporters denigrated PLDC opponents, worked to stifle public discussion

The Outdoor Circle believes in protecting the constitutional right of Hawai'i residents to live in a healthy environment. We support the prudent use of our lands for the benefit of all people. We staunchly defend state and county environmental reviews that require careful study and public input before project approvals. We encourage permitting and zoning that hold developers to agreed-upon standards that ensure projects can proceed while protecting Hawaii's natural beauty and environment. These most basic principles are compromised by the PLDC.

The only way to address the threat to Hawai'i posed by the PLDC is by wiping the slate absolutely clean. No amount of tinkering or massaging will ever make the PLDC an entity that has the trust of the people of Hawai'i.

If we are to engage in the kind of partnerships envisioned by the architects of the PLDC, then we must begin anew with a completely transparent process that includes all of the stakeholders. Only then can we build a new, better law that addresses the many concerns expressed statewide about the PLDC and the manner in which it was created.

First, repeal Act 55 and all legislation related to it. Then, engage the residents of Hawaii in a meaningful process to improve permitting and zoning procedures for our islands.

# UNITE HERE!

LOCAL  HAWAII

*Eric Gill, Financial Secretary-Treasurer*

*Hernando Ramos Tan, President*

*Godfrey Maeshiro, Senior Vice-President*

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Thursday, February 7, 2013

Chairs and Committee Members  
Joint Hearing of the House Committees on Water & Land, Education and Finance  
Hawaii State Legislature  
State Capitol  
415 S. Beretania Street

*RE: HB 219 relating to the Public Lands Development Corporation*

Chair Evans, Takumi, Luke and members:

UNITE HERE Local 5, a local labor organization representing nearly 10,000 hotel, health care and food service workers employed throughout the State, hereby registers our opposition to House Bill 219, relating to the Public Lands Development Corporation.

Although we recognize the intent of the legislation before us, it is our position that HB 219 doesn't go far enough in terms of addressing concerns regarding potential development on our public lands.

While taking into account the protection of cultural practices and requiring PLDC to include culturally-sensitive development plans is important, HB 219 would do little to guarantee true transparency of the underlying concerns expressed on numerous occasions and by a multitude of community members on the real issue at hand, repealing the Public Land Development Corporation (PLDC) in its entirety and in all forms.

After appearing on numerous occasions before the PLDC during its rule making process – on all major islands – and after numerous meetings and discussions with the Administration and the Governor on addressing concerns over the far-reaching and undemocratic powers of the PLDC, it is our firm position that no real “fix” – other than the full repeal of the PLDC – should be entertained at this time.

As a union, we believe in democracy in practice. We also believe, like so many of you, that government should work on behalf of and in the interest of the people. Our public lands - whether our shorelines, parks, harbors or undeveloped open space – remain among our most valuable community resources. The government should seek ways to protect and preserve our communities' long-term economic future.

While we recognize the collective need for us to find innovative and necessary means for securing our State's economic future, it is our position that we should dutifully examine the long term impact of opening-up unchecked development on any land held in the public's interest.

We urge your committees to oppose and defer HB 219. Thank you.

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 5:17 PM  
**To:** waltestimony  
**Cc:** ja@malu-aina.org  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jim Albertini	Malu 'Aina	Oppose	No

Comments: PLDC is anti-democratic. It subverts Home Rule. It's time to repeal the PLDC and bury it once and for all, not amend it.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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## Advocates For Consumer Rights

*Working for Hawaii's consumers since 1994*

Scott Foster, Communications Director

808-988-0555 <afcr@hawaii.rr.com>

February 07, 2013

### **TESTIMONY AGAINST HB219**

Saturday, February 09, 2013

Auditorium

State Capitol

COMMITTEE ON WATER & LAND

COMMITTEE ON EDUCATION

COMMITTEE ON FINANCE

Aloha Honorable Chairs, Co-chairs and Committee members:

My name is Scott Foster and I am the Communications Director of *Hawai'i Advocates For Consumer Rights*. Our 19-year old, statewide organization was co-founded by Mr. Ralph Nader and we continue to monitor, research and testify on any legislation such as HB219 that would *not* advance the common good.

This marks my 25<sup>th</sup> year of presenting testimony before the Hawaii State legislature and I would first send a special Aloha message to the new members of the House. You will read and hear many perspectives today and in the years ahead, and you have the unique challenge and indeed the great responsibility to carefully measure the presented testimony -- and then today decide if the passage of HB219 would promote the common good. We do not believe it would.

Recognizing the fragility and the finite resources of our tiny island home, the Preamble of the Hawai`i State Constitution which you have sworn to uphold in part reads, “We, the people of Hawai`i, grateful for Divine Guidance, and mindful of our Hawaiian heritage and uniqueness as an island State, dedicate our efforts to fulfill the philosophy decreed by the Hawai`i State motto, ‘The Life of the Land is Perpetuated in Righteousness.’ We reserve the right to control our destiny, to nurture the integrity of our people and culture, and to preserve the quality of life that we desire.”

Some testimony you read or hear today will be accurately researched and presented, some will be from well-meaning people offering their relatively uninformed opinions, and some testimony will be from those with often-unknown vested financial interests. But this is democracy in action and it is up to you to weigh the validity of all testimony and then to carefully decide if the legislation before you will or will not benefit Hawaii’s people and the aina. **We believe that HB219 would not work “to preserve the quality of life that we desire.”**

**AFCR also notes that the massive opposition to the PLDC -- which has spread across the state like wildfire -- is unmatched in recent history. The people “get it” and well understand that the PLDC was an ill-conceived land grab of historic proportion and that it must be brought down.**

Indeed, the great PLDC debate of 2013 has spread way beyond our state's borders. For example, a February 2, 2013, *Washington Times* article, "Repeal Hawaii's Public Land Development Corporation" in part reads:

**"Greed, desperation and perceived fiscal necessity are no excuse for tyranny. The very preamble to Act 55 (2011)** which states, "The corporation shall identify the public lands that are suitable for development under this chapter, carry on marketing analysis to determine the best revenue-generating programs for the public lands identified, enter into public-private agreements to appropriately develop the public lands identified, and provide the leadership for the development, financing, improvement, or enhancement of the selected development opportunities" **is repugnant to the American tradition of representative government."** [emphasis added] We strongly agree and urge you to vote against passing HB219, to ultimately repeal the entire PLDC this session, and to stand against *any and all* other legislation that would in whole or part, replicate the intent of the onerous PLDC legislation, aka "Act 50." Please stand tall.

Mahalo for your time and kind consideration,

Scott Foster,

Communications Director

Hawai'i Advocates For Consumer Rights

## lowen1-Kyli

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 8:45 AM  
**To:** waltestimony  
**Cc:** aikeahawaii@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

### **HB219**

Submitted on: 2/8/2013

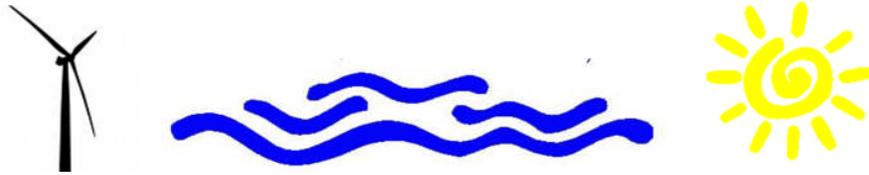
Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allison Lum	Aikea Hawaii	Oppose	Yes

Comments: Aikea Hawaii is a new social and political movement to reclaim the future of Hawaii for working people. We applaud the committee's efforts to abolish the PLDC. Only a full repeal will restore public trust that is broken when laws like Act 55 are passed. We have spoken to thousands of members of the community in Hawaii and there is a growing concern that our government is not operating with transparency or in the true interest of its people. Many people in the community had not even heard this law was passed, and they are opposed to any law aimed to "fast track development" or reduce or eliminate public input in current development processes. We strongly oppose HB 219, although we recognize the effort to make the law less bad, a full repeal is the only solution at this point. Please pass forward a full repeal.

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## LIFE OF THE LAND

76 North King Street, Suite 203

Honolulu, Hawai`i 96817

Phone: 533-3454; E: [henry.lifeoftheland@gmail.com](mailto:henry.lifeoftheland@gmail.com)

### COMMITTEE ON WATER & LAND

Rep. Cindy Evans, Chair

Rep. Nicole E. Lowen, Vice Chair

### COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Scott Y. Nishimoto, Vice Chair

Rep. Aaron Ling Johanson, Vice Chair

DATE: Saturday, February 09, 2013

TIME: 9:00 AM

PLACE: Auditorium

### **HB 219 PLDC**

### **PLEASE HOLD**

Aloha Chairs Evans and Luke, Vice Chairs Lowen, Nishimoto and Johanson and Members of the Committee

Life of the Land is Hawai`i's own community action group advocating for the people and the land since 1970. Our mission is to preserve and protect the life of the land by promoting sustainable land us promote open government through research, education, advocacy, and when necessary, litigation.

HB 219 says that everything that is wrong about the PLDC can continue as long as OHA and Native Hawaiians are consulted. This bill should immediately be put to bed.

What did the Wall Street meltdown teach us? It taught us that the massive concentration of money and power without any public oversight or regulation leads to disaster.

Closer to home, what did Act 221 teach us? That throwing money at a problem without any controls simply wasted taxpayer money. We gave tax breaks for job creation, but hid the names of the companies receiving the tax breaks. Companies received taxpayer subsidies without having to show they actually created jobs.

Traditionally businesses created jobs and governments regulated them. The move to Public Private Partnerships can be more efficient but can lead away from proper oversight and regulation to a system of collusion. In its extreme, large corporations are in bed with and become the government.

Some people view democracy as time-wasting, messy and inefficient. They believe that allowing the public to be aware of, and to weigh in on public policy, simply delays action. It is better to hide things from the public and to take action.

Hawai`i has seen the results of moving quickly without public involvement and without consideration of the side effects. How do you think we got the mongoose and the coqui frog?

In Hawai`i, legislators and commissioners on power regulatory boards (LUC, BLNR, PLDC, Water Commission, PUC) have to file annual financial disclosure statements.

Thus the public could be aware of conflicts of interest and cozy unhealthy relationships.

The public may view filings by Legislators. But unfortunately, it is a crime for the public to review the public disclosure filings made by commissioners of powerful state boards and commissions. Life of the Land has sought to overturn this policy over the last few Legislative sessions, but to no avail.

There is a national and local problem of the fox guarding the chicken house, of an unregulated revolving door policy whereby corporations lend their people for short periods of time to entities that oversee their companies.

