



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

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DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kālā
P.O. BOX 150
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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY

TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
SENATE BILL NO. 3381, S.D. 1

February 28, 2024
10:01 a.m.
Room 211 and Videoconference

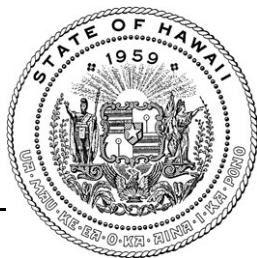
RELATING TO LAHAINA

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill (S.B.) No. 3381, S.D. 1, does the following: 1) establishes the Lele Community District (LCD) and Lele Community District Board (Board) to be placed under the Hawai'i Community Development Authority (HCDA) for administrative purposes to facilitate the rebuilding of Lahaina, Maui; 2) establishes the Lele Community Special Fund (LCSF) for the Board to administer and operate LCD; 3) appropriates a total of \$8,300,000 in general funds for FY 25 to HCDA for the establishment of 9.00 positions, predevelopment planning, and other current expenses; 4) appropriates \$250,000 in general funds for FY 25 to the Office of Elections to conduct the special Lele election in January 2025; 5) appropriates \$100,000,000 in general funds for FY 25 for deposit into the LCSF, provided that the Board obtains \$100,000,000 in matching private funding; and 6) appropriates \$200,000,000 in special funds for FY 25 from the LCSF. The LCSF would generate revenue from LCD, legislative appropriations, and by collecting other funds from government agencies and private individuals or organizations.

As a matter of general policy, B&F would like to highlight the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work, and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. Regarding S.B. No. 3381, S.D. 1, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**
KA 'OIHANA HO'OMOHALA PĀ'OIHANA, 'IMI WAIWAI
A HO'OMĀKA'IKĀ'I

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

JAMES KUNANE TOKIOKA
DIRECTOR

DANE K. WICKER
DEPUTY DIRECTOR

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Statement of
JAMES KUNANE TOKIOKA
Director
Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEE ON WAYS AND MEANS

Wednesday, February 28, 2024
10:01 AM
State Capitol, Conference Room 211 & Videoconference

In consideration of
SB 3381, SD1
RELATING TO LAHAINA.

Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee. The Department of Business, Economic Development and Tourism (DBEDT) **supports** SB 3381, SD1, which establishes a Lele community district and board to facilitate rebuilding Lahaina, under the Hawai'i Community Development Authority (HCDA), an attached agency to DBEDT.

DBEDT supports the intent of this bill and agrees that Lahaina should be rebuilt in a well-planned, coordinated and expeditious manner.

We defer to HCDA to answer questions regarding the details of this measure and implementing it.

Thank you for the opportunity to testify.



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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PEARL CITY, HAWAII 96782
elections.hawaii.gov

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON SENATE BILL NO. 3381, SD 1
RELATING TO LAHAINA

February 28, 2024

Chair Dela Cruz and members of the Senate Committee on Ways and Means, thank you for the opportunity to provide comments on Senate Bill No. 3381, SD1. This bill establishes the Lele Community District and Board to facilitate rebuilding in Lahaina; establishes the Lele Community Special Fund; declares that the general fund expenditure ceiling is exceeded; and makes appropriations.

As it relates to proposed section ___-1 concerning the election of district board members, we would suggest that the number of board members be stated in subsection (a) on page 16, lines 4-6, and that it be indicated that the board members will be elected at-large in a single contest.

We would note that subsection (b) of proposed section ___-1 at page 16, lines 6-12, requires candidates for these offices to apply for a nomination paper with the County Clerk and then have the Office of Elections issue the nomination paper. For other offices, candidates for state office apply and receive the nomination paper at the Office of Elections or at a neighbor island Office of the County Clerk, pursuant to HRS §12-6. Given this, we would propose that subsection (b) be removed as an established process already exists.

On a related note, we would propose that the bill make amendment to HRS § 12-6 concerning nomination papers, time for filing, and fees.

In regard to HRS § 12-6(a), we would recommend including the Lele community district board as one of the applicable offices for purposes of the

statute. This would clarify that the nomination papers will be able to be filed with the Chief Election Officer or the neighbor island County Clerk. Additionally, it will make it clear that the deadline of “not later than 4:30 p.m. on the first Tuesday in June” in HRS § 12-6(a) includes the deadline for the Lele community district board.

As for HRS § 12-6(b), we would recommend that it be amended to clarify that the filing deadline will be extended by ten days if there are not sufficient candidates, regardless of whether the election is held in conjunction with the primary election or general election. The current language of HRS § 12-6(b) does not acknowledge a special election held in conjunction with the general election. Below is our proposed language:

(b) If after the close of filing there are no candidates who have filed nomination papers for an elective office for the primary, special primary, or any special election held in conjunction with the primary election or the general election, the chief election officer or clerk, in the case of a county election, shall accept nomination papers for that office until 4:30 p.m. on the tenth day after the original close of filing.

Additionally, in regard to HRS § 12-6, we would note that subsections (c) and (e) concerning filing fees are written in a broad manner to address “all other offices.” Specifically, the filing fee is \$250, and candidates are eligible for a filing fee discount of \$225 if they comply with certain Campaign Spending Commission requirements. However, if the intent is to have a filing fee and a discount that specifically identifies the Lele community district board, then appropriate changes would need to be made to those subsections.

Continuing on with proposed section ___-1 concerning the election of district board members, we would recommend subsection (c) on page 16, lines 12-16, be amended to clarify that a candidate must reside within the Lele community district.

(c) The chief election officer shall prepare the nomination papers in a manner that ~~[enables]~~ requires a candidate desiring to file for election to the Lele community district board to specify that the candidate ~~[is seeking a seat requiring residency in a particular location]~~ resides within the Lele community district.

Finally, we would request that HRS § 12-5 be amended to reflect how many signatures will be required on the nomination papers for candidates for the Lele community district.

Thank you for the opportunity to provide comments on Senate Bill No. 3381, SD1.



**HAWAI'I COMMUNITY
DEVELOPMENT AUTHORITY**

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JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

CHASON ISHII
CHAIRPERSON

CRAIG K. NAKAMOTO
EXECUTIVE DIRECTOR

Statement of
CRAIG K. NAKAMOTO
Executive Director
Hawai'i Community Development Authority
before the
SENATE COMMITTEE ON WAYS AND MEANS

Wednesday, February 28, 2024
10:01 a.m.
State Capitol, Conference Room 211 & Videoconference

In consideration of
SB 3381 SD1
RELATING TO LAHAINA.

Chairperson Dela Cruz, Vice Chairperson Moriwaki, and members of the Senate Ways and Means Committee.

The Hawai'i Community Development Authority (HCDA) is willing to help the Lele District board coordinate, plan, and implement the Lele district board's vision for planning and rebuilding the district, that builds upon the foundational Hawaiian culture, history, and people of the community.

HCDA **supports** S.B. 3381, S.D. 1, Relating to Lahaina, but respectfully offers the following comments and suggestions. Our comments are organized into: (i) technical comments, and (ii) key takeaways from a meeting with some of the Lahaina community members.

