

TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-SEVENTH LEGISLATURE, 2013

ON THE FOLLOWING MEASURE: S.B. NO. 123, S.D. 1, RELATING TO ECONOMIC DEVELOPMENT.

BEFORE THE:

SENATE COMMITTEES ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING, AND ON TOURISM AND HAWAIIAN AFFAIRS

DATE:	Thursday, February 28, 2013	TIME:	1:45 p.m.
LOCATION:	State Capitol, Room 225		
TESTIFIER(S):	David M. Louie, Attorney General, or Charleen M. Aina, Deputy Attorney Gen	eral	

Chairs Dela Cruz and Galuteria, and Members of the Committees:

The Department of the Attorney General testifies to convey its concerns about this bill. We previously shared some of these concerns with several individual members of the Senate who inquired about various aspects of this bill.

This bill by its express terms "establishe[s] the Native Hawaiian corporation, which shall be a body corporate and a public instrumentality of the State," separate from the Hawaiian Homes Commission (HHC) but administratively attached to the Department of Hawaiian Homes Lands (DHHL), "for the purpose of receiving and managing"

- "'[A]vailable lands' [as they are described] in section 203 of the Hawaiian Homes Commission Act, 1920, as amended" [(HHCA)];
- "[L]ands conveyed to the State pursuant to section 5(f) of the Admission Act Section 5(f)" or "ceded lands;" and
- "Any other lands to which Native Hawaiians and Hawaiians may be entitled for the benefit of Native Hawaiians."

Page 1, lines 10-18. Nothing in this bill indicates when or how these lands will be transferred to the new state agency, or for what purpose the lands the agency receives are to be held and managed. There are also no provisions in this bill to staff, equip, or house the new state agency, or to cloak it with authority or powers to manage the lands it receives. Finally, this bill says nothing about what is to happen to the HHCA, the HHC, the DHHL, or to the Land Division of

Testimony of the Department of the Attorney General Twenty-Seventh Legislature, 2013 Page 2 of 3

the Department of Land and Natural Resources, after the "available lands," presently the principal asset with which the HHC and DHHL implement the HHCA, and the "ceded lands," which constitute more than 90 percent of the State's other landholdings, are transferred to the new state agency.

1. Nothing in the bill's text suggests that the subject of the bill is "Economic Development." Article III, section 14 of the State Constitution provides in pertinent part: "Each law shall embrace but one subject, which shall be expressed in its title." A court could conclude that this bill does not satisfy this constitutional requirement. Moreover, because the bill that establishes the new state agency neither details nor limits how the land is to be received or managed by the agency, a court could conclude that the agency was not endowed with sufficient powers to manage the State's lands at all. See article XI, section 2 of the State Constitution.

2. This bill appears to assume that the "available lands," i.e., the lands with which DHHL presently implements the HHCA, can and will be transferred to the new state agency. As long as the HHCA is not repealed, however, those lands will be needed for that purpose, and the HHC will continue to have exclusive authority to use and manage them. See section 204 of the HHCA. Further, the HHCA can only be repealed if the Legislature repeals the Act, and the United States Department of Interior and the United States Congress consent to the repeal. Any transfer of such lands without consent from the Department of the Interior and Congress would likely be illegal.

3. If the Legislature unilaterally transferred the lands to the new entity and the HHC and DHHL were no longer able to fulfill the requirements of the HHCA, the State could be found to have violated section 4 of the Admission Act, and the covenant the State entered into with the United States when the voters of Hawaii ratified the Admission Act.

4. The "ceded lands" represent more than 90 percent of all the lands to which the State and its departments, agencies, and instrumentalities hold title. If these lands were transferred or "received" by the new entity, it is unclear how the entity would manage the lands. If the lands were put solely to the use of a Native Hawaiian entity, an issue would be raised as to whether the other four purposes for which section 5(f) lands are designated were being fulfilled.

5. Finally, this bill also refers to "[a]ny other lands to which Native Hawaiians and Hawaiians may be entitled for the benefit of Native Hawaiians." It is unclear to what lands this

Testimony of the Department of the Attorney General Twenty-Seventh Legislature, 2013 Page 3 of 3

refers. However, because some in the community have claimed that all lands in Hawaii were illegally taken and thus do not belong to the State, this last provision could be misconstrued to be a reference to all land in Hawaii. Without further details, this last provision of the bill could suggest to some that the bill anticipates transfers of private lands to the new entity.