Sunshine is the best disinfectant. Transparency and accountability lead to better decisions and wiser use of taxpayer money. Removing these safeguards lead to manipulation, unprecedented accumulation of power, corruption, and an unhealthy secrecy.

Democracy is under threat. The widening gap between the rich and poor, the loss of the middle class, the displacement of peoples, the loss of public

awareness and involvement in key decision making processes, are all symptoms of an unhealthy and destructive move away from democracy.

When two years ago a State legislator asked in a public hearing: "What is the public benefit of democracy?" you know we have a problem.

The effort to increase the power and control by the 1% at the expense of the public must be stopped. There is nothing inherently wrong with being wealthy. But there is a problem when the money and power is used in covert operations against the people.

As Legislators you have a choice. You can enact laws that show that you are part of our democratic society or you can enact laws that set yourself apart from us. That is your choice. You can choose between public disclosure or cozy hidden relationships and mushroom policies designed to keep us in the dark. You can be part of an open, accountable system or part of a system where decisions are made behind closed doors, by fiat, executive orders and eminent domain.

Please do the right thing.

Hold the bill.

Mahalo,  
Henry Curtis  
Executive Director

**COUNTY COUNCIL**

Jay Furfaro, Chair  
Nadine K. Nakamura, Vice Chair  
Tim Bynum  
Gary L. Hooser  
Ross Kagawa  
Mel Rapozo  
JoAnn A. Yukimura



**OFFICE OF THE COUNTY CLERK**

Ricky Watanabe, County Clerk  
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188  
Fax (808) 241-6349  
Email cokcouncil@kauai.gov

**Council Services Division**  
4396 Rice Street, Suite 209  
Līhu'e, Kaua'i, Hawai'i 96766

February 8, 2013

**TESTIMONY OF GARY L. HOOSER  
COUNCILMEMBER, KAUAI COUNTY COUNCIL  
ON**

**H.B. NO. 219, RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION**  
Committee on Water & Land  
Committee on Finance  
Saturday, February 9, 2013  
9:00 a.m.  
Auditorium

Aloha Chair Evans, Chair Luke, Vice Chair's and Committee Members:

My name is Gary Hooser. I am an elected member of the Kaua'i County Council testifying on my own behalf, but also presenting Resolution No. 2012-52 from the Kaua'i County Council, who voted unanimously in support of a complete repeal of Act 55 which establishes the Public Land Development Corporation (PLDC).

I urge you today to vote unanimously in support of a complete and full repeal of the PLDC.

The process, the policy and the politics of this issue have been so severely tainted that the only good option is a complete repeal. Attempts to morph, amend or simply change the name are insufficient remedies and will not heal, repair or re-instill the public confidence which is what needs to happen now.

The process that created Act 55, the PLDC and the subsequent process attempting to salvage and assuage public concerns, range from unconstitutional to insulting.

S.B. No. 1555 was passed into law without the requisite three (3) readings in each House, and there was never a proper Public Hearing on the substance of the major amendments that significantly altered the content of the Bill. Clearly giving the public less than two (2) hours public notice does not meet any reasonable standard that would satisfy the constitutional requirement.

Since then, the process has continued to go awry as the PLDC stuttered through the rule-making process and attempted to convince the public that rules, policies, plans and good intentions would be sufficient to protect them from bad law.

In addition to the serious errors and mistakes made in the process that has led us to this point, the fundamental policy and the law supporting that policy is also seriously flawed.

Starting the conversation with a premise that public lands are a resource that should be developed as quickly and as profitably as possible and that we should set aside environmental and public interest protections in the interest of expediency is a

Committee on Water & Land  
Committee on Finance  
February 9, 2013  
RE: HB 219

set up for a true tragedy of the commons. If anything, the opposite is true. Our public lands should be held to the highest standard in terms of environmental and public interest protections and should be developed slowly if at all and then based only upon a long term community based vision rather than on short term profits.

While eighty percent (80%) of the potentially impacted lands are located on neighbor-islands, no neighbor-island representation was included on the PLDC Board and most of the meetings have been held on O'ahu.

Many of the concerns about the PLDC also extend to all of the offered replacement Bills being heard today focused on a similar agenda – the lack of specificity, the lack of accountability, the vagueness of their mission and the concentration of control and decision making.

Of course the most obvious policy travesty with regards to the PLDC is that it is “exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to special improvement district assessments or requirements; land use, zoning, and construction standards for subdivisions, development, and improvement of land; and the construction, improvement, and sale of homes thereon.”

The PLDC gets rid of all of these rules and basically says “trust me.”

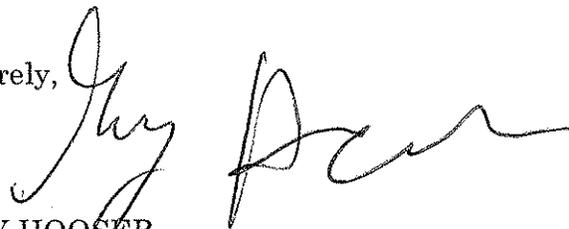
In addition, it is my understanding that virtually all of the projects mentioned as examples of why we need the PLDC or similar entities can be accomplished without these exemptions, without the elimination of the public protections and without any new public/private development entity.

Bad process, bad policy and bad politics. Many in our community, especially our young people are increasingly distrustful and disengaged from the public process, and from government. The creation of the PLDC and all that has followed since has further alienated large numbers of our residents from all walks of life and on every island. These are good people who want to believe in the Democratic process and who we need to believe and to engage in our process - but who are now even angrier and more distrustful than ever.

Bad process, bad policy and bad politics have combined to make the perfect storm, and the only way to calm this storm and to right the canoe that we always hear so much about is to pass a complete and full repeal of the PLDC. No morphing or amending or name changing. The public wants to know that our lawmakers listen to them. The public believes that the “fix is in” and has little confidence in us or in the institutions in which we serve.

Please. Pass a full and complete repeal today and help restore the faith and confidence of the people of our State in their government and in the leaders whom they elect to serve.

Sincerely,



GARY HOOSER  
Councilmember, Kaua'i County Council

COUNTY COUNCIL

COUNTY OF KAUAI

# Resolution

No. 2012-52, Draft 1

RESOLUTION URGING THE 2013 HAWAII STATE LEGISLATURE TO REPEAL  
CHAPTER 171C OF THE HAWAII REVISED STATUTES  
(ACT 55, SESSION LAWS OF HAWAII 2011)  
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES  
AND THE PUBLIC LAND DEVELOPMENT CORPORATION (PLDC)

---

WHEREAS, on May 3, 2011, the Hawaii State Legislature approved SB1555 SD2 HD2 CD1 to create the Public Land Development Corporation ("corporation"), which was signed into law (Act 55, SLH 2011) by the Honorable Governor Neil Abercrombie on May 20, 2011, which was then codified as Chapter 171C of the Hawaii Revised Statutes ("HRS 171C"); and

WHEREAS, HRS 171C-4(a), in part, defines the powers of the Public Land Development Corporation as:

"(a) Except as otherwise limited by this chapter, the corporation may:

- (1) Sue and be sued;
- (2) Have a seal and alter the same at its pleasure;
- (3) Make and alter bylaws for its organization and internal management;
- (4) Adopt rules under chapter 91 necessary to effectuate this chapter in connection with its projects, operations, and properties;
- (5) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter;
- (6) Carry out surveys, research, and investigations into technological, business, financial, consumer trends, and other aspects of leisure or recreational land uses in the national and international community;
- (7) Acquire or contract to acquire by grant or purchase:

(A) All privately owned real property or any interest therein and the improvements thereon, if any, that are determined by the corporation to be necessary or appropriate for its purposes under this chapter, including real property together with improvements, if any, in excess of that needed for such use in cases where small remnants would otherwise be left or where other

justifiable cause necessitates the acquisition to protect and preserve the contemplated improvements, or public policy demands the acquisition in connection with such improvements; and

(B) Encumbrances, in the form of leases, licenses, or otherwise, needed by the corporation or any state department or agency for public purposes, the disposition of subdivided lots, houselots, apartments or other economic units, or economic development;

(8) Own, hold, improve, and rehabilitate any real, personal, or mixed property acquired; and sell, assign, exchange, transfer, convey, lease, or otherwise dispose of, or encumber the same;

(9) By itself, or in partnership with qualified persons or other governmental agencies, acquire, construct, reconstruct, rehabilitate, improve, alter, or repair any infrastructure or accessory facilities in connection with any project; own, hold, sell, assign, transfer, convey, exchange, lease, or otherwise dispose of, or encumber any project; and develop or manage, by itself, or in partnership with qualified persons or other governmental agencies, any project that meets the purposes of this chapter;

(10) In cooperation with any governmental agency, or otherwise through direct investment or coventure with a professional investor or enterprise or any other person, or otherwise, acquire, construct, operate, and maintain public land facilities, including but not limited to leisure, recreational, commercial, residential, time share, hotel, office space, and business facilities, at rates or charges determined by the corporation;

(11) Assist developmental, recreational, and visitor-industry related enterprises, or projects developed or managed by the corporation, by conducting detailed marketing analysis and developing marketing and promotional strategies to strengthen the position of those enterprises and to better exploit local, national, and international markets;

(12) Receive, examine, and determine the acceptability of applications of qualified persons for allowances or grants for the development of new recreation and visitor-industry related products, the expansion of established recreation and visitor-industry or land development enterprises, and the altering of existing recreational, visitor-industry related, or land development enterprises;

(13) Coordinate its activities with any federal or state programs;

(14) Grant options to purchase any project or to renew any lease entered into by the corporation in connection with any of its projects, on the terms and conditions it deems advisable;

(15) Provide advisory, consultative, training, and educational services and technical assistance to any person, partnership, or corporation, either public or private, to carry out the purposes of this

chapter, and engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice;

(16) Procure insurance against any loss in connection with its property and other assets and operations in amounts and from insurers as it deems desirable;

(17) Accept gifts or grants in any form from any public agency or any other source;

(18) Issue bonds to finance the cost of a project and to provide for the security thereof, in the manner and pursuant to the procedure prescribed in this chapter;

(19) Subject to approval by the department, assume management responsibilities for small boat harbors in accordance with chapter 200 and any rules adopted pursuant thereto for periods not to exceed one year;

(20) Recommend to the board of land and natural resources the purchase of any privately owned properties that may be appropriate for development; and

(21) Do all things necessary or proper to carry out the purposes of this chapter"; and

WHEREAS, HRS 171C-4(c) reads:

"(c) The powers conferred herein shall be liberally construed to effectuate the purposes of this chapter" and

WHEREAS, allowing uncontrolled development in violation of the County of Kaua'i's zoning, building, road design, and drainage codes, and ignoring the lack of sufficient potable water availability, and traffic circulation issues would intensify these problems for the entire community and cost the taxpayers great expense in the future to rectify the intensified problems; and

WHEREAS, the County of Kaua'i has enacted or may enact zoning and subdivision laws, which may be ignored due to HRS 171C; and

WHEREAS, it appears that HRS 171C seeks revenue generating use for lands and appears to focus on businesses that can generate the highest amount of revenue (hotels, resorts, commercial centers, etc.), with no regard for parks or other types of community resources which may not necessarily generate revenue; and

WHEREAS, if development of residential units are sought, scarce potable water could be diverted to these potential developments; and

WHEREAS, HRS 171C allows ceded lands to be used not for homes for our Native Hawaiian families, but for the revenue production for the State; and

WHEREAS, the people of the County of Kaua'i realize the detrimental effect that HRS 171C will have on our land, ocean, environment, and the disregard of many of our zoning and subdivision laws, which HRS 171C allows the corporation to ignore; and

WHEREAS, the people of the County of Kaua'i have requested assistance from the Council of the County of Kaua'i to support the repeal of HRS 171C; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, that the 2013 Hawaii State Legislature is hereby requested to repeal Chapter 171C of the Hawaii Revised Statutes in its entirety to effectively abolish the Public Land Development Corporation.

BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to the Honorable Governor Neil Abercrombie, all State Senators and State Representatives, the Hawaii State Association of Counties, and the Mayors of the Counties of Kaua'i, Hawaii, Maui, and the City and County of Honolulu.

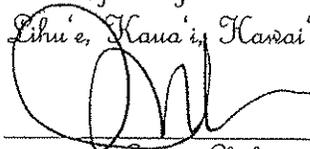
INTRODUCED BY: /s/KIPUKAI KUALI'I

V:\RESOLUTIONS\2010-2012term\Resolution2012-52, Draft 1\SS\_ds

	Agree	May	Exc	Recused
Bynum	X			
Chang	X			
Furfero	X			
Kuali'i	X			
Nakamura	X			
Rapozo	X			
Yukimura	X			
Total	7	0	0	0

### Certificate Of Adoption

We hereby certify that Resolution No. 2012-52, Draft 1 was adopted by the Council of the County of Kaua'i, State of Hawaii, Lihue, Kaua'i, Hawaii, on September 26, 2012.

  
County Clerk

  
Chairman & Presiding Officer

Dated 09-26-2012



# Indigenous Consultants, LLC

Mililani B. Trask, Principal

P.O.Box 6377 ❖ Hilo, HI 96720

[Mililani.trask@gmail.com](mailto:Mililani.trask@gmail.com)



House Bill 219

Hearing Date: Saturday, February 9, 2013

Time: 9:00am

Room: Auditorium

Committee: WAL/FIN

Aloha Legislators,

## TESTIMONY IN OPPOSITION

The Indigenous Consultants (IC) is a Hawaii based, indigenous LLC owned and operated by Native Hawaiians. It was created to assist indigenous peoples in developing their renewable energy resources in ways that are: Culturally appropriate, environmentally green and sustainable, socially responsible and economically equitable and affordable. For several years the IC has worked with Innovations Development Group in New Zealand and indigenous Maori developing geothermal resources, which are trust assets of Maori Land Trusts. In addition, the IC has acted as a consultant to other indigenous people in Hawaii and Asia who are addressing development of their trust renewable energy resources in ways that directly benefit their people, bring in revenues, create small business opportunities and ensure fair and affordable rates to consumers, including themselves and their communities.

The PLDC was created by the State Legislature in 2011 and was supported by a huge majority of the House and Senate. It proposed a single process that could be used by the State to address the States' need to develop State trust lands and resources including energy resources on State lands expressly for the benefit of the residents of the State (the public and native Hawaiians) who own the public trust assets.

Although the measure as drafted poorly, IC participated in the hearing and community meetings and proposed corrective language to strengthen the Bill and protect Hawaiian cultural resources because this is the only mechanism & legislative vehicle we have that enables indigenous energy resource developers to work with the State Trustee to develop State energy resources for the creation of PUBLICLY OWNED ENERGY UTILITY COMPANIES. Without publicly owned utility companies, our State and native people will continue to be held hostage by the HECO monopoly.

A few weeks ago, Insight interviewed Professor David Callies (Star Advertiser, Friday 1/11/13 at A16). The article addressed the problem in Hawaii, "too many land-use rules in Hawaii have led to 'back door' development through the

creation of State/government Authorities.” A housing authority was created in the 1930’s because there was not enough affordable housing. When Oahu zoned itself out of agriculture, it lost its ability to produce enough food to feed residents on Oahu. The crisis resulted in another authority being created for food security in the mid 1960’s. We are now addressing the need to repair and maintain harbors with a proposed Harbor and Park Authority and the need to maintain and construct schools is being proposed through a fourth authority, the (21<sup>st</sup> Century) School Authority! Each time we create a new authority, costs for administration double, triple and quadruple. It is time to realize that Hawaii needs one authority to address State trust obligations. Hawaii also needs to repeal and combine many of its land use laws to facilitate its own development needs and fulfill its public trust obligations.

Despite the serious fiscal and energy crisis in Hawaii, we do not have an energy authority. Instead, our State administration and Legislature continue to defer to the HECO monopoly. The Governor promised an Energy Authority when he was elected, but this promise was never fulfilled. The House and Senate Energy Committees have not come forward with any solutions.

Given the situation, the PLDC is the only vehicle we have to address our energy, harbor, park & education CIP obligations.

No doubt the PLDC Bill was drafted poorly, the House and Senate are responsible for this failure. After a series of public hearing, many badly needed changes were made to the flawed Legislative measure. Hawaiians, including myself, drafted and proposed amendments that specifically reference State laws regarding protection of our cultural resources, burials, wahi pana, heiau, endemic species, and our trails and access ways that provide for our rights to worship and gather. The PLDC included these changes. We also recommended amendments to ensure the purpose of the Bill to bring a direct benefit to native Hawaiians and the public; these recommendations are specifically referenced in the Bill. The PLDC included these changes. These changes ensure that if the PLDC strays from its course, we will be able to litigate to protect our cultural rights and resources. In addition, a strategic plan was adopted to guide the PLDC in its undertakings. While not law, the plan was needed to provide a process to protect State agency participation and shield the state from liability. All state agencies have strategic plans, as these are implementation tools for responsible government.

OHA, Environmentalists and others have been critical and have responded hysterically to imagined ‘worst case scenarios’ but have failed to recommend language to strengthen the Bill. Instead they want the PLDC law repealed or encumbered with a mountain of land use regulations, which have prevented the State from resolving the harbor, park, energy and fiscal crisis that we must address.

As Legislators, your primary obligation is not to pass laws that are flawed and repeal them later, your primary obligation is to create laws that address and

resolve our State needs. If the PLDC is repealed rather than strengthened, we will have no mechanism to address the need for State developed and owned Public Utility Companies. This will leave the HECO monopoly in charge of our energy security!

The chickens have come home to roost, your flawed PLDC Bill returns to you to fix. Hawaiians, including myself worked to address and amend the bill because we, as Hawaiians, have the responsibility to protect and perpetuate our culture. The Legislature must now address its own obligations.

The Legislature, House and Senate have proposed nearly twenty Bills on the PLDC. The obvious answer is an omnibus approach to empower the State to address all of these concerns with one process. Since Statehood, the State has leased out our public resources and lands to private sector to be developed for private benefit. The State must stop this practice and begin to develop our public resources for the public and native Hawaiian, and for our energy security.

I oppose this measure because it does nothing to address the issues we are facing. It does however guarantee that the HECO monopoly and their foreign company energy partners will continue to make hundreds of millions of dollars from our public trust energy resources while we remain the most energy insecure State in the Union.

Sincerely,

A handwritten signature in black ink, appearing to read "Mililani B. Trask". The signature is written in a cursive style with a horizontal line extending to the right.

Mililani B. Trask  
Indigenous Consultants, LLC

## lowen1-Kyli

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 8:45 AM  
**To:** waltestimony  
**Cc:** ChoonJamesHawaii@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM  
**Attachments:** Country Talk Story OPPOSE HB219.docx

### HB219

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Choon James		Oppose	Yes

Comments: Country Talk Story OPPOSE HB 219 While HB 219 OHA package has good intentions based on trust and hope; we cannot support this HB 219. Past behavior can reasonably predict what future behavior outcome could be. The future behavior is not good based on the ample behavior these past years. This HB219 does not prudently protect Hawaii's resources and future. This is a sure but dangerous road to allowing the "camel's nose in the tent". Hawaii must have a complete REPEAL of PLDC. Choose to be on the right side of Hawaii's history. When all is said and done, let's choose what is best for the public good, for now and for the unborn future. Let us be known to not take the easy road dreamed up by developers and special contractors. Creating PLDC and undermining Hawaii's resources and precious assets is not the silver bullet to cure Hawaii's fiscal challenges. Don't tear down the Cathedral to fry an egg. The Nobel Laureate Milton Friedman aptly described big government's systemic failure and lack of fiscal spending in these words: If you let the government manage the Sahara Desert, it will run out of sand in five years. If you really want to have lasting solutions, get to the root of government's problems - mismanagement, lack of discipline, lack of priorities, waste, corruption, cronyism, greed, and kow-towing to lobbyists rather than listening to the common public. Whether future generations will respect or curse us in the management of Hawaii's public assets depend on the choices we will make today. Be on the right side of history. REPEAL PLDC and start over. Mahalo! Choon James Kahuku, Oahu [ChoonJamesHawaii@gmail.com](mailto:ChoonJamesHawaii@gmail.com)  
Testimony Reference: HB219 (?) Measure Title: RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION. Report Title: OHA Package; PLDC; Consultation; Cultural Practices; Exemptions Description: Subjects PLDC to laws regarding land exchanges, land use, zoning, and OHA's pro rata portion of the public land trust. Requires PLDC to consult with OHA. Increases membership of the board of directors of PLDC from 5 to 7. Requires the Hawaii public land optimization plan to include the protection of cultural practices. Requires PLDC to include a culturally-sensitive development plan for each of its projects. Companion: Package: OHA Current Referral: WAL/FIN Introducer(s): SOUKI (Introduced by request of another party) Sort by Date Status Text 1/17/2013 H Pending introduction. 1/18/2013 H Introduced and Passed First Reading 1/22/2013 H Referred to WAL, OMH, FIN, referral sheet 2 2/5/2013 H Re-referred to WAL/FIN, referral sheet 14 2/6/2013 H Bill scheduled to be heard by WAL/FIN on Saturday, 02-09-13 9:00AM in conference room Auditorium. S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment Some of the above items require Adobe Acrobat Reader. Please visit Adobe's download page for detailed instructions. HB219

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# Country Talk Story

## **OPPOSE HB 219**

**While HB 219 OHA package has good intentions based on trust and hope; we cannot support this HB 219.**

**Past behavior can reasonably predict what future behavior outcome could be. The future behavior is not good based on the ample behavior these past years.**

**This HB219 does not prudently protect Hawaii's resources and future. This is a sure but dangerous road to allowing the "camel's nose in the tent".**

**Hawaii must have a complete REPEAL of PLDC.**

**Choose to be on the right side of Hawaii's history.** When all is said and done, let's choose what is best for the public good, for now and for the unborn future.