First, the technical comments for the committee's review and consideration (unless otherwise stated, the references below are to the S.D. 1) are listed below:

1. Page 2, Line 19: delete the extraneous word, "that", after "department of Hawaiian home lands".
2. Page 2, Line 20: for clarity, add the phrase, ". . . .", for the purposes of this chapter. . . ." after "Hawaii community development authority".
3. Page 11, Line 10: delete the extraneous phrase, ". . . . district of the"
4. Page 12, Line 3: for clarity, add the phrase, ". . . .", but is not limited to, . . ."

5. Page 12, Line 7: We acknowledge the intent of the rent control provision. However, we suggest that this function be a county function.

6. Page 21, Line 3: to correct the reference, the “8” should be changed to “9”, after the word, “section”.

7. Senate Standing Committee Report No. 2684 (Page 3, last paragraph):
In the committee report, the committee notes “. . . that the initial assessments of the Lele Community District by the Lele Community District Board prioritize landowners with large areas of land affected, as these residents are especially concerned about recovery of their losses. . . . “

We recognize the intent of the prior committees but respectfully note that further prioritization for large landowners is not needed. If an assessment is determined by the Lele district board to be necessary, the current language in S.D. 1 (Page 4, Lines 4 to 13) allows the the board to assess all land users with the proportional costs (based on a land user’s parcel acreage to the total acreage in the district) to administer and operate the district.

8. Senate Standing Committee Report No. 2684 (Page 3, last paragraph):
With respect to the first sentence of the paragraph that allows the HCDA staff to carryout preliminary work, may we also suggest adding, “seeking out and soliciting matching funds from the private sector”. This will allow the HCDA staff to start the work of identifying and securing private sector donors in advance of the election of the Lele district board and to meet the deadlines for the 2024-2025 fiscal year.

Second, some of the key takeaways from the community meeting held on February 23, 2024, with about 30-40 community members, are listed below:

1. The attendees were passionate with some support, some opposition for the bill.
2. Skepticism that an elected board will adequately represent the varied views, perspectives, and concerns of the district.
3. Concern about the qualification for voting—residency status.
4. Thought that an election and elected board is too much for the community to emotionally cope with so soon after the fire occurred.

5. Allow residents who live in the Napili area to vote in the district elections since Napili residents feel that they are part of the Lahaina community, referring to Napili as northern Lahaina.

6. Consideration of an appointed/elected board, with half of the board appointed members that could be educators, cultural practitioners, and/or historians, and the other half of the members of the board elected.

7. Consideration of an all-appointed board, due to the fear that those with the most money win elections, and average residents cannot compete.

8. Distrust of HCDA and concern that district will look like Kakaako.

9. Concern about the board having the power of condemnation over private land and its possible misuse.

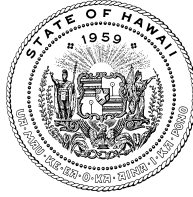
10. General concern the board will have too much power.

11. The need to be inclusive in the community consultations, including non-district individuals and businesses.

12. In the planning and rebuilding process, consider the foundational Hawaiian culture, history, and other cultures. Start with the Hawaiian culture, and as the history of Lahaina is added the other cultures are incorporated in this historic district. When planning and rebuilding remember the past and envision the future for our mo'opuna, our grandchildren, vision and plan for them. There was a suggestion to edit:

Delete "cultural practices" and replace it with "foundational native Hawaiian culture". See, Page 7, line 15.

Thank you for the opportunity to provide our comments.



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

Senate Committee on Ways and Means

Wednesday, February 28, 2024

10:01 a.m.

State Capitol, Conference Room 211 and Videoconference

With Comments

S.B. No. 3381 SD1 Proposed, Relating to Lahaina

Chair Dela Cruz, Vice Chair Moriwaki, and members of the Senate Committee on Ways and Means:

The Office of the Governor offers the following comments on S.B. No. 3381 SD1 Proposed, Relating to Lahaina.

The Maui wildfire resulted in loss of life, homes, property, infrastructure, businesses, and natural and cultural resources. This tragic incident compels the State of Hawai'i to plan effectively for recovery and expand our resiliency capacity and capability. Innovative solutions are essential to supporting these efforts.

This bill would establish the Lele Community District and Board to facilitate rebuilding in Lahaina from the 2023 wildfires and appropriates funds.

The State of Hawai'i State Disaster Recovery Coordinator has the role of coordinating and planning for recovery and resiliency efforts for the Maui Wildfire impacts in support of the County of Maui. This contrasts with emergency response which is led by HI-EMA under Emergency Support Functions.

Last fall the Governor identified seven Recovery Support Functions (RSFs) and their corresponding State Leads. The RSFs include: Natural Resources & Cultural Resources RSF coordinated by Hawai'i Department of Land and Natural Resources; Community Planning and Capacity Building RSF coordinated by Office of Planning and Sustainable Development; Housing RSF coordinated by Hawai'i Housing Finance and Development Corporation; Infrastructure RSF coordinated by Hawai'i Department of Transportation; Economic RSF coordinated Department of Business, Economic Development and Tourism; Public Health & Healthcare Services RSF coordinated by Hawai'i State Department of Health; and Social Services RSF coordinated by Hawai'i Department of Human Services. These RSFs and their

Testimony of Office of the Governor
S.B. No. 3381 SD1 Proposed
February 28, 2024
Page 2

state leads have been working closely with County of Maui, federal partners, and private organizations.

This approach—a State Coordinator coupled with RSFs—is consistent with the National Disaster Recovery Framework, a FEMA structure and process developed from the collective experience of disaster recovery managers nationwide. While the Office of the Governor is open to this concept identified in this potential legislation, we would ask the Chair to include the roles of the State Disaster Recovery Coordinator and RSFs in any new structure established to support the Maui Fires Recovery and Resiliency Efforts.

The potential legislation could be considered as long as there is no negative fiscal impact on the executive budget package.

If you have any questions on the role of State Disaster Recovery Coordinator or the State RSFs, we ask that you contact Luke Meyers, State Disaster Recovery Coordinator for further information and a dialog on this proposal during the legislative session.

Thank you for the opportunity to provide testimony on this measure.

SB-3381-SD-1

Submitted on: 2/25/2024 9:12:56 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara Paltin	Testifying for West Maui Councilmember	Oppose	Written Testimony Only

Comments:

Honorable Chair Donavan Dela Cruz, Vice Chair Moriwaki and members of the Ways and Means committee,

Thank you for the opportunity to testify on this important measure about the Lele community special fund and the Hawaii Community Development Authority.

I testify in strong opposition of this bill, as more and more Maui residents learn about the details of this bill, including through informational meetings held at neighborhood hubs like Napili Noho, I have received many calls and emails from our residents who are very concerned and opposed to this legislation.

The serious concerns regarding this legislation include:

This legislation is very unprecedented in the aftermath of a disaster of this magnitude, no where else in the country has taken these types of dramatic actions. This legislation centralizes the power to redevelop not only Lahaina but extends far beyond the burn zone into the hands of a small exclusive group of people who may be chosen with the influence of special interests associated with campaign contributions and no real accountability to the West Maui community and it will last forever with no expiration date. There is no process for public transparency which has been a major issue since the August 2023 wildfires that we are still trying to address and overcome. It duplicates the work of the county and exludes voters North of Kaanapali, which is where many of Lahaina survivors now live and where many who worked and recreated in Lahaina live. The biggest concern is that this will be detrimental to our community and the rebuild in the wrong hands will cause more division and outrage. What HCDA has done in Kaka'ako is terrifying to many of our West Maui and Maui County residents. Centralizing all the power under one State authority has the potential to backfire when the community voices are not heard and included in a open and transparent manner.