Until these concerns are addressed, and more details are included in the bill to describe the purpose, objectives, powers, and functions of the new entity it creates, the Department of the Attorney General recommends that this bill be held.

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NEIL A BERCROMBIE GOVERNOR STATE OF HAWAI'I



JOBIE M. K. MASAGATANI CHAIRMAN DESIGNATE HAWAIJAN HOMES COMMISSION

STATE OF HAWAI'I DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. EOX 1879 HONOLULU, HAWAI'I 96805

COMMENTS OF JOBIE M. K. MASAGATANI, CHAIRMAN DESIGNATE HAWAIIAN HOMES COMMISSION TO THE SENATE COMMITTEES ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING & TOURISM AND HAWAIIAN AFFAIRS

SB 123 SD 1, RELATING TO ECONOMIC DEVELOPMENT

February 28, 2013

Chair Dela Cruz, Chair Galuteria, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) offers the following comments on this measure. This bill proposes to create a public corporation to be attached to the Department of Hawaiian Home Lands, that shall have the purpose of receiving and managing select public lands collectively referred to as Native Hawaiian lands, including public lands designated as "available lands" under section 203 of the Hawaiian Homes Commission Act.

While an attached public corporation may provide the department with a potential vehicle to pursue revenue production for its programs on other public lands as well as on Hawaiian home lands, given the current language of the bill it is not clear if this is what is intended by this measure. Additional detail regarding the corporation's purpose, its powers, and guidance on the relationship between the corporation and the Hawaiian Homes Commission would reduce ambiguity and would clarify the legislative intent of this bill. Department of Hawaiian Home Lands SB 123 SD 1 EGH/THA, 2-28-2013 Page 2

Further, the bill amends the Hawaiian Homes Commission Act, 1920, so we conclude that these lands are to be managed for the benefit of native Hawaiians as defined by the Act. We also conclude that any revenue generated by the corporation would be deposited and expended pursuant to Section 213 of the Act. While the intent related to these two points is not clear in this bill, any departure from these conclusions would raise serious concerns.

As we face the end of the \$30 million annual settlement funding for DHHL and tight budgets at both the state and federal level, finding new sources of revenue for DHHL can be achieved if we are willing to think out of the box and consider all options, like this legislation. However, because the devil is always in the detail, we must also proceed conscientiously and thoughtfully, and fully vet any new ideas to ensure long-term success. In addition, a proposal such as this which could have far reaching implications for our department and the trust would require that our department engage in dialogue and consultation with our beneficiaries to seek their input and feedback as to whether they feel the corporation proposed by this bill is beneficial.

Mahalo for the opportunity to provide comments.

NEIL ABERCROMBIE GOVERNOR OF HAWAII





WILLIAM J. AILA, JR. CHARPERSON 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 RESOURCES ENFORCEMENT ENGNEERING ONSERVATION AND RESOURCES ENFORCEMENT ENGNEERING PORSTRY AND WILDLIFE HISTORIC PRESERVE COMMISSION LAND STATE PARS

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 Senate Committees on ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING and TOURISM AND HAWAIIAN AFFAIRS

Thursday, February 28, 2013 1:45PM State Capitol, Conference Room 225

In consideration of SENATE BILL 123, SENATE DRAFT 1 RELATING TO ECONOMIC DEVELOPMENT

Senate Bill 123, Senate Draft 1 proposes to amend the Hawaiian Homes Commission Act, 1920, as amended, to establish a Native Hawaiian corporation under the Department of Hawaiian Homelands ("DHHL") to manage "available lands" under the Hawaiian Homes Commission Act, "ceded lands" under the Admissions Act, and other lands to which Native Hawaiians and Hawaiians may be entitled, to be referred to collectively as "Native Hawaiian lands." The Department of Land and Natural Resources (Department) respectfully opposes this measure to the extent it is intended to ultimately transfer the fee simple interest and management jurisdiction of the State's entire ceded lands inventory over to the Native Hawaiian Corporation.