Let us be known to not take the easy road dreamed up by developers and special contractors. Creating PLDC and undermining Hawaii's resources and precious assets is not the silver bullet to cure Hawaii's fiscal challenges. Don't tear down the Cathedral to fry an egg.

The Nobel Laureate Milton Friedman aptly described big government's systemic failure and lack of fiscal spending in these words: *If you let the government manage the Sahara Desert, it will run out of sand in five years.*

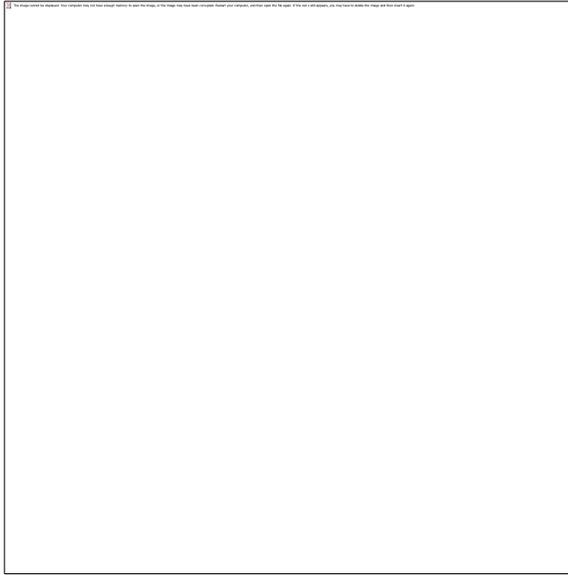
If you really want to have lasting solutions, get to the root of government's problems - mismanagement, lack of discipline, lack of priorities, waste, corruption, cronyism, greed, and kow-towing to lobbyists rather than listening to the common public.

Whether future generations will respect or curse us in the management of Hawaii's public assets depend on the choices we will make today. Be on the right side of history. REPEAL PLDC and start over.

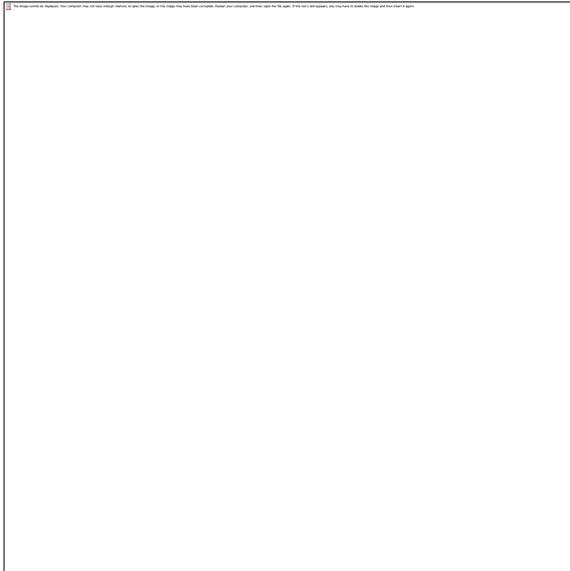
Mahalo!

Choon James  
Kahuku, Oahu  
[ChoonJamesHawaii@gmail.com](mailto:ChoonJamesHawaii@gmail.com)

Testimony Reference:



**HB219**



[\(?\)](#)

**Measure Title:** RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION.

**Report Title:** OHA Package; PLDC; Consultation; Cultural Practices; Exemptions

**Description:** Subjects PLDC to laws regarding land exchanges, land use, zoning, and OHA's pro rata portion of the public land trust. Requires PLDC to consult with OHA. Increases membership of the board of directors of PLDC from 5 to 7. Requires the Hawaii public land optimization plan to include the protection of cultural practices. Requires PLDC to include a culturally-sensitive development plan for each of its projects.

**Companion:**

**Package:** OHA

**Current Referral:** WAL/FIN

**Introducer(s):** SOUKI (Introduced by request of another party)

<a href="#">Sort by Date</a>		Status Text
1/17/2013	H	Pending introduction.
1/18/2013	H	Introduced and Passed First Reading
1/22/2013	H	Referred to WAL, OMH, FIN, referral sheet 2
2/5/2013	H	Re-referred to WAL/FIN, referral sheet 14
2/6/2013	H	Bill scheduled to be heard by WAL/FIN on Saturday, 02-09-13 9:00AM in conference room Auditorium.

**S** = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

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## HB219

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 06, 2013 3:22 PM  
**To:** waltestimony  
**Cc:** Karen@RedwoodGames.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karen Chun	Individual	Comments Only	No

Comments: Despite making some improvements to the PLDC, nothing short of a full repeal is acceptable.

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 06, 2013 5:07 PM  
**To:** waltestimony  
**Cc:** wschoneman@hawaii.rr.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Winton Schoneman	Individual	Oppose	No

Comments: Aloha Committee members, Please repeal the PLDC. Thank you Winton Schoneman

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Committee on Water & Land  
Rep. Cindy Evans, Chair  
Rep. Nicole E. Lowen, Vice Chair

Committee on Finance  
Rep. Sylvia Luke, Chair  
Rep. Scott Nishimoto, Vice Chair  
Rep. Aaron Ling Johanson, Vice Chair

DATE: Saturday, February 9, 2013  
TIME: 9:00am  
PLACE: Auditorium, State Capitol

Re: **HB 219, HB 593HB1134**  
Re: **PUBLIC** land development  
Position: Oppose

Aloha Chairs Evans and Luke, Vice Chairs Lowen, Nishimoto and Johanson, and Members,

I am Nancy Aleck, a 60+ year-old community activist and nonprofit worker.

Slow down.

Each land use idea should be carefully studied and given full community vetting.

Good plans will rise to the top.

Development should be for the common good, not for corporate profit.

No name change.

No modifications.

No gut and replace.

REPEAL the PLDC.

Thank you for your consideration.

Nancy Aleck  
PO Box 61212  
Honolulu 96839

Honolulu Star-Advertiser

What should the Legislature do with the Public Land Development Corp. (PLDC)?

- **A. Repeal it (78%, 784 Votes)**
- B. Modify it (16%, 163 Votes)
- C. Keep it (6%, 58 Votes)

Total Voters: **1,004**

**Start Date:** January 20, 2013 @ 12:00 am

**End Date:** January 20, 2013 @ 4:00 pm

## lowen2-Anosh

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 7:22 AM  
**To:** waltestimony  
**Cc:** inunyabus@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

### **HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elaine D.	Individual	Oppose	No

Comments: Hello Committee Members and Chair, I think it is accurate to say we are getting tired of these attempts to pass PLDC IMITATOR bills. Either you are bent on insulting our intelligence, don't care what the public thinks, believe we don't recognize the intent of the IMITATION PLDC bills or you don't actually know what the bills are yourselves. Hawaii has important issues to take of and the game playing and self-will of some legislators by pushing these illegal, poorly worded and unwanted bills is making the public realize some of our legislators are incapable of taking care of important business without reverting to shortcuts and unethical tactics. These bills are diversions from important matters. Please. Stop the taxpayers' monies from further wasting of OUR Legislature and reject this bill and all others that are the same thing: 'PLDC NEW NAME, SAME PURPOSE BILLS', 'PLDC COMPROMISE BILLS', 'PLDC PILOT PROJECT BILLS', 'PLDC AMENDED BILLS', 'PLDC SCHOOL LAND REDEVELOPMENT BILLS' and ANY/ALL 'PUBLIC-PRIVATE-PARTNERSHIP BILLS'.

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**Sent:** Wednesday, February 06, 2013 7:10 PM  
**To:** waltestimony  
**Cc:** pennysfh@hawaii.rr.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Penny Levin	Individual	Comments Only	No

Comments: I oppose this measure HB219. There's a saying, "you can not make a silk purse out of a sow's ear." Please support HB1133 and HB589.

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**lowen1-Kyli**

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**Sent:** Wednesday, February 06, 2013 5:42 PM  
**To:** waltestimony  
**Cc:** rogerwalraven@yahoo.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roger Walraven	Individual	Oppose	No

Comments:

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 06, 2013 6:18 PM  
**To:** waltestimony  
**Cc:** shannonkona@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/6/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Rudolph	Individual	Oppose	No

Comments:

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 10:05 AM  
**To:** waltestimony  
**Cc:** iamcarey.lt@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carey Lillis Tinsley	Individual	Oppose	No

Comments: i oppose HB 219, HB 593, and HB 1134. No 'Harbors and Parks Development Authority'. Keep Hawaii pure & free! Mahalo!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 11:08 AM  
**To:** waltestimony  
**Cc:** paul@punapono.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

### **HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Kuykendall	Individual	Oppose	No

Comments: Please vote NO on any bill that does not completely repeal the PLDC. Act 55 must be repealed before we consider other legislation. Keeping PLDC structure and purpose is not acceptable. Mahalo

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 10:44 AM  
**To:** waltestimony  
**Cc:** suzanne@punapono.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suzanne Wakelin	Individual	Oppose	No

Comments: Please vote NO on any bill that does not completely repeal the PLDC. Act 55 must be repealed before we consider other legislation. Keeping PLDC structure and purpose is not acceptable. Mahalo

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**lowen2-Anosh**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 11:24 AM  
**To:** waltestimony  
**Cc:** hilobliss@yahoo.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joy cash	Individual	Oppose	No

Comments: I am opposed to squandering our precious resources.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 12:14 PM  
**To:** waltestimony  
**Cc:** juggler@aloha.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Graham Ellis	Individual	Oppose	No

Comments: PDLC needs to be repealed in it's entirety not amended. It's a bad piece of legislation.