Should the creation of oversight through legislation be required, please consider language from SB2979/HB2696 (Lahaina Oversight Committee bill language). The requirement for public meetings and commitment to transparency and community engagement is much needed. The provision to dissolve by 2030 ensures a limited scope and focus related to disaster response and not a total take over and control over our town. The make up of State, County and community members could create collaboration that has been missing and is sorely needed as we have seen so far in Lahaina's recovery.

SB3381 SD1 needs more work than can be done in this session to be the solution that has potential to facilitate sustainable community-driven recovery process for Lahaina and conversely as written it has the potential to set us back through division and fighting.

Mahalo for your service and commitment to the well being of our community,

Tamara Paltin

Councilmember West Maui

SB-3381-SD-1

Submitted on: 2/25/2024 3:35:16 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Shane Sinenci	Testifying for Maui County Councilmember	Oppose	Written Testimony Only

Comments:

Speak in opposition.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

TO: Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair
Committee on Ways and Means

FROM: Richard T. Bissen, Jr., Mayor
Josiah K. Nishita, Managing Director

DATE: February 26, 2024

SUBJECT: COMMENTS FOR SB3381, PROPOSED SD1, RELATING TO LAHAINA.

Mahalo for the opportunity to submit **comments** regarding SB3381, proposed SD1, aimed at establishing the Lele Community District to aid in the rebuilding of Lāhainā post the devastating wildfire of August 8, 2023.

In light of the urgency to support the recovery of Lāhainā's residents following the tragic wildfire, we acknowledge the importance of expediting the return to housing for survivors and the critical role of infrastructure restoration in this process. It's paramount to recognize the existing efforts led by the County of Maui's Office of Recovery in prioritizing infrastructure repairs to residential areas. These efforts, alongside the forthcoming expedited permitting center slated for Spring 2024, signify significant strides towards facilitating residents' return to their properties.

However, we must also acknowledge the potential negative impact of introducing a new regulatory layer with the establishment of the Lele Community District. While the intention is undoubtedly to aid in the recovery process, we must ensure that it does not inadvertently hinder the efficient return to housing for survivors. Streamlining processes and minimizing bureaucratic hurdles should remain paramount to expedite the rebuilding efforts.

The proposed timeline for establishing the Lele Community District may not fully align with the urgent needs of survivors to regain housing stability. It's imperative to synchronize these efforts to ensure that survivors can navigate the recovery process without unnecessary delays or confusion.

Therefore, we urge a comprehensive examination of the proposed legislation to prioritize infrastructure restoration and expedite the return to housing for survivors of the Lāhainā fire. By aligning efforts, streamlining processes, and minimizing regulatory barriers, we can effectively support the rebuilding and recovery of the Lāhainā community in its time of need. Mahalo for considering these crucial points in shaping the future of the Lāhainā community's recovery efforts.

HO`OMANA PONO, LLC

Mamua Kānaka

Attn: Honorable Donovan M. Dela Cruz, Chair
Honorable Sharon Y. Moriwaki, Vice Chair
Honorable Members
Ways and Means Committee

February 24, 2024

Re: **SB3381 SD1 PROPOSED**

Aloha Chair Dela Cruz; Vice Chair Moriwaki & Members:

We continue to **STRONGLY SUPPORT** *SB3381 SD1 Proposed*.

The painstaking task that went into producing this Historic piece of Legislation speaks of the commitment of the Committees on EET and WTL. ALL VOICES were heard on this matter, and the result, should this bill become law, will be that the Lele Community, the District of Lahaina, the Island of Maui, and the State of Hawai`i will emerge from the ashes of the devastating fires like a Phoenix!!! We are truly HAWAI`I STRONG!!!

However, we would like to recommend an **AMENDMENT** that speaks to or addresses the concerns of native Hawaiians relating to **§5(f) of the Admissions Act, March 18, 1959, PUB L 86-3, 73 STAT 4**, which reads:

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), ***together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920***, as amended, for the

development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. **Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States.** The schools and other educational institutions supported, in whole or in part out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

We **STRONGLY SUGGEST** that **DUE DILIGENCE** by your Committee be given to this requested Amendment.

Mahalo Nunui for your time and consideration in this matter.

De Mont Kalai Manaole

De MONT Kalai Manaole, Co-Manager
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Testimony of **Lahaina Strong**
Before the Senate Committee on
Ways & Means

In Consideration of Senate Bill No. 3381, SD1
RELATING TO LAHAINA

To Chair Dela Cruz, Vice Chair Moriwaki, and the honorable members of the committee,

We are writing on behalf of Lahaina Strong, an organization initially formed in 2018 following the Hurricane Lane fire in Lahaina and re-energized last year after the devastating Lahaina fires on August 8. Lahaina Strong has been at the forefront of relief and advocacy efforts, including initiating the "Fishing for Housing" camp, which has been in operation for over fifteen weeks along Kaanapali Beach, highlighting the need for dignified housing for Lahaina fire victims. Our organization is the largest grassroots, Lahaina-based community organization, with over 20,000 supporters, engaged in emphasizing the importance of local voices and community-driven solutions.

Lahaina Strong stands in opposition of SB3381 SD1, which establishes the Lele community district to facilitate rebuilding in Lahaina, as not enough public outreach and education was done in the Lahaina community before its introduction.

During this legislative session, several bills emerged to establish a new entity to oversee the recovery and rebuilding efforts in areas devastated by the 2023 wildfire, raising concerns about potential duplication of efforts already undertaken by county or state authorities.

Lahaina Strong acknowledges the necessity of coordinated efforts between the Maui County Mayor, Maui County Council, the Governor, HIEMA, and numerous State, County, and Federal agencies. We applaud the work of the Ways & Means committee to bring critical illumination to the situation, extracting actual accountable data and plans from the various entities tasked with recovery. The Lahaina community needs more cohesion

and collaboration among these agencies. The current disjointed approach has undoubtedly hindered progress and exacerbated challenges in the recovery process.

Despite recognizing the importance of coordination, avoiding redundancy and ensuring synergy between existing initiatives is essential. We appreciate the intentions behind this SB3381, SD1 acknowledging the urgent need for coordinated rebuilding efforts in Lahaina following the August 8, 2023 wildfire. While we recognize the necessity of concerted action to prevent long-term stagnation, several aspects of SB3381, SD1 warrant careful consideration:

1. The proposal to place the control of all lands in the Lahaina moku (an area much more expansive than the burn zone) under a state entity raises strong concerns about the centralization of power.
2. While the requirement for the board to consist entirely of district residents is certainly commendable, we advocate for further specificity, echoing the language of HB2696 and its senate counterpart SB2979 to ensure that board members were residents of Lahaina at the time of the fire, thereby guaranteeing a deep connection to the community's needs.
3. Additionally, limiting board representation to voters from the Lele district excludes a significant portion of our West Maui community (those living north of Kaanapali), potentially marginalizing their interests.
4. The election process, while ostensibly democratic, presents the risk of disproportionate influence from special interests, particularly considering the significant financial resources often wielded by real estate and development interests in electoral campaigns.
5. It is imperative to ensure diverse representation on the Lele Community District Board to foster inclusivity and equitable decision-making that reflects the rich cultural tapestry of Lahaina's residents. Because of their disproportionate spending and impact on election results, we are deeply concerned that a board composed of a majority of developers or realtors would be extremely detrimental to the future of Lahaina.
6. We are deeply concerned about the relationship with the Hawaii Community Development Authority (HCDA), questioning its relevance to Lahaina's pre-fire needs, its history as a board primarily tasked with gentrification projects, and expressing skepticism about its role in post-disaster recovery efforts.
7. The lack of provisions for public transparency, outside of an annual report to the legislature, is troubling, as meaningful community input and oversight are essential for effective governance. Any board tasked with something so important should be subject to sunshine law and have frequent public hearings.