The Department notes that of the 1.3 million acres under the State's ownership that is held and managed by the Department and Board of Land and Natural Resources, over 97% are classified as ceded, which includes lands being used for airports, harbors, public schools, the University of Hawaii, shoreline and coastal areas, forest reserves, parks, etc. The Department respectfully submits that there is a fiduciary duty to manage these public trust lands for the benefit of all of the people of the State of Hawaii. The Department does not believe it would be in the best interest of the State or the people of Hawaii to combine two public land trusts with different missions and beneficiaries for policy, legal, and constitutional reasons.



25 Maluniu Ave., Suite 102., PMB 282 • Kailua, HI 96734 • Phone/Fax: (808) 262-0682 E-mail: htf@lava.net

February 28, 2013

COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING Senator Donovan Dela Cruz, Chair Senator Sam Slom, Vice Chair

<u>COMMITTEE ON TOURISM AND HAWAIIAN AFFAIRS</u> Senator Brickwood Galuteria, Chair Senator Gilbert Keith-Agaran, Vice Chair

SB 123 SD1 RELATING TO ECONOMIC DEVELOPMENT

Committee Chairs and members;

Hawaii's Thousand Friends opposes SB 123 SB1 that would establish the Native Hawaiian corporation.

The provisions of SB 123 SD1 that speak of identifying lands as Native Hawaiian lands and that lands be used for the benefit of Native Hawaiians are important statements that need to be addressed in a broader discussion.

SB 123 SD1 does not provide the opportunity for that broader discussion but instead turns a short form bill into a corporation with very little information about structure and process.

Such an open-ended proposal evokes fear that SB 123 AD1 is another PLDC in disguise and must be held in committee.

From:	Robert Petricci [nimo1767@gmail.com]
Sent:	Thursday, February 28, 2013 2:52 AM
То:	EGHTestimony
Subject:	Testimony SB123 EGH 225 Feb 28, 2013 1:45 PM

EGH 225 Feb 28, 2013 1:45 PM

RE: SB123

Robert Petricci

Representing: Puna Pono Alliance

Position: Strong opposition.

Aloha Senator Donovan M. Dela Cruz, Chair, Senator Sam Slom, Vice Chair , And committee members.

The electorate across Hawaii has made clear our opposition to PLDC type corporations controlling our lands.

We strongly oppose SB123 for the same reasons we oppose the PLDC as it is just an end run to try and get around the huge public opposition to this type of legislation. Once these lands are gone they are not coming back. We request these lands be protected for our future in perpetuity not used for short term profits and revenue generation at the expense of our aina and keki.

We have lost so much of our land and lifestyle in Hawaii to special interest already that the little we have left must be vigilantly guarded.

Puna Pono Alliance ask you to join us and residents across Hawaii in opposing SB123 and the other PLDC type revenue generation schemes that sell our future out for short term gains that benefit mismanaged agencies like DLNR.

The DLNR needs to get back to it's mission of protecting the land and stop promoting exploitation and development. DLNR has a record of environmental failures that is hard to comprehend from Wao Kele O Puna to our beaches, reefs, water sheds, and other forest they have been task with and failed to protect.

An example I am familiar with was the illegal land swap DLNR allowed with the Campbell Estates and the resulting road that True Geothermal bulldozed through the heart of the largest remaining intact lowland rainforest in the United States at Wao Kele O Puna, That decision put development interest above the mandate to protect our resources. It devastated that forest, that it is but a shadow of it's former diversity today because of poor decisions that favored special interest and led to management by DLNR.

The same is true around the state in many other places.

DLNR likes to blame the ungulates and invasive species for degradation of our forest when there development decisions have caused many times the damage to our resources than ungulates or any other invasive species. DLNR may need to eradicated themselves if they continue on the path they have chosen, in order to protect our resources from the greatest threat they seem to face that is mismanagement by DLNR. They shoud not be rewarded for the dismal record of losses and damage to our natural resources as they have accumulated.

DLNR and the state need to quit selling off our dwindling resources to expanded budgets even more, and instead learn to cut the fat, eliminate the mismanagement and learn to live within their already substantial means.....

Thank you for your consideration.