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**lowen2-Anosh**

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**Sent:** Thursday, February 07, 2013 12:23 PM  
**To:** waltestimony  
**Cc:** kohala1@yahoo.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joe Carvalho	Individual	Oppose	No

Comments:

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**Clifton M. Hasegawa**  
**1044 Kilani Avenue 12, Wahiawa, Hawaii 96786**  
**Telephone: 808.622.8968 \* Mobile: 808.463.1057**  
**Email: [clifhasegawa@gmail.com](mailto:clifhasegawa@gmail.com)**  
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**XING: [www.xing.com/profile/clifton\\_hasegawa](http://www.xing.com/profile/clifton_hasegawa)**  
**LinkedIn: [www.linkedin.com/in/cliftonhasegawa](http://www.linkedin.com/in/cliftonhasegawa)**

February 7, 2013

**TESTIMONY ON**  
**HOUSE BILL RELATING TO HAWAII REVISED STATUTES (HRS) CHAPTER 171C**  
**PUBLIC LAND DEVELOPMENT CORPORATION (PLDC)**

**HB 219, HB 589, HB 593, HB 1133, HB 1134**

**I. Amendment of 171C, HRS**

**II. Repeal of 171C, HRS**

**III. One House Bill repealing 171C, HRS**

**COMMITTEE ON WATER & LAND**

Representative Cindy Evans, Chair, Representative Nicole E. Lowen, Vice Chair, Representative Denny Coffman, Representative Ty J.K. Cullen, Representative Faye Hanohano, Representative Derek S.K. Kawakami, Representative Chris Lee, Representative Richard Lee Fale, Representative Cynthia Thielen

**COMMITTEE ON FINANCE**

Representative Sylvia Luke, Chair, Representative Scott Nishimoto, Vice Chair, Representative Aaron Ling Johanson, Vice Chair, Representative Ty J.K. Cullen, Representative Mark J. Hashem, Representative Kaniela Ing, Representative Jo Jordan, Representative Bertrand Kobayashi, Representative Nicole E. Lowen, Representative Dee Morikawa, Representative Richard H.K. Onishi, Representative Greg Takayama, Representative James Kunane Tokioka, Representative Kyle T. Yamashita, Representative Beth Fukumoto, Representative Gene Ward

**COMMITTEE ON WATER & LAND and COMMITTEE ON FINANCE HEARING**

DATE: Saturday, February, 9, 2013

TIME: 9:00 AM

PLACE: Auditorium, State Capitol

Dear Chair Evans, Vice Chair Lowen and Members of the Committee on Water & Land; Chair Luke, Vice Chair Nishimoto, Vice Chair Johanson and Members of the Committee on Finance,

This Hearing on HB 219, HB 589, HB 593, HB 1133 and HB 1134 is a model of efficiency and effectiveness in the Legislative process.

Governor Abercrombie signed into law SB 1555, Act 55 was codified as Chapter 171C, Hawaii Revised Statutes, creating the Public Land Development Corporation (PLDC).

The PLDC Board, Mr. Kalbert Young, Chair (Director, Department of Budget & Finance), Mr. Duane Kurisu, Vice Chair (Hawaii State Senate Designee and Founder of aio), Ms. Mary Alice Evans (Department of Business, Economic Development & Tourism), William J. Aila, Jr. (Chair, Department of Land & Natural Resources), Mr. Robert Bunda (Hawaii State House Designee, Insurance Executive, currently Board Member, Honolulu Authority for Rapid Transportation (HART)).

Three (3 County Councils --- Maui, Hawaii, Kauai, have adopted Resolutions asking the Legislature to repeal the PLDC and have included their Resolutions in their 2013 Legislative Packages.

There is a marked difference between "repeal" and "partial repeal by way of amendment".

Governor Abercrombie has stated that amendment to HRS 171C is preferred.

HB 219, HB 589, HB 593, HB 1133, HB 1134, by way of various amendments to 171C, HRS attempt to make the PLDC, acceptable and appropriate.

I sincerely believe that repeal of 171C, HRS in its entirety and not by way of amendment will serve the overall purpose and objectives intended by Governor Abercrombie.

The implementation of the PLDC has heightened awareness of culture, community, the importance and significance of managing public lands effectively and efficiently, and the need to have a revenue source to support and sustain programs and projects focused on stewardship of public lands.

The PLDC is Governor Abercrombie's initiative to move Hawaii forward into the future. The clear message from Governor Abercrombie is that: (a) Maintaining the status quo is unacceptable, (b) Be diligent but delays ad infinitum - continuing and continued studies, analysis, meetings, seminars, presentations, networking or joint sessions need to be measured and managed effectively and efficiently, (c) Take measured risks, (d) Learn from mistakes and move forward, (e) Take lessons learned from failure, improve upon weaknesses, sharpen strengths, (f) There is no penalty for taking reasonable, measured and justified risks, (g) We shall remain idle no more, (h) The time to implement programs and projects to get Hawaii working is now, (i) Innovate, think outside of the box.

Departmentally and Inter-Departmentally Hawaii has the experience, knowledge, and expertise to accomplish good stewardship of public lands. Five keys: (a) Empower and mentor, (b) Courage to move forward, (c) Team spirit, (d) Practice good management skills, (e) The time to take action and implement good programs and projects is now..

Each member of the PLDC Board brings to the table experience in state government, culture, economic development, tourism and highly respected management skills.

Repeal of 171C, in its entirety and not by way of amendment, provides a grace period for improvement until the Twenty-Eight Session of the Hawaii Legislature convenes.

I suggest one House Bill, similar to SB 1 (amended to repeal 171C in its entirety).

In conclusion I urge the House of Representatives to enact legislation during this session of the Legislature working collaboratively with members of the Senate.

Thank you for this opportunity to share my thoughts with you.

Respectfully,

**Electronically Signed**

Clifton M. Hasegawa

Courtesy copy via email: Senate President Donna Mercado Kim

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 2:20 PM  
**To:** waltestimony  
**Cc:** palmtree7@earthlink.net  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glenie	Individual	Oppose	No

Comments:

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**Sent:** Thursday, February 07, 2013 2:34 PM  
**To:** waltestimony  
**Cc:** veganmom@gmail.com  
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**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dena Smith Givens	Individual	Oppose	No

Comments:

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**Sent:** Thursday, February 07, 2013 3:49 PM  
**To:** waltestimony  
**Cc:** kraul@hawaiiintel.net  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sydney A. Kraul	Individual	Oppose	No

Comments:

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**To:** waltestimony  
**Cc:** jgriffiths62@yahoo.com  
**Subject:** Submitted testimony for HB942 on Feb 9, 2013 09:00AM

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### HB942

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
John Griffiths Jr	Individual	Oppose	No

Comments: Oppose HB942 HD1 Harbors and Parks Development Authority HB219,HB 593,and HB1134 which amend Chapter 174C . In NO way this should be consider !! No good for Hawaii and its people telling you so . NO

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**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Beckenhauer	Individual	Oppose	No

Comments:

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**Sent:** Thursday, February 07, 2013 5:00 PM  
**To:** waltestimony  
**Cc:** jessicaserino80@yahoo.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Serino	Individual	Oppose	No

Comments: I am a Farrington High School teacher and I oppose this well intentioned bill because I believe we should not compromise on making permanent changes to our land that may affect our long term sustainability.

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**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marjorie Erway	Individual	Oppose	No

Comments: no amending the PLDC at this time. Please vote NO on this bill!

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**To:** waltestimony  
**Cc:** cspellman@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
CK Spellman	Individual	Oppose	No

Comments:

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**To:** waltestimony  
**Cc:** athurston@irmt.org  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

### **HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Thurston	Individual	Oppose	No

Comments: I oppose this and other bills that seek to amend the PLDC. The PLDC is fatally flawed and needs to be repealed. A fresh start can be made in thinking about a plan that would be in the real interest of the people of Hawaii.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 12:41 AM  
**To:** waltestimony  
**Cc:** suiteness@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Annie Suite	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 1:44 AM  
**To:** waltestimony  
**Cc:** barb@punapono.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM  
**Attachments:** Repeal Act 55.pdf

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
barbara Cuttance	Individual	Oppose	No

Comments: I strongly oppose HB219 and support the complete repeal of Act 55.

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I strongly support the complete repeal of Act 55 and the PLDC.

There is a growing movement of discontented people in Hawaii because of this Act and Act 97, so much so that a new movement has been born uniting all of the island. It is growing rapidly.

**We the people** will not stand by any longer and see what appears to be corporations corrupting the government processes here.

The manner in which Act 55 came into being has left people throughout Hawaii stunned that such a Bill could be passed without people being given the opportunity to be part of the process.

Act 55 can not be fixed, it must be repealed.

To try and fix this act would simply add insult to injury and cause greater mistrust in the process of government here in this unique and beautiful land.

Quite simply the only way to restore the trust of the people in the government is to repeal this act and Act 97. There needs to be put in place processes to stop the corporate take over of Hawaii and ensure that **we the people** get the proper due processes, right and ability to be involved in all decision making where our lives are effected.

Please do the right thing and repeal Act 55.

Barbara Cuttance  
14/266 Papaya Farms Road, Pahoia, Hawaii 96778

Puna Pono Alliance  
Hawaii Alliance (HA)

**lowen1-Kyli**

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**To:** waltestimony  
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**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
bill brown	Individual	Oppose	No

Comments:

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**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bill Smith	Individual	Oppose	No

Comments: Repeal the PLDC - no change can fix a bad idea

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**Cc:** gr8bluhron@gmail.com  
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**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Billie Dawson	Individual	Oppose	No

Comments: The PLDC cannot be fixed, and the state should not have free reign to privatize and develop school land, parks, and harbors. Repeal the PLDC

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**Cc:** killertiller@yahoo.com  
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**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brady Townsend	Individual	Oppose	No

Comments:

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**To:** waltestimony  
**Cc:** brilana@gmail.com  
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**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brilana Silva	Individual	Oppose	No

Comments:

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**Sent:** Friday, February 08, 2013 8:42 AM  
**To:** waltestimony  
**Cc:** clk5356@gmail.com  
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**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carolyn L Knoll	Individual	Oppose	No

Comments:

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**To:** waltestimony  
**Cc:** cpgroup@aloha.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl corbiell	Individual	Comments Only	No

Comments: I don't support amendment. Repeal this not fix it.

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**Cc:** cjmellor626@yahoo.com  
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**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cmellor	Individual	Oppose	No

Comments:

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**To:** waltestimony  
**Cc:** proofitworks@gmail.com  
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Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cora Piliwale	Individual	Oppose	No

Comments: I oppose HB219. We dont need the PLDC in Hawaii! Cora Piliwale Waianae, HI

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**Sent:** Friday, February 08, 2013 2:44 PM  
**To:** waltestimony  
**Cc:** Don.Couch@mauicounty.us  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Councilmember Don Couch	Individual	Oppose	No

Comments: While there are many bills on this topic, I am supporting HB1133 because of the bill's clear objective.