8. The creation of a new community plan under a state agency appears redundant given the existing West Maui community plan process under county jurisdiction, potentially adding unnecessary bureaucracy and undermining established local governance structures.

Research has revealed that no communities have developed redevelopment authorities post-disaster, prompting inquiries into the necessity of such an entity for Lahaina. Understanding why Lahaina necessitates the establishment of a new authority amidst a lack of precedent raises fundamental questions about the efficacy and suitability of the proposed approach. As such, further exploration into alternative models and best practices for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making.

The community is being informed that the creation of such an entity is necessary to establish and administer a newly created special fund for the recovery of Lahaina. It is unfair that the community of Lahaina must establish an unprecedented third level of government due to lack of faith in the current authorities' ability to handle the task effectively.

Should the creation of an overseeing entity prove necessary, to attach funds to, it could be beneficial to consider integrating some of the favorable provisions included in the Lahaina Oversight Committee bill language (HB2696/SB2979). We appreciate its requirement for public meetings which underscores a commitment to transparency and community engagement. The bill's provision for the entity's dissolution by 2030 reflects a pragmatic approach to ensure its functions remain relevant and responsive to evolving needs. Made up of members of State and County officials and members of the Lahaina community, this commission could force the cohesion and collaboration between these agencies and the public that is sorely missing in the recovery.

Overall, SB3381 SD1 needs more work than can be done in this session to emerge as the solution that effectively facilitates a sustainable and community-driven recovery process for Lahaina.

Mahalo for your attention and commitment to the well-being of our community.

Sincerely,

Jordan Ruidas, Courtney Lazo & Pa'ele Kiakona

KAIBIGAN NG LAHAINA



February 25, 2024

Sen. Donovan Dela Cruz, Chair
Sen. Sharon Moriwaki, Vice-Chair
Members of the Senate Committee on Ways & Means

Re: S.B. 3381 S.D. 1 – Relating to Lahaina

Dear Chair Dela Cruz, Vice-Chair Moriwaki and Members of the Ways & Means Committee,

Kaibigan ng Lahaina is a community organization established after the August 8, 2023, Lahaina Wildfires with the mission to promote and facilitate the relief, recovery and revitalization of the Filipino community in Lahaina. We are the only Filipino-based community organization established in the wake of the wildfires that comprise of Lahaina residents. We would like to offer comments on S.B. 3381.

We recognize the generous intentions of this bill as a response to our community sentiments requesting leading roles in the rebuilding and community plan of Lahaina. While we take no formal position on this measure, we'd like to offer the following comments for your consideration as you deliberate on this matter.

Lahaina is a multi-ethnic town with rich historic and cultural sites that we agree should be deservingly restored and protected. As we hold the voice of our Filipino community members, we have concerns that the proposal to hold elections for this board would inadvertently cause a disproportion of the actual demographic make-up of Lahaina. As reports have been provided, the residents of Lahaina are roughly about 40% Filipino ancestry/descent. Filipinos in Lahaina, as reflective of other towns/islands in Hawaii, are not a monogamous group of people noting that Filipinos that reside in Lahaina make up of generational families that have been here since the sakada period of the plantation era to more recent immigrants. We feel that by leaving the selection of the board by election, it could possibly remove the ability to assure the board consists of adequate representation for Filipino and immigrant residents.

Furthermore, the bill as written would give authority of this body to establish rental limits within the district. While many Filipinos are renters, we also must speak for Filipino landlords. Many Filipino landlords in Lahaina assist to keep the rental market affordable and accessible, regularly renting to immigrant families below the trending rental prices of dwelling units in Lahaina. We can also attest that Filipino landlords will often accept newer immigrant residents as tenants versus other alternatives. Thus, we feel the responsibility of establishing rental limits should be set by ordinance of the County (of Maui) or through Hawaii Revised Statutes versus through this newly formed body. Rental prices in Lahaina have been exorbitant pre-fire and for many Filipino landlords, who do not seek to price gouge within the rental market, establishing such limits without considering the increasing costs for property management and upkeep, and the expected increase of home insurance in Lahaina, we feel that this level of authority may adversely harm our community members.

Additional to this point, since there has been recent and a not-so-recent diaspora of Lahaina residents due to high-cost of housing/living and in the aftermath of the fire, the bill as written does not resolve to consider the inclusion of residents of Lahaina who live outside of the proposed district. Lahaina while a distinguished moku, is informally yet widely accepted to include the northern areas that make up of Kaanapali, Honokowai, Kahana, Napili, Kapalua, Honolua up to Kahakaloa. Also, with the displacement of our residents to other parts of the island, restricting candidacy and voting rights to residents in the district excludes many people we consider to be “Lahaina”.

Lastly, we feel that setting a sunset date on the ‘Lele Community Board’ would best align with the wishes of our community. While we acknowledge that long-term community planning with direct involvement of residents and community members is a valuable opportunity, we foresee that without a distinguishable deadline for this board to complete their plans and our concerns that the board may potentially be disproportionate to actual demographics of our community, the level of authority this proposal prescribes may lead to economic and political strife that could cause more damage than good.

Therefore we’d like to offer the following amendments for your consideration:

- 1) Revert the selection of the ‘Lele Community Board’ to be appointed by the Governor and include the following criteria for appointments:
 - a. one member with Native Hawaiian cultural expertise residing in West Maui;
 - b. one member with other cultural/language expertise residing in West Maui;
 - c. one member employed and residing in West Maui who is an educator at a West Maui school;
 - d. one member residing in West Maui that is a small business owner;
 - e. one member with agriculture, natural resource, forestry and/or farming expertise residing in West Maui;
 - f. one member representing the hospitality and tourism industry residing in West Maui;
 - g. one member with construction, civil engineering, architecture or urban planning expertise residing in West Maui.
 - h. three members who are residents of West Maui.
- 2) Defining “West Maui Resident” as a person residing within the 96761 and 96767 zip codes as of August 8, 2023 and/or persons who have resided in West Maui and have substantial stake hold in the district as a community organizer, educator or business owner.
- 3) Removing the authority of the ‘Lele Community Board’ to determine the rental limits for residential rental units.

- 4) Inserting a sunset date of December 31, 2028 or a date that is accurate to complete the long-term community plan with language indicating a transfer of authority and responsibility to complete in-process projects to the County of Maui that are not completed by the sunset date.

Thank you for the opportunity to provide comments on this measure. We'd like to offer ourselves in further discussions shall this bill make progress in the legislative process.