Robert Petricci President Puna Pono Alliance

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 4:38 PM
То:	EGHTestimony
Cc:	gailbyrne@hawaii.rr.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Gail Baber	Malama Kohala Kahakai	Oppose	No

Comments: Aloha, We strongly oppose SB123. Please kill this bill now. This bill is clearly another attempt to keep aspects of the PLDC alive when the people of this State have stated overwhelmingly the PLDC must be dissolved. Sincerely, Gail Byrne Malama Kohala Kahakai Hawi, North Kohala

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Thursday, February 28, 2013 12:06 AM
То:	EGHTestimony
Cc:	ewabond@gmail.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/28/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

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

Comments: This is the same very bad smell from last session and the people have grown very suspicious of what are really about giving corporations special deals so that they will kick back money to political campaigns. The public will never benefit because we can already see all the insider scams going in Kalaeloa with HCDA and use of lands for pure corporate profits and absolutely nothing going back to the community.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

1

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 10:44 PM
То:	EGHTestimony
Cc:	lance.duncan@live.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lance Duncan	Individual	Oppose	No

Comments: Thank you for the opportunity to testify. The public, including Native Hawaiians, has provided ample testimony to the fact that we do not wish to have any organization with a purpose to develop public trust lands for profits. There are already mechanisms in place to allow the community to voice their approval or dissent for individual projects which may or may not have merit, especially those involving the local county governments, planning commissions, etc. These existing mechanisms should be used for any contemplated developments. Respectfully, L. Duncan Pahoa, HI

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 10:40 PM
То:	EGHTestimony
Cc: //	foodsovereigntynow@gmail.com *Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mitsuko Hayakawa	Individual	Oppose	No

Comments:

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 9:45 PM
To:	EGHTestimony
Cc:	palmtree7@earthlink.net
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Oppose	No

Comments: NO PLDC or look-alike. Mahalo

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 9:29 PM
То:	EGHTestimony
Cc:	akamaimom@gmail.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Felicia Cowden	Individual	Oppose	No

Comments: This is still the PLDC which we stridently asked for a repeal. We must not steal from the Hawaiians, which is the essence of this bill. Let's figure out how to find revenue in a way which includes the people.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 8:53 PM
To:	EGHTestimony
Cc:	konaconnection@yahoo.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
April Lee	Individual	Oppose	No

Comments: This is just another attempt to pass the PLDC. Please understand we, the people, who have to spend a lot of time trying to get rid of this measure, no matter what you name it or how you try to slip it by, WE ARE OPPOSED to it in any form. Mahalo for hearing us, April Lee

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 8:09 PM
То:	EGHTestimony
Cc:	jeannine@hawaii.rr.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Oppose	No

Comments: I strongly oppose this bill as this is just another PLDC with ceded lands owned by the Hawaiian people. Aue!

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 8:06 PM
To:	EGHTestimony
Cc:	shannonkona@gmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 7:58 PM
То:	EGHTestimony
Cc:	judie@aloha.net
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Judie Hoeppner	Individual	Oppose	No

Comments: This is a new name for the PLDC - we aren't buying it!!

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 7:14 PM
То:	EGHTestimony
Cc:	peacesubhadra@gmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
D. Corcoran	Individual	Oppose	No

Comments:

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 6:51 PM
То:	EGHTestimony
Cc:	nguyenlien1442@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
liensa nguyen	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:51 PM
To:	EGHTestimony
Cc:	lieu_q_nguyen@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
lieu nguyen	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:51 PM
То:	EGHTestimony
Cc:	lztran@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
L Tran	Individual	Oppose	No

Comments:

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 6:50 PM
To:	EGHTestimony
Cc:	ngattn0407@sbcglobal.net
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

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Submitted By	Organization	Testifier Position	Present at Hearing
Nga Ng	Individual	Oppose	No

Comments:

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 6:50 PM
То:	EGHTestimony
Cc:	Natewolford4@gmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

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Submitted By	Organization	Testifier Position	Present at Hearing
Nate Wolford	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:50 PM
To:	EGHTestimony
Cc:	pualehuafarm@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

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Submitted By	Organization	Testifier Position	Present at Hearing
Pua Kamaoa	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:49 PM
To:	EGHTestimony
Cc:	gypsie_elphick 91@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Gypsie Lewis	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:49 PM
To:	EGHTestimony
Cc:	paul@punapono.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Paul Kuykendall	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:49 PM
То:	EGHTestimony
Cc:	gypse_rose@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Geiselle Meek	Individual	Oppose	No

Comments:

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Cc:	garypopkin@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
gary popkin	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:48 PM
To:	EGHTestimony
Cc:	ggexcavations@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kirbin	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