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**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
courtney Bruch	Individual	Oppose	No

Comments:

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Aloha .

**I support HB 1133 and HB 589, which repeal HRS Chapter 174C PLDC. And any form of it in anyway called anything else. Like any of the HB's listed below in "I oppose"**

**I oppose HB 942 HD1 Harbors and Parks Development Authority (PLDC - new name, same purpose), HB 219, HB 593, and HB 1134, which amend Chapter 174C.**

To privatize any part of the government I know is the overwhelming trend ever since Halliburton got the no bid contract to support the military in Iraq.

. To date we are now 13 TRILLION dollars in debt and climbing in part because of this trend.

Privatization of any government part is the blatant greed to take advantage of the tax payers who are left holding the bag no matter what happens

To allow HB 942 HD1 to become law is to rape a pillage all the people of Hawaii again. To allow the appointed members to have authority to take private and seeded lands to share with corporations – private partnership, to me is theft in the name of the greater good for all. And if the private partnership fails we the tax payer is left holding the bag. Win Win for the corporations - private partnership . Loose Loose for us the people of Hawaii.

To create this systems adds more cost,bigger government. And with the chair being exempt from chapter 76, and any body he appoints.

There is no way to prevent abuse of the tax payers, public land, seeded land, or private land owners.

So what is it that you are doing to reduce the burden to the tax payer" all of us"? This is not the answer. This will hurt tourism! And it will add fee's to all public area's of use, another form of tax.

Dana G. Moss  
Kapaau Hi 96755

**lowen1-Kyli**

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**Sent:** Friday, February 08, 2013 9:40 AM  
**To:** waltestimony  
**Cc:** mealaaloha@aol.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Bishop	Individual	Oppose	No

Comments:

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**Sent:** Friday, February 08, 2013 10:25 AM  
**To:** waltestimony  
**Cc:** gentlewave@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Dinner	Individual	Oppose	No

Comments:

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February 7, 2013

To: Honorable Chairs and Members of the House Water and Land and Finance Committees

From: Deborah Chang, Hawai'i Island Resident

Subject: Opposition to HB 219, HB 593, and HB 1134 "Relating to the Public Land Development Corporation; and HB 942 "Relating to Harbors and Parks Development"

I do not support the extraordinary efforts to "fix" the laws that established the PLDC that are attempted in the above-mentioned bills. In my opinion the laws establishing the PLDC require such major surgery, that it would be better to eliminate the PLDC before it has a chance to waste more public funds and resources than it already has. It does not have the support or trust of the public necessary to accomplish its intended purposes.

Mahalo for your consideration.

**RE: OPPOSED TO HB219**

## **REPEAL the P.L.D.C. Law**

**I am a former Maui County Planning Commissioner and I presently serve as the Vice-Chair of Maui Island's General Plan Advisory Committee. I have been directly involved in planning issues from a citizen's perspective for over 40 years.**

**I SUPPORT HB589 - Which Repeals PLDC**

**I SUPPORT HB1133 - Which Repeals PLDC**

### **I OPPOSE HB219 – Only amends PLDC**

**I OPPOSE HB593 – Only amends PLDC**

**I OPPOSE HB942 – Changes name of PLDC**

**I OPPOSE HB1134 – Only amends PLDC**

**I OPPOSE HB865 – Combines PLDC with Community Districts**

**I strongly support repealing Act 55 (2011) which established the PLDC because the PLDC has so many defects:**

- 1. Eliminating County input.**
- 2. Ignores County General and Community plans.**
- 3. By-passes protections for Hawaiian Lands.**
- 4. Concentrates too much power in a small unelected committee.**
- 5. Allows private firms too much opportunity to abuse public lands.**
- 6. Inadequate or non-existent environmental protections.**

**I do NOT wish to have the PLDC amended or modified. There should be:**

**No PLDC pilot project bills;**

**No PLDC school land redevelopment bills;**

**No PLDC compromise bills;**

**No PLDC amended bills; and**

**No PLDC new name, same purpose bills**

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 8:45 AM  
**To:** waltestimony  
**Cc:** stoked\_r\_us@hotmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Donna Stokes	Individual	Oppose	No

Comments: I oppose HB 219.

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**Sent:** Friday, February 08, 2013 4:17 AM  
**To:** waltestimony  
**Cc:** toolohana@hawaiiantel.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM  
**Attachments:** PLDC Testimony.odt

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Laurence Tool	Individual	Oppose	No

Comments: I respectfully oppose this honest attempt to fix a fatally flawed bill. Act 55 should be repealed altogether.

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Aloha Honorable Committee Members.

No doubt the sponsors of Act 55 had good intentions. But the PLDC, like most attempts to privatize government, is a bad idea, and it sets a dangerous precedent. It's unaccountable. It grants power without responsibility. It's a spectacular conflict of interest. It is government setting the terrible example of breaking it's own laws.

Government is not, and should not be, a business. In the United States, we the people create, fund and staff our governments to think, speak and act for the whole community. We cannot allow any government to shirk or outsource that unique and solemn responsibility.

If current tax revenues are really inadequate to fund necessary services, then we need to have a serious and thorough public discussion of just what services we absolutely need, what it really costs to deliver them efficiently, and how we can best pay for them.

One of the reasons we can't raise taxes, for example, is because our electric bills are so ridiculously high. If our government could summon the will to get control of our spoiled monopoly utility, and substantially reduce those bills, then modest tax increases might be more acceptable.

You can't fix something that's fundamentally flawed. The PLDC is one of those miracle cures that turns out to be worse than the disease. Please repeal this terrible law.

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 12:09 PM  
**To:** waltestimony  
**Cc:** glenn@hawaiiantel.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
"Glenn"	Individual	Oppose	No

Comments: Repeal Act 55, NO NEED PLDC

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 1:11 PM  
**To:** waltestimony  
**Cc:** hanaloa@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hanaloa Helela	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 10:40 AM  
**To:** waltestimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Oppose	Yes

Comments:

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**Sent:** Thursday, February 07, 2013 9:26 PM  
**To:** waltestimony  
**Cc:** jsacher@kona.net  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff Sacher	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 6:52 AM  
**To:** waltestimony  
**Cc:** jenadillon@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Dillon	Individual	Oppose	No

Comments: Like lipstick on a pig. REPEAL the PLDC.

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**Sent:** Friday, February 08, 2013 12:29 PM  
**To:** waltestimony  
**Cc:** osorio@hawaii.edu  
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**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jon Osorio	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 8:00 AM  
**To:** waltestimony  
**Cc:** jonicarroll@earthlink.net  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joni Sadler	Individual	Oppose	No

Comments:

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**Sent:** Friday, February 08, 2013 10:43 AM  
**To:** waltestimony  
**Cc:** j.lilinoe@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Josephine Keliipio	Individual	Oppose	No

Comments: I oppose HB 219. Trash it.

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**Sent:** Thursday, February 07, 2013 8:03 PM  
**To:** waltestimony  
**Cc:** 09jjju@hotmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julian Jiman	Individual	Oppose	No

Comments:

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**Sent:** Friday, February 08, 2013 7:01 AM  
**To:** waltestimony  
**Cc:** we101.21@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
julie k. harris	Individual	Oppose	No

Comments: Repeal the PLDC - no change can fix a bad idea

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 7:34 AM  
**To:** waltestimony  
**Cc:** kkaauwai@yahoo.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kehaunani Kaauwai	Individual	Oppose	No

Comments:

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**Sent:** Thursday, February 07, 2013 8:26 PM  
**To:** waltestimony  
**Cc:** lkmcelheny@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Larry McElheny	Individual	Oppose	No

Comments: Aloha I oppose HB 219 Mahalo Larry McElheny

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 7:47 PM  
**To:** waltestimony  
**Cc:** Lesliewingate7@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leslie Wingate	Individual	Oppose	No

Comments: Keep us safe Aloha is the law here! That means respect and Love for the aina

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 10:00 PM  
**To:** waltestimony  
**Cc:** lila@loveshackmaui.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lila Sherman	Individual	Oppose	No

Comments:

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**Sent:** Thursday, February 07, 2013 8:04 PM  
**To:** waltestimony  
**Cc:** ggexcavations@hotmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Kirbin	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 10:33 PM  
**To:** waltestimony  
**Cc:** lbarrie@mac.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lorraine Barrie	Individual	Oppose	No

Comments:

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**Sent:** Friday, February 08, 2013 9:49 AM  
**To:** waltestimony  
**Cc:** lynhowe1946@yahoo.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lyn Howe	Individual	Oppose	No

Comments:

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**Sent:** Thursday, February 07, 2013 11:31 PM  
**To:** waltestimony  
**Cc:** mestralynne@aol.com  
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**HB219**

Submitted on: 2/7/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lynne Gutierrez	Individual	Oppose	No

Comments:

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**Testimony Opposing H.B. 219  
Relating to the Public Land Corporation**

**Before the House of Representatives  
Committees on Water & Land; Education; and Finance**

by Mahealani Wendt  
February 9, 2013

Committee Chairs, Vice-Chairs and Members, thank you for this opportunity to testify regarding House Bill 219.

Although this bill:

- requires compliance with HRS 171-50 governing land exchanges;
- provides for OHA's pro rata share of revenues derived from public lands;
- affirms protections for traditional and customary practices as provided in article XII, section 7 of the state constitution;
- provides for 7, instead of 5, voting members, including the OHA administrator or designee and another member with demonstrated expertise in sustainable planning, natural and cultural resource management;
- requires preparation a "Hawaii public land optimization plan" which includes protection of culturally-sensitive areas and an assessment of constitutionally protected traditional and customary practices;

it is still flawed because all the other legal exemptions complained of and warrant repeal are still intact.

Thank you for this opportunity to testify in opposition to House Bill 219.

Mahealani Wendt  
P.O. Box 961  
Ha`ikū, Hawai`i 96708  
Telephone: 808-248-7730  
wailuanui@starband.net

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 9:43 PM  
**To:** waltestimony  
**Cc:** marcyfrommaui@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marcy Koltun-Crilley	Individual	Oppose	No

Comments:

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**To:** waltestimony  
**Cc:** mzerbe808@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Margaret Zerbe	Individual	Oppose	No

Comments:

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**Sent:** Friday, February 08, 2013 8:46 AM  
**To:** waltestimony  
**Cc:** marijeanhorton@yahoo.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marijean Horton	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 8:51 AM  
**To:** waltestimony  
**Cc:** marilynmick@pobox.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marilyn Mick	Individual	Oppose	No

Comments: Because the PLDC cannot be fixed, the state should not have free reign to privatize and develop school land, parks, and harbors.