Sincerely,

Debalyn Andres-Arellano
Eric Arquero
Nestor Ugale, Jr.
Board Members for Kaibigan ng Lahaina

SB-3381-SD-1

Submitted on: 2/26/2024 5:50:02 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Angela Longo	Testifying for Hawaii General Jural Assembly	Oppose	Written Testimony Only

Comments:

SB3381 sd1 is in contempt of the Constitution state and federal and their Bill of Rights of private property. It is 6 months past the Lahaina disaster and there's no allowance for emergency proclamations. You cannot claim eminent domain and take land that belongs to people. We the people are sovereign and make the laws under God and above the government you cannot appoint a board to make decisions like this. This is totally unconstitutional and I suggest you retract this plan and let the people who lost their land and businesses decide what they choose to do and with their land and your job is to rebuild the the roads and underground electric. Unless you withdraw this agenda which is in contempt of our constitutions and Bill of Rights you are in breach of oath and therefore job.

SB-3381-SD-1

Submitted on: 2/26/2024 9:04:38 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Oppose	Written Testimony Only

Comments:

Strongly OPPOSE SB3381 SD1

www.WeAreOne.cc

Wednesday, February 28, 2024, 10:01 A.M.

State of Hawai'i

Senate Committee on Ways and Means
State Capitol, Conference Room 211

**JOINT TESTIMONY OF DUANE FISHER AND ERIC ROBINSON OFFERING
COMMENTS ON SENATE BILL 3381, SD1
RELATING TO LAHAINA**

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Committee Members:

Our firm is legal counsel for a variety of clients that own property in the Lahaina moku, including individuals, businesses, and resorts. We practice in the areas of business and real estate law, including land use, shoreline, and special management area issues. We **offer comments** on Senate Bill 3381, SD1.

The bill's stated purpose is to "facilitate the rebuilding of Lahaina" following last year's devastating wildfire. Given this purpose, the boundary of the Lele Community District should align with lands that were damaged in the wildfire and need to be rebuilt. A majority of the lands within the Lahaina moku were not damaged by the wildfire and thus do not need to be rebuilt. We believe it would make sense for the members of the bill's board to come from the larger moku (or perhaps the entire island of Maui), but the board's jurisdiction should be confined to the lands damaged in the wildfire (e.g., Lahaina Town).

Lahaina Town is a special, unique, and historic area. It deserves special treatment and consideration as it is rebuilt. This contrasts with other areas within the Lahaina moku, such as Kaanapali (a master-planned resort community area) that do not need to be rebuilt.

Mahalo for the opportunity to provide testimony offering comments on SB3381, SD1.

Very truly yours,



Duane R. Fisher



Eric S. Robinson



Senate Committee on Ways & Means

Hawai'i Alliance for Progressive Action (HAPA) OPPOSES: SB3381 SD1

Wednesday, February 28th, 2024 10:01 a.m. Conference Room 211

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Committee Members,

HAPA is testifying in OPPOSITION of SB3381 SD1, which establishes the Lele Community District and Board to facilitate rebuilding in Lāhainā. Establishes the Lele Community Special Fund. Declares that the general fund expenditure ceiling is exceeded.

While we appreciate the efforts of the Ways & Means committee to shed light on Lāhainā's recovery process, there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lāhainā moku to a State entity. This could concentrate too much power in one place, potentially leaving the Lāhainā community without a voice in decisions about their own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. There should be mechanisms to ensure it truly represents the Lāhainā community's interests and isn't influenced too much by outside groups with their own agendas.

Lāhainā community members have also expressed concern about transparency. The current proposal doesn't include enough ways for the people of Lāhainā to have a say in what happens to their community. We believe that any decisions about their future should be made with input from them all.

In summary, Lāhainā community members agree that coordinated efforts are needed for Lāhainā recovery, however SB3381, SD1 needs some changes to better reflect the needs and concerns of the Lāhainā community. We appreciate your attention to this matter and your commitment to helping the Lāhainā community rebuild.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick'.

Anne Frederick
Executive Director



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

LATE

**HEARING BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 211
Wednesday, February 28, 2024, 10:01 A.M.**

To The Honorable Senator Donovan M. Dela Cruz, Chair
The Honorable Senator Sharon Y. Moriwaki, Vice Chair
Members of the committee on Ways and Means

OPPOSE SB3381 SD1 RELATING TO LAHAINA

The Maui Chamber of Commerce would like to **OPPOSE SB3381 SD1**.

The Maui Chamber of Commerce understands the intent of this bill and appreciates all bills seeking to address what occurred on Maui during and following the August 8 wildfires.

We wholeheartedly agree that the rebuilding of Lahaina is critical to Maui and our state. It is imperative we be focused, transparent, accountable, and timely. We strongly believe that significant Maui and Lahaina community input is critical to determining where we go next.

We have had reservations on this bill, especially on the new election process and section on condemnation, but understood the legislature wanted to move it forward to get more feedback from the Lahaina community. In looking at the testimony, the majority share strong sentiments that this is not the right way to move forward and not what the community wants.

For these reasons, we are opposing SB3381. Mahalo for the opportunity to testify.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

February 28, 2024

LATE

Senate Committee on Ways and Means
Hearing: February 28, 2024, 10:00 AM
State Capitol Conference Room 211

Re: Testimony in Opposition to SB 3381 SD1: Relating to establishing the Lele Community District and Board to facilitate rebuilding in Lahaina.

Aloha mai kākou to Chair Dela Cruz, Vice-Chair Moriwaki, and Members of the Senate Committee of Ways and Means. I am testifying in **opposition** to SB 3381 SD1 as currently drafted and to the extent it is not amended according to requests from Lahaina's working-class community.

My name is Kāwika Aspili. I am a 7th generation descendant from Lahaina, Maui. I was also recently appointed as President of La'i Hauola, a Maui Komohana-based nonprofit. Our mission is to ensure that as our beloved town of Lahaina is rebuilt, it is done so with the guidance and input of the community at every step.

Although I recently met with the Hawai'i Community Development Authority team and learned about the potential of this bill, I still have major concerns.

One concern is that the only criteria to be eligible for the board is to have been a resident of Lahaina prior to the August 8th fire. Given that many generational families have been priced out of Lahaina and that the current census population data places Native Hawaiians at less than 8.5% of Lahaina's total population, the criteria as written in the bill does not ensure that board members will have an understanding of Lahaina's rich culture and history. To resolve this issue, SB3881 SD1 should be amended so that the majority of the board (5 of 9) must be a multi-generational Lahaina resident.

Given Lahaina's history as the original capital of the Hawaiian Kingdom, ongoing Hawaiian language revitalization, and cultural preservation efforts, the perpetuation of Hawaiian culture should be foundational to rebuilding Lahaina. We cannot allow foreigners or settlers with no understanding of Lahaina's rich history and cultural nuances to make decisions for what our town should look like. Therefore, the bill should also be amended to ensure that eligible board members can demonstrate an understanding of Hawaiian cultural practices and/or language.

Another concern is that the bill lacks a concrete number to make the phrase "significant number of affordable homes" in §206E-(1)(B) actionable. Putting a percentage to this phrase would give the community a better idea of how many affordable homes can be expected. The bill also does not specify who these affordable homes would be sold to and if there is a way to guarantee first choice to multi-generational families or families that directly lost their homes. This is especially concerning as it opens up Lahaina to disaster capitalism, allowing the market to determine who can live in the post-fire Lahaina to the exclusion of the majority of the working-class residents.

Last, §206E-(10) should be amended to read "Restoration of Hawaiian cultural practices, Hawaiian language, historical sites that predate the arrival of foreigners to Lahaina, educational assets, and natural resources shall be supported and encouraged;" to support an equitable rebuild that makes Hawai'i's history foundational.