1

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:48 PM
To:	EGHTestimony
Cc:	drtran_montreal@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dick Tran	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 6:48 PM
To:	EGHTestimony
Cc:	donald.v.tran@gmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
donald tran	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:47 PM
To:	EGHTestimony
Cc:	donovanmaui@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
donovan kelsy	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:47 PM
To:	EGHTestimony
Cc:	tr_qn@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tran Quen	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

1

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:47 PM
То:	EGHTestimony
Cc:	tammui@sbcglobal.net
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tam Mui	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.
From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:46 PM
То:	EGHTestimony
Cc:	ti_health@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tia Kent	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:46 PM
To:	EGHTestimony
Cc:	tjsimms2000@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
tj simms	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:46 PM
То:	EGHTestimony
Cc:	suyng07@sbcglobal.net
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Suy Nathan	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:45 PM
To:	EGHTestimony
Cc:	suphamsaigon@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Su Pham	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:45 PM
То:	EGHTestimony
Cc:	samanthacresanto@gmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
sam cresanto	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

1

From: Sent:	mailinglist@capitol.hawaii.gov
	Wednesday, February 27, 2013 6:44 PM
To:	EGHTestimony
Cc:	silverpenny10@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
penny silva	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 6:12 PM
То:	EGHTestimony
Cc:	merway@hawaii.rr.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

SB123

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Erway	Individual	Oppose	No

Comments: This is just renaming the PLDC -- forget it!!! Glve it up!! I respectfully request that you vote NO on this bill.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 27, 2013 5:42 PM
То:	EGHTestimony
Cc:	aniko65@live.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Avi Okin	Individual	Oppose	No

Comments: I oppose this bill because it keeps the PLDC alive with an alternate name. The PLDC may have been a good idea, but it does too much in overriding local inclusion.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 4:53 PM
То:	EGHTestimony
Cc:	paulakomarajr@yahoo.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Paul A. komara, Jr.	Individual	Oppose	No

Comments: I oppose this bill because it appears to be the Act 55, PLDC, in the form of another group of persons outside of the governance of the people of Hawaii.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 4:12 PM
То:	EGHTestimony
Cc:	sherrianwitt@aol.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 4:10 PM
To:	EGHTestimony
Cc:	sundownertoni@yahoo.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Withington	Individual	Oppose	No

Comments: Bad bill. Shame on you for keeping PLDC alive. Stop.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 4:01 PM
To:	EGHTestimony
Cc:	athurston@irmt.org
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Thurston	Individual	Oppose	No

Comments: Goodness! We are tired of renamed versions of the PLDC. I strongly oppose this bill. It is time to move on and respect the will of the people on this issue. The PLDC, or any of its brothers and sisters, is not acceptable. Please let us drop this bill.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 4:00 PM
То:	EGHTestimony
Cc:	sylpartridge@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Partridge	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 3:57 PM
To:	EGHTestimony
Cc:	getheal@gmail.com
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
George Ka'uhane	Individual	Oppose	· No

Comments: No "State" agency or other agency representing the government of the United States of America can Legally manage or develop land in Hawaii. To do so would deny the very moral fabric the Constitution upholds and the integrity of it's people would be in question. The "State" government continues to act as if US Public Law 103-150, a formal admission of guilt to "Unlawful" acts committed by the United States and it's instruments, is meaningless.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 3:51 PM
То:	EGHTestimony
Cc:	hilobliss@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
joy cash	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 3:40 PM
To:	EGHTestimony
Cc:	jsacher@kona.net
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Sacher	Individual	Oppose	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 3:37 PM
То:	EGHTestimony
Cc:	mauibrad@hotmail.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013 Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Parsons	Individual	Oppose	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 3:31 PM
То:	EGHTestimony
Cc:	palidogs@hawaiiantel.net
Subject:	Submitted testimony for SB123 on Feb 28, 2013 13:45PM

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Caki Kennedy	Individual	Oppose	No

Comments: Enough already!@!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

1

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 27, 2013 3:26 PM
To:	EGHTestimony
Cc:	juliahorn1@yahoo.com
Subject:	*Submitted testimony for SB123 on Feb 28, 2013 13:45PM*

<u>SB123</u>

Submitted on: 2/27/2013

Testimony for EGH/THA on Feb 28, 2013 13:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Julia Horn	Individual	Oppose	No

Comments:

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