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**To:** waltestimony  
**Cc:** deakos@hawaii.edu  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Deakos	Individual	Oppose	No

Comments: Please repeal the PLDC, this is not a good thing for our aina.

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**Sent:** Friday, February 08, 2013 11:25 AM  
**To:** waltestimony  
**Cc:** mkelley323@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Lu Kelley	Individual	Oppose	No

Comments:

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MICHAEL DALY  
1253 BERETANIA STREET  
HONOLULU  
HAWAI'I 96814

OPPOSE THE FAKE STATE OF HAWAII

OPPOSE BILL HB219

RELATING TO LILI'UOKALANI AGREEMENT AND RESTORATION AGREEMENT -  
1893

PUBLIC LAND DEVELOPMENT CORPORATION (PLDC)

-----  
GIVE UP THIS ILLEGAL MILITARY OCCUPATION IN THE PACIFIC.  
IN THE MEAN TIME REPEAL ACT 55 AND THE PLDC IN ITS ENTIRETY.

I AM AN ARTIST AND FATHER RESIDING IN HONOLULU HAVING BEEN BORN IN  
AUSTRALIA AND TRAVELED TO OVER FORTY COUNTIES. I AM A HAWAIIAN  
NATIONAL. I HAVE BEEN LIVING IN HAWAI'I 22 YEARS.

I OPPOSE THE STATE OF HAWAII AND THE MILITARY OCCUPATION HERE BY  
THE UNITED STATES OF AMERICA.

THE U.S.A. HAS NO LAWFUL JURISDICTION IN THE HAWAIIAN REGION; THE  
HAWAIIAN KINGDOM. THE U.S.A. IS OBLIGED TO ADHERE TO THE LILI'UOKALANI  
AGREEMENT AND RESTORATION AGREEMENT OF 1893 BETWEEN THE U.S.A.  
AND THE HAWAIIAN KINGDOM.

THE U.S.A. HAS ADMITTED IT'S PART IN THE CONSPIRACY TO OUST QUEEN  
LILI'UOKALANI IN 1893 IN THE APOLOGY RESOLUTION OF 1993 - PRESIDENT  
CLINTON'S PUBLIC LAW 103-150.

THE U.S.A. PACIFIC COMMAND ILLEGALLY OCCUPYING HAWAI'I SINCE FAKE  
ANNEXATION HAS STATED IT HAS NO LEGAL MANDATE TO SHOW IT'S  
PERMITTED STAY.

ALL EVIDENCE, TREATIES, LAWFUL AGREEMENTS AND DOCUMENTS UNDER

INTERNATIONAL LAW AND DOMESTIC LAW IN BOTH NATION PARTIES DEMONSTRATE THE NEED FOR IMMEDIATE RESTORATION OF THE KINGDOM, RECONCILIATION AND REPARATIONS TO ADDRESS 120 YEARS OF DAMAGES.

NOT ONLY IS ALL THE EVIDENCE OF OCCUPATION IN FAVOUR OF HAWAI'I NEI, THERE IS NO TREATY OF ANNEXATION OR VALID DOCUMENTATION OR ARGUMENT TO CONTINUE THE FAKE STATE OF HAWAII, U.S.A. LAW OR FOREIGN LAW IN THE SOVEREIGN STATE OF THE HAWAIIAN KINGDOM.

THE ATTEMPTED THEFT OF CROWN LANDS UNDER THE PREVIOUS ILLEGAL LINDA LINGLE ADMINISTRATION IS EVIDENCE OF YOUR BELLIGERENT CHARACTER AND STRATEGY OF OCCUPATION.

THIS PLDC (ACT 55) IS JUST ANOTHER ATTEMPT TO PASS HAWAIIAN KINGDOM LAND AND RESOURCES OUT OF THE PUBLIC DOMAIN AND PUBLIC OWNERSHIP AND INTO THE ANTI-DEMOCRATIC CONTROL OF PRIVATE FOR-PROFIT BUSINESS. LET ME REMIND EVERYONE THAT THE COUP DE TAR LEADERS, LIKE LORRIN A. THRUSTER AND SAMFORD DOLE, WERE SUCH RUTHLESS BUSINESSMEN WITHOUT MORALS BUT FULLY CORRUPT AND COMPLICIT WITH THE MILITARY OF THE U.S.A. AND LATER WITH PRESIDENT MCKINLEY AND THE U.S.A. CONGRESS - THESE ARE SCUMBAGS AND ARE HONOURED TO THIS DAY AS THEIR CRIMES GO UNHEARD AND UNRESOLVED.

WHILE LOCAL LAND DESTABILIZATION AND ITS EXPLOITATION FOR WAR, OVER DEVELOPMENT AND PRIVATE PROFIT HAPPENS IT REMAINS MERELY THE INSTRUMENT TO CRIPPLE THE MORE CRITICAL AND POWERFUL PROPERTY; THAT IS CULTURE. CULTURAL DEBILITATION AND EXTINCTION IS INTELLECTUAL PROPERTY. EVEN THE MOST BASIC APPRECIATION AND UNDERSTANDING OF THIS CAN DEFEAT THE STUPIDITY AND MASK OF A NUCLEAR DRONE-FILLED SUPER-FAT MILITARY.

CULTURAL AND INTELLECTUAL UNDERSTANDING TOGETHER WITH ITS POWER OF ALOHA REDUCES ARMS AND TWISTED GENERALS AND TROOPS TO PLAY DOE.

EVERY INDIVIDUAL AND THEIR DIVERSE GROUPS MUST CLAIM THEIR IDENTITY OF HUMAN DIGNITY, CULTURAL AND INTELLECTUAL CAPACITY. THE U.S.A. VETAN SUICIDE RATE IS EXPANDING. THUGGERY AND MILITARY TERRORISM ON THE PART OF THE U.S.A. HERE IN HAWAI'I AND EVERYWHERE IS ANTI-INTELLIGENT, BELITTLING AND ADVERSE TO THE INDIVIDUAL AND COMMON HUMAN CONDITION OF ACCLAIM FOR SELF AND EACH OTHER.

TODAY THE SAME SCUM AND STENCH EMANATING FROM WITHIN THE OCCUPATIONAL COUNTIES AND STATE OF HAWAII, THE U.S.A. CONGRESS AND THE WHITE HOUSE CAN BE FELT AS THE LORRIN THURSTEN TEMPLATE OF CORPORATE/GOVERNMENT "PARTNERSHIP" RIGHTFULLY KNOWN AS

CONSPIRACY IS DEVELOPED 120 YEARS ON.

WHETHER IT IS HOMELESSNESS, ENDANGERED SPECIES, ENVIRONMENTAL COLLAPSE, GMO, RAIL, KAUAI ELECTRIC SALE AND GRAFT CORRUPTION IS THE CONSTITUTION UPON WHICH EVERYTHING IN THE OCCUPIED TERRITORY STANDS AND SINKS.

THE PLDC IS JUST ONE OF COUNTLESS ISSUES OF CRIME AND OPPRESSION MANIFESTING ITSELF TODAY AND EMANATING FROM THE UNADDRESSED CRIMES OF 1893 (OUSTER) THROUGH 1898 (FAKE ANNEXATION) THROUGH 1959 (FAKE STATEHOOD) TO TODAY'S U.S.A.'s WAR ON PEOPLE AND THE RISE OF GLOBALIZATION.

QUEEN LILI'UOKALANI'S LAND HOLDINGS AND CROWN LANDS WERE A SOURCE OF ANXIETY THROUGHOUT HER LIFE AND ASTONISHINGLY, DESPITE THE CLARITY OF THE MATTER FROM ANY STANDPOINT, THE PROPERTY IS STILL TIED UP BY HER ENEMY.

THE CONSTANT LAND AND RESOURCE GRABS ARE CRIMINAL THEFT. YET IN 'OCCUPATION 101' EVEN PATHIC ATTEMPTS AND TOYING TO COVERT PROPERTY SERVES AS A DISTRACTION FOR GOOD PEOPLE AND WORTHY ACTIVISTS WHO FEEL THEY MUST ATTEND TO SUCH LAME BATTLES. OTHERWISE THEY WOULD BE ASSERTING THEIR CONSOLIDATED ENERGY TO IDENTIFY THEIR ENEMY IN THE clearest terms and attend to the real and fundamental core and source problem - THE IMPAIRMENT OF HAWAIIAN LAW AND INDEPENDENCE.

THE U.S.A. OCCUPATION OF HAWAII IS NOT A RACE ISSUE ALTHOUGH THE KANAKA MAOLI PEOPLE ARE MAJOR STAKEHOLDERS AND AS FAR AS THEIR DISTINCT AND BEAUTIFUL CULTURE IS CONCERNED THEY ARE RIGHTFUL CUSTODIANS. POLITICALLY THE HAWAIIAN KINGDOM HAS BEEN FOUNDED AND DEVELOPED WITHIN AN AMAZING SCOPE OF MULTI-ETHNICITY.

WHILE THE U.S.A. GOES UNACCOUNTABLE FOR WAR CRIMES, INTERNATIONAL LAW VIOLATIONS AND CRIMES AGAINST HUMANITY ALL OF WHICH ARE EMBROILED IN THE HAWAIIAN OCCUPATION, THE PLANET HAS NO RELIANCE ON LAW. IN SHORT THE HAWAIIAN OCCUPATION AFFECTS EVERY PERSON ON THE PLANET AND EVRY PERSON HAS A RIGHT TO BE A FORCE IN THE STRUGGLE TO MAKE THE U.S.A. ACCOUNTABLE.

I CALL FOR UNITED NATIONS AND OTHER INTERNATIONAL ENTITIES TO RESTORE RECOGNITION OF THE HAWAIIAN KINGDOM. I CALL FOR THE STRONGEST POSSIBLE NONVIOLENT RESISTANCE AND AGGREGATION IN HAWAI'I TOGETHER WITH NONVIOLENT ACTION FROM EVERY QUATER OF THE GLOBE TO FORCE THE U.S.A. OUT OF THE REGION. THE IMMEDIATE SOLUTION IS TO INSTALL A PROVISIONAL ADMINISTRATION UNDER A

QUALIFIED AND CARING INTERNATIONAL ENTITY WHILE REPARATIONS ARE  
MADE FROM THE U.S.A.