Other recommendations include:

1. Including a provision acknowledging that if crown lands are utilized in the rebuild process, the 20% revenue guarantee to the ceded lands trust is upheld;
2. Creating a land set aside for reforestation of Lahaina's dryland forests and increasing Lahaina's food security via traditional farming practices for the community (including the restoration of the sustainable and fire-resistant ahupua'a system). The restoration of our dry-land forests and proper management of water resources is crucial to the re-saturation of the lands in Lahaina, which acts as a long-term solution to wildfire prevention in Lahaina and Maui Komohana.

In conclusion, La'i Hauola stands in opposition to SB3381 SD1. La'i Hauola also encourages this Committee to peruse the testimony by Lahaina Strong, which has been the leading community-based organization in Lahaina in the wake of the fires. I am in full support of Lahaina Strong's testimony, which outlines substantive changes that would need to be made in order for this bill to be acceptable to the working-class in Lahaina. If the recommended changes cannot be made, this bill must be deferred.

Mahalo nui for this opportunity to testify,
Kāwika Aspili
President of La'i Hauola

SB-3381-SD-1

Submitted on: 2/23/2024 5:44:51 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
mary drayer	Individual	Support	Written Testimony Only

Comments:

Support this bill - Please provide funds for Lahaina ... and Let Lahaina Local people be the decision makers in the rebuilding ..mahalo

SB-3381-SD-1

Submitted on: 2/23/2024 5:55:23 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lu Ann Mahiki Lankford-Faborito	Individual	Support	Written Testimony Only

Comments:

strong support for this measure to kokua Lahaina.

SB-3381-SD-1

Submitted on: 2/24/2024 6:10:20 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
SUSAN MORRIS	Individual	Support	Written Testimony Only

Comments:

The people need to be incharge of this money not the Government

SB-3381-SD-1

Submitted on: 2/24/2024 10:37:03 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Kylannah Spradlin	Individual	Oppose	Written Testimony Only

Comments:

This proposed district includes handpicked citizens who are meant to represent the whole of Ka'anapali to Ma'alaea. I believe this is a wrong and unjust use of proposed power and will result in exasperated overtourism in our community of Maui yet again. In the midst of the aftermath of the August 8th fires, I believe this not to be beneficial for anyone but especially fire victims.

By basing the control on O'ahu and by restricting abled people to those living within Lahaina Town, you remove the possibility of Lahaina's people controlling what happens to its own city. Let me explain; The people of Lahaina, their homes are GONE. By restricting abled peoples allowed on this Lele District nonsense to people currently living in Lahaina town you exclude the very people you say you wish to advantage.

You are excluding voters north of Kaanapali, you are putting lands inside of one centralized government agency, and there is no public transparency aka Sunshine Law.

This is a blatant power grab, a land grab and a money hungry proposed bill. These other areas are far outside of the destructed zone of Lahaina Town. It makes NO SENSE for you to appoint a council of people,(need I remind you in a state of emergency), to control all of the west side of Maui . Kaanapali is unburnt and unbroken. Maalaea is unburnt and unbroken. All of these areas just outside of Lahaina on the westside are EXTREMELY vulnerable to financial (and i do mean tourism and hotels, make no mistake) exploitation with a bill like this. The only profitable change to be made with this Lele District nonsense is the one that will line the board of Lele's pockets, of this I have no doubt.

Not only the above, but what is your justification for having control of all of this land permanently? I can find no good one. As i can see, this bill would not sunset if it went through, meaning it would not expire.

This is an outrageous misuse of power, land and council, in my opinion. What we should be doing is focusing on long term housing. Not short term profit and short term solutions for our Lahaina families. We had to fight just to get buses for our Lahaina 'Ohana and their keiki in Maalaea, and you come to swoop in in the sorrow of Lahaina to try and take the West side? Very shameful. I am completely and totally opposed to the proposed Lele District.

SB-3381-SD-1

Submitted on: 2/25/2024 6:55:55 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is an overreach of power and an egregious violation of the Constitution. The people of Lahaina are not given any say. This bill needs to die immediately.

SB-3381-SD-1

Submitted on: 2/25/2024 9:31:03 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Riley Bond	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Dela Cruz, Senator Keith-Agaran, and Members of the Ways and Means Committee,

I am writing to express my strong opposition to SB3381 SD1, which proposes the establishment of the Lele community district and board to facilitate the rebuilding of Lahaina. While the intent behind this bill may seem commendable, it carries several significant flaws and potential dangers that must be addressed.

Firstly, the concentration of all lands within the Lele community district under one state entity is deeply concerning. Such centralization of power could easily be detrimental if misused or mishandled. It risks disenfranchising local communities and concentrating decision-making authority in the hands of a few, potentially leading to arbitrary or unjust outcomes.

Furthermore, SB3381 SD1 extends far beyond the immediate burn zone of the wildfire in Lahaina, raising questions about its relevance and appropriateness. The bill unnecessarily duplicates County efforts, leading to confusion, inefficiency, and potential conflicts of interest.

Additionally, SB3381 SD1 fails to include voters north of Kaanapali, effectively disenfranchising a significant portion of the affected population. This exclusionary approach undermines the principles of democracy and community participation, denying residents their right to have a say in matters that directly impact their lives.

Furthermore, the lack of transparency and public participation mechanisms, such as the absence of sunshine laws or processes for public transparency, is deeply concerning. Without adequate mechanisms for accountability and oversight, there is a risk of decision-making being conducted behind closed doors, without input from affected communities.

Lastly, it's crucial to acknowledge the detrimental effects of similar initiatives, such as the Hawaii Community Development Authority's (HCDA) gentrification of Kaka'ako. The displacement of local residents, the commodification of space, and the erosion of cultural integrity in Kaka'ako serve as cautionary tales of the consequences of unchecked development. SB3381 SD1 must not repeat these mistakes and should instead prioritize the preservation of Lahaina's cultural heritage and the well-being of its residents.

In conclusion, I urge you to reconsider SB3381 SD1 and to address these significant concerns before proceeding further. We must ensure that any legislation enacted serves the best interests of the community, respects local governance structures, and upholds principles of transparency and accountability.

Thank you.

Sincerely,

Riley Bond

SB-3381-SD-1

Submitted on: 2/25/2024 10:04:36 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
tiare lawrence	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose. There needs to be more community engagement with the Lahaina community before moving forward with this bill. The rebuild of Lahaina is complex. Giving all power to just 9 people does NOT sit well with me. Elections can be bought. The state should focus on taking money out of politics first.

SB-3381-SD-1

Submitted on: 2/25/2024 10:05:10 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Marissa Godinez	Individual	Oppose	Written Testimony Only

Comments:

Although I think the committee has the best intentions and, like the rest of us, wants to see Lahaina rebuilt quickly and efficiently, this bill needs many revisions and raises concerns about who would be appointed until 2026's election. I do not think it's wise to allow governor Josh Green to appoint whoever he sees fit to fill these positions until then. Priority needs to be placed on the residents of Lahaina and not on the visitors. While I understand tourism is important to the economy, it's also destroying our local community. And I am unsure if Josh green and his appointed committee will be best suited to prioritize the needs of a community that they are unfamiliar with. So while this bill proposes some great ideas and puts into place a much needed task force for Lahaina, I think it needs more time to be revised and perfected before we implement such an impactful bill.

Mahalo,

Marissa

SB-3381-SD-1

Submitted on: 2/25/2024 10:09:09 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Iacovella	Individual	Oppose	Written Testimony Only

Comments:

Although I think the committee has the best intentions and, like the rest of us, wants to see Lahaina rebuilt quickly and efficiently, this bill needs many revisions and raises concerns about who would be appointed until 2026's election. I do not think it's wise to allow governor Josh Green to appoint whoever he sees fit to fill these positions until then. Priority needs to be placed on the residents of Lahaina and not on the visitors. While I understand tourism is important to the economy, it's also destroying our local community. And I am unsure if Josh green and his appointed committee will be best suited to prioritize the needs of a community that they are unfamiliar with. So while this bill proposes some great ideas and puts into place a much needed task force for Lahaina, I think it needs more time to be revised and perfected before we implement such an impactful bill.

SB-3381-SD-1

Submitted on: 2/25/2024 12:51:07 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Stacey Alapai	Individual	Oppose	Written Testimony Only

Comments:

While I appreciate the intentions of this bill, it fails to meet the needs of the Lahaina community. My biggest concern is the centralization of decision making in Oahu and lack of community transparency. Please allow any centralization of funding and decision making to be ON MAUI and not off-island. There is a lot of distrust in the HCDA to prevent gentrification and the lack of expiration date on this law adds to that distrust and the potential of mismanagement of funds.

SB-3381-SD-1

Submitted on: 2/25/2024 12:52:43 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Kasey Tabar	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose!

Opposition for SB3381 SD1

To Chair Dela Cruz, Vice Chair Moriwaki and the honorable members of the committee,

I am writing as a concerned member of the Lahaina community to express my **opposition for SB3381 SD-1**, The proposal to transfer all State lands, including possible county and private lands, to the Authority raises concerns about property rights and eminent domain. I have questions as to how the Authority plans to navigate these complexities.

Furthermore, the affiliation with the Hawaii Community Development Authority (HCDA) lacks clarity. I question the vested interest HCDA has in Lahaina's rebuild, I fear they their level and type of building on Oahu doesn't align with what we need as a Lahaina community in our rebuild. The sustainability of private sector contributions and their potential impact on recovery efforts need further examination. I also fear that there will be stipulations attached to their involvement that might be detrimental to the community vision and the future of Lahaina. Identifying future funding matches and assessing the advantages of private sector involvement are essential for informed decision-making.

Also, the election process for board members raises questions about democratic representation. With elections, there's a genuine concern about the influence of money. As we strive for authentic Lahaina representation to guide our rebuilding efforts, the geographical spread of our community raises the troubling prospect that those who have moved outside the Moku due to the fire but would be beneficial to the board would have no way to run. Moreover, the dispersion of our community members means that those not in the Lele, registering to vote in their short-term homes would not have a significant voice in the decision-making process.

It is interesting to point out research has revealed **NO** communities that have developed redevelopment authorities post disaster. While I understand the need for County and State cohesion as well as community engagement and a community lead rebuild, I do not feel this is the way to go.

Removing county oversight could impede local recovery efforts and prolong the rebuilding process. Allowing this board under HCDA to make critical decisions for Lahaina during its pivotal years undermines local autonomy. Additionally, limiting voting rights to Lele district residents excludes broader community input and representation. I fear the authority's community plan might not align with existing county plans or our long worked on West Maui Community Plans.

I also worry that the assessment cost for landowners and the purpose of the proposed "special fund" remain unclear. I fear that property owners paying another tax will just ensue another undue financial burden. Also, it is not outlined after the "special fund" is made available, how long the board be self-sustaining other than landowners taxes. It's concerning to consider allocating such substantial amounts – 100 million and 6 million to start the board – without a concrete plan to ensure responsible spending. Without

clear guidelines in place, there's a risk of mismanagement and inefficiency in utilizing these funds effectively.

Additionally, the proposed authority's alignment with existing recovery frameworks and adherence to transparency laws like the sunshine law require clarification. Our county works in accordance with the sunshine law for transparency and I fear with this elected board that would be lost. There is also not a sunset date in place which makes us vulnerable to continued unwanted expansion through Hawaii Community Development Authority for the unforeseen future.

While I appreciate the intention behind creating a cohesive board, if something of this nature needs to be implemented to facilitate a speedy, transparent and Lahaina Lead rebuild then let us as a community discuss over the next 8 months and come back with a bill that our entire community can get behind.

In conclusion, **SB3381 SD-1** raises numerous questions regarding governance, representation, financial management, and community impact. Before moving forward, thorough analysis and public dialogue are necessary to address these concerns and ensure the most effective and equitable path forward for Lahaina's recovery. I urge the committee not to pass **SB3381 SD-1**, recognizing this bill may jeopardize Lahaina's autonomy in our rebuild.

Mahalo for your commitment to addressing the pressing needs of our community.

Sincerely,

Katie Austin

SB-3381-SD-1

Submitted on: 2/25/2024 1:46:40 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie M Le Gaux	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381 SD1 as it us written. There is far too many vague uses of language that can jeopardize the People's of Lahaina lands. The entire town would oppose this bill if they knew how it was written. The bill allows for a smart city, it allows for eminent domain, it allows for transportation methods to be implemented that could eliminate the right for the public to use their own private vehicles.

The bill does not suit the quiet town of Lahaina. It does not suit the Aloha energy. The very fact that our community **STILL IS STAYING IN HOTELS & BEING KICKED OUT LEFT AND RIGHT**, makes it evident that our government does not have Lahaina's best interest at heart or in mind. This bill is blatantly corrupt. Be clear & concise. Rewrite it in plain obvious language.

SB-3381-SD-1

Submitted on: 2/25/2024 2:54:06 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Anne Bell	Individual	Oppose	Written Testimony Only

Comments:

The committee must not be stakeholders but Lahaina residents!

We the people have the authority to make laws and your job is to listen to the people!

No government officials or stakeholders can be on the committee for rebuilding Lahaina!

SB-3381-SD-1

Submitted on: 2/25/2024 3:35:51 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michdelle Melendez	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascims! You're overstepping the Constitution!

SB-3381-SD-1

Submitted on: 2/25/2024 4:11:38 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Delphine kaiwi	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill due to the threat that our family's simple fee land can be taken from us by the government & be paid with bonds. What a joke & a slap in the face for all the 40 years we put into homeownership.

We don't trust governor green, & and government itself on the ulterior motives that they have up their sleeves. We oppose this bill, we don't need Lahaina to be a smart city. And the 9 members that will be picked probably won't be fire victims themselves but people with \$\$\$\$. This bill does not prove that we can trust you Mr DelaCruz nor Mr McKelvey - state your clear simple facts "Why" we should support this bill. Please kill this bill now. Mahalo

SB-3381-SD-1

Submitted on: 2/25/2024 4:22:19 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Dennis Jasinski	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution! Eminent Domain is not intended to take land away land for redevelopment. This bill is not well thought out and needs much more input from the land owners as opposed to land "users".

SB-3381-SD-1

Submitted on: 2/25/2024 4:22:46 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Umberto Taormina III	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

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- **Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?**
- **Page 4, line 6 states: The board shall have sole jurisdiction over the district.**

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- **Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?**
- **Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?**
- **Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?**
- **Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?**
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Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No,

that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

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- **Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!**
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- **Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!**

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Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/25/2024 4:32:45 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Monique van den Hurk	Individual	Oppose	Written Testimony Only

Comments:

This bill is over reach of government! This is beyond the scope of re-building Lahina and over stepping the Constitution!