Michael Daly  
Honolulu

## lowen1-Kyli

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**From:** Michael de Ycaza [mdeycaza@yahoo.com]  
**Sent:** Friday, February 08, 2013 1:29 PM  
**To:** FINTestimony; EDNtestimony; waltestimony  
**Subject:** support HB1133 andHB589 / oppose HB942,HB219,HB593<HB1134

Dear Sirs/Madams, Please vote to repeal the PLDC by supporting HB1133 and HB589. Because they only partially repeal this law please oppose HB942,219,593 and1134. We should not monetize our quality of life. There should be no exemptions from planning laws and procurement codes. Sincerely, Mike deYcaza Hearing set for 9AM Sat. 2/9/13

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 8:24 AM  
**To:** waltestimony  
**Cc:** glenmio@aol.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
MSUchida	Individual	Oppose	No

Comments:

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## lowen1-Kyli

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**From:** ndavlantes@aol.com  
**Sent:** Friday, February 08, 2013 3:04 PM  
**To:** waltestimony; FINTestimony  
**Subject:** Testimony in support of HB1133 and HB589

Committee and Water and Land  
Representative Cindy Evans, Chair; Representative Nicole Lowen, Vice-Chair

Committee on Finance  
Representative Sylvia Luke, Chair; Representative Scott Nishimoto, Vice Chair

Saturday, February 9, 2013, 9:00 a.m., Auditorium

While I am delighted that the Legislature has recognized the serious problems with the PLDC as currently constituted, I don't believe that the bills attempting to "fix" it will work.

The PLDC needs to be repealed and efforts concentrated on enhancing and protecting the natural resources rather than figuring out ways to develop them. HB1133 and HB589 do that, and I support them.

Accordingly, I oppose HB219, HB593, and HB1134 because they are attempts to tinker with bad legislation instead of starting off with a clean slate.

Thank you for opportunity to submit testimony.

Nancy Davlantes  
Kaneohe

## lowen1-Kyli

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 11:30 AM  
**To:** waltestimony  
**Cc:** Writeonjoy01@yahoo.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

### **HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Rasmussen	Individual	Support	No

Comments: It is apparent that left up to its own devices the PLDC will act autonomously without regard to present and future cultural effects of its actions. Hawaii's history is replete with examples of greed for riches over love of the people and their heritage. It's time we pulled the reins in on self-serving bureaucrats whose only goal is to get as much money out of the land as possible. The PLDC reflects a lack of love of the land reminiscent of the Thurston/Dole era, when Hawaii lands and people were usurped in the name of progress and ultimately sold out to foreigners. Let us remember our state motto: Ua mau ke ea o ka aina i ka pono, :the life of the land is perpetuated in righteousness." Let us never forget.

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 12:09 AM  
**To:** waltestimony  
**Cc:** youconduit@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Naomi Carmona	Individual	Oppose	No

Comments: Aloha, We do not want the PLDC amended we would like it abolished. We insist it be abolished, not amended. Amendments are not sufficient. Please repeal the PLDC and abolish this absolute nonsense and stop anything like it. Shame on the legislature that allowed this to happen in the first place. The people are losing all faith in the government, please do this right and support HB589 to repeal Act 55 and abolish the PLDC. Mahalo nui.

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**Sent:** Friday, February 08, 2013 1:17 PM  
**To:** waltestimony  
**Cc:** LoveYouniverse@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Olivia Banning	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 8:02 PM  
**To:** waltestimony  
**Cc:** silverpenny10@hotmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
penny silva	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 8:03 PM  
**To:** waltestimony  
**Cc:** pualehuafarm@hotmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
pua kamoā	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 12:22 PM  
**To:** waltestimony  
**Cc:** auntiepualani@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pualani Ramos	Individual	Oppose	Yes

Comments: Here's an idea: lets just get rid of the Public Lands Development Corporation and then we won't have to worry about it being culturally insensitive. I oppose any bill that gives validity to the PLDC.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 8:06 AM  
**To:** waltestimony  
**Cc:** newsletter@riseup.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
R Kinslow	Individual	Oppose	No

Comments: I support repeal of PLDC. Don't try to fix it. Just stop it. Our will, the people's will shall be your priority.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 7:04 AM  
**To:** waltestimony  
**Cc:** robertw@snorkelbob.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Wintner	Individual	Oppose	No

Comments: Please oppose this bill and protect Hawaii's Public Trusts.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 9:28 PM  
**To:** waltestimony  
**Cc:** rodquintna@hotmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roderick Quintana	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 1:38 AM  
**To:** waltestimony  
**Cc:** Rga6365@aol.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roy G. Aragon	Individual	Oppose	No

Comments: OHA is sleeping with PLDC, the Governor, City Council, Mayor PRP.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 1:52 AM  
**To:** waltestimony  
**Cc:** scott@aloha.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Crawford	Individual	Oppose	No

Comments: Repeal the PLDC. It was a very bad idea to start with, just get rid of it instead of trying to "fix" it into something else.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 9:43 AM  
**To:** waltestimony  
**Cc:** seanwconnelly@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean Connelly	Columbia University	Oppose	Yes

Comments: I oppose HB219 and want to repeal, not amend the PLDC

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 9:44 AM  
**To:** waltestimony  
**Cc:** slwsurfing@yahoo.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sharon willeford	Individual	Oppose	No

Comments: Big Island - DO NOT SELL away our sacred lands! REPEAL THE PLDC/ NOT AMEND! EVICT Monsanto while you're at it! I am a teacher of 30 yrs! I know the TRUTH from LIES!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 6:09 AM  
**To:** waltestimony  
**Cc:** Tree@hawaii.rr.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephen Luksic	Individual	Oppose	No

Comments: The PLDC needs to be Repealed completely. It does not serve the citizens, it appears to only serve developers.

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 9:48 AM  
**To:** waltestimony  
**Cc:** susanlray@hawaiiintel.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Bradford	Individual	Oppose	No

Comments: I totally oppose HB219. Repeal the PLDC. Protect Hawaii's future. A very bad idea needs to go! Tweeking can't fix the PLDC. Susan Bradford

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 8:03 PM  
**To:** waltestimony  
**Cc:** ti\_health@hotmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tia Connors	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 8:04 PM  
**To:** waltestimony  
**Cc:** tjsimms2000@hotmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tj simms	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 9:58 AM  
**To:** waltestimony  
**Cc:** sundownertoni@yahoo.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Toni Withington	Individual	Oppose	No

Comments: No PLDC. Get rid of PLDC.

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**Sent:** Thursday, February 07, 2013 11:01 PM  
**To:** waltestimony  
**Cc:** unmanib@maui.net  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/7/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Unmani Cynthia Groves	Individual	Oppose	No

Comments: Aloha Chairman and Honorable Commmittee, I respectfully oppose this bill. I see no recognition of compliance with our Community Plans, complying with the EIS process, building permits, and it is unjust to the people of Hawaii to exempt it from public oversight and comments including right to public hearings or comment periods. Unmani Cynthia Groves Member of the Alliance of Maui Community Associations, Kihei Community Association Planning Committee, and Halau Ke'alaokamaile

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**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 5:18 AM  
**To:** waltestimony  
**Cc:** maier3@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William Maier	Individual	Oppose	No

Comments: REPEAL THE PLDC!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 12:09 PM  
**To:** waltestimony  
**Cc:** ned.dana@rare-dear.com  
**Subject:** \*Submitted testimony for HB942 on Feb 9, 2013 09:00AM\*

**HB942**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edmund Dana	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 4:13 PM  
**To:** waltestimony  
**Cc:** redahi@hawaii.rr.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
B.A. McClintock	Individual	Oppose	No

Comments: Please OPPOSE this terrible bill!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 4:22 PM  
**To:** waltestimony  
**Cc:** bisaki@gmail.com  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bianca Isaki	Individual	Oppose	No

Comments: The PLDC must be repealed. Its entire premise is irremediably flawed and this Bill errs by attempting to do so. Leveraging public lands to maintain government revenues forecloses the state's ability to comply with public trust obligations.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 4:28 PM  
**To:** waltestimony  
**Cc:** dixiekaetsu@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dixie Kaetsu	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 4:42 PM  
**To:** waltestimony  
**Cc:** at.life.hawaii@gmail.com  
**Subject:** Submitted testimony for HB589 on Feb 9, 2013 09:00AM

**HB589**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fernando Salas	Individual	Support	Yes

Comments: Please abolish the Public Lands Development Corporation. Please support HB589 and HB1133; please do not support HB219, HB593, HB1134. I believe home rule needs to be restored as we prioritize what is in our economic and environmental and ecosystem's best interest - from the lands to the coastal waters.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 4:38 PM  
**To:** waltestimony  
**Cc:** jdancer@kula.us  
**Subject:** Submitted testimony for HB219 on Feb 9, 2013 09:00AM

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
john NAYLOR	Individual	Oppose	No

Comments: Aloha ! I strongly oppose HB 219 No No and No Mahalo, John Naylor Makawao

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 08, 2013 4:20 PM  
**To:** waltestimony  
**Cc:** maliadamon@gmail.com  
**Subject:** \*Submitted testimony for HB219 on Feb 9, 2013 09:00AM\*

**HB219**

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Malia Dam,on	Individual	Oppose	No

Comments:

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## lowen1-Kyli

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**From:** kim2 - Lauren  
**Sent:** Friday, February 08, 2013 3:39 PM  
**To:** waltestimony  
**Subject:** FW: SUPPORT HB1133 - REPEAL THE PLDC

-----Original Message-----

From: Sally Raisbeck [[mail to: sallyraisbeck@hawaii.rr.com](mailto:sallyraisbeck@hawaii.rr.com)]  
Sent: Friday, February 08, 2013 4:51 AM  
To: All Senators  
Subject: SUPPORT HB1133 - REPEAL THE PLDC

Dear Sens,

The online testimony link for testimony is inoperative. I want to send an email to the House WAL/FIN, but the only way I can do so is to email all of you.

To the House WAL and FIN committees:

I SUPPORT COMPLETE REPEAL OF THE PLDC. I AM A VOTER ON MAUI.

SALLY RAISBECK  
427 Liholiho St Wailuku HI 96793 808-244-9604

I also support HB589.

I oppose attempts at amendment, HB219 and HB1134.

**lowen1-Kyli**

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**From:** ohno2-Jun on behalf of EDNtestimony  
**Sent:** Friday, February 08, 2013 11:20 AM  
**To:** waltestimony  
**Subject:** FW: Testimony

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From: Jw Nalda [\[mailto:naldajw@gmail.com\]](mailto:naldajw@gmail.com)  
Sent: Friday, February 08, 2013 10:47 AM  
To: EDNtestimony  
Subject: Testimony

I'm supporting [HB 1133](#) and [HB 589](#) as the two bills that would repeal the PLDC. I'm also opposing [HB 942](#), [HB 219](#), [HB 593](#), and [HB 1134](#) because they don't repeal the PLDC.

Judy Nalda