SB-3381-SD-1

Submitted on: 2/25/2024 4:33:58 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lindsey A Drayer	Individual	Support	Written Testimony Only

Comments:

I support this

Thank you

SB-3381-SD-1

Submitted on: 2/25/2024 4:39:33 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Joanna Weber	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

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It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

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coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

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 - Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?

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Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately.

Please, OPPOSE.

JOANNA WEBER

- Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.
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SB-3381-SD-1

Submitted on: 2/25/2024 5:03:44 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Diana Subka	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-3381-SD-1

Submitted on: 2/25/2024 5:12:18 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Athena Roebuck	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

We appreciate the intentions behind Bill SB3381 SD1 acknowledging the urgent need for coordinated rebuilding efforts in Lahaina following the August 8, 2023 wildfire. While we recognize the necessity of concerted action to prevent long-term stagnation, several aspects of SB3381, SD1 warrant careful consideration. Please do more work in this session to emerge as the solution that effectively facilitates a sustainable and community-driven recovery process for Lahaina!!

Overall, SB3381 SD1 needs more work than can be done in this one session to emerge as the solution that effectively facilitates a sustainable and community-driven recovery process for Lahaina.

Mahalo for your time!

Sincerely,

Athena Roebuck and family

SB-3381-SD-1

Submitted on: 2/25/2024 5:33:28 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Franz Weber	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. It creates a board to govern over the entire West Coast of Maui! The board will be able to take money, gifts from anyone. They can assess fees to land users and interest and other fees. They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is overstepping the Constitution!

SB-3381-SD-1

Submitted on: 2/25/2024 5:38:59 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Hopkins	Individual	Oppose	Written Testimony Only

Comments:

My wife, Maria Hopkins, and I are full time residents of the proposed new "district" suggested in this bill. We are also registered voters and payors of significant property and income taxes to Maui County and the State of Hawaii.

We are adamantly opposed to the formation of this new "district" and "board" for numerous reasons, including, but not limited to the following:

1. Lack of transparency and clarity in the bill itself and therefore its outcome;
2. Establishing unelected government appointees as a "board" with "sole jurisdiction" in the new "district" (at least until elections are held in 2026);
3. The new "boards" list of enumerated powers especially those related to "assessing" district residents for the expense of the new "district"/"board" and eminent domain. It seems to us there are already myriad existing paths for the government to extract money from the citizenry as well as to exercise the power of eminent domain. Let's not add more: and
4. Establishing yet another layer of expensive government bureaucracy - seemingly to do the work that our existing government should be doing - AND amazingly empowering the new "board" to engage all sorts of additional advisors and consultants.....please NO!

Aloha and mahalo,

Michael D. and Maria C. Hopkins

39 Kumu Niu Pl.

Lahaina, HI 96761

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

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SB-3381-SD-1

Submitted on: 2/25/2024 6:24:07 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Debra Anderson	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

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SB-3381-SD-1

Submitted on: 2/25/2024 6:29:20 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Toney Chimienti	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381

SB-3381-SD-1

Submitted on: 2/25/2024 6:41:29 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Bonnie Marsh	Individual	Oppose	Written Testimony Only

Comments:

This bill is not for the home owners but for big business.

This must be stopped and the Lahaina local community must have there say and input.

Dr. Bonnie Marsh

SB-3381-SD-1

Submitted on: 2/25/2024 7:03:32 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Grabow	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Please STOP SB 3381

- Page 12, line 12 states: *Financial aid from the federal government; contracts with the federal government.* Then on page 13, line 12 it states: *The board will **comply** with terms and conditions required by the federal government in any contract or grant for federal assistance."*

Well, it certainly looks like Hawaii boards are supposed to COMPLY with anything in exchange for shady funding? That is very dangerous! It will give Maui to the Federal Government. This is not okay.

- Page 13, line 15 states: *"It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government."*

Really - to do "all things necessary?"

Who has authority to even suggest that the Western half of Maui be taken-over and clearing the way for 'worker compounds' (ghettos)?

Sounds like communism and is certainly not the will of the people at all.

Again VERY DANGEROUS! This is tricky facism at its finest!

- Page 15, line 6: *The board has the **power to adopt rules** pursuant to chapter 91 relating to health, safety. "*

No, the board will NOT have the power to dictate rules for personal health! That is yet another excuse to impose unlawful acts; it goes against the Constitution.

Rebuilding Lahaina does not need a committee that intends to grab land and control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

Sincerely

Donna Grabow

SB-3381-SD-1

Submitted on: 2/25/2024 7:12:15 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeannette Howard	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be

coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

- Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?
- Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?
- Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?
- Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated, "The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.
- Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.
- Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!
- Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.
- Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!
- Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!
- Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal

assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.

- Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.
- Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/25/2024 7:13:22 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Katherine (Katy) Ching	Individual	Oppose	Written Testimony Only

Comments:

Want to preserve the Hawaiian Island Aina!

SB-3381-SD-1

Submitted on: 2/25/2024 7:18:33 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Horie	Individual	Oppose	Written Testimony Only

Comments:

NO NO NO NO! to SB 3381 for the sake of the survival and continuance of the peoples of the State of Hawaii as free and autonomous unique individuals in this world today.

We do not need any more dictated top down solutions to problems. Why not support the generous, creative, and loving solutions already offered by we, the citizens of Hawaii, in conjunction with the outpouring of aloha from other individuals outside the state. Why not free the people to help each other instead of presenting impediments and restrictions in accordance with a plan that is not of Hawaii and based on models which may or may not be true. Why invite outsiders with money to become "stakeholders" in our beloved aina.

SB 3381 is not in accordance with lawful or representative governance. It does not aloha the people. It is not pono.

SB-3381-SD-1

Submitted on: 2/25/2024 7:26:29 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Miller	Individual	Oppose	Written Testimony Only

Comments:

You cannot create a new fascist government. It is unconstitutional. Is this the next move in the playbook where you control the land and make it into a smart city that no one who is smart would want? You must listen to your employers. That would be us, the people of Hawaii. We pay you to do our bidding not to steal our land and take our rights away. Stop this horrific bill now!

Rebecca Miller,

Anahola, HI

SB-3381-SD-1

Submitted on: 2/25/2024 7:30:43 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Carl Kobayashi	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as written because it appears to duplicate work being done in Maui County. It also seems to eliminate voters north of Kaanapali where many families live that are housing survivors of the August 2023 wildfires. The voices of all west Maui families are vital to the success of rebuilding and restoring Lahaina. Furthermore it appears that this bill would lead to less transparency and may lead to abuse by special interests, rather than the families of Lahaina.

SB-3381-SD-1

Submitted on: 2/25/2024 7:43:57 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lo Martinez	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB3381 SD1. Please involve the community of West Maui moving forward.

Mahalo,

Lorena Martinez
Resident of West Maui

SB-3381-SD-1

Submitted on: 2/25/2024 7:46:19 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda North	Individual	Oppose	Written Testimony Only

Comments:

I am appalled at the hubris of the writiers of this bill. They are obviously working for the global cabal that is trying to take control of our world - starting in this most beautiful part.

This is an authoritarian grab of control. I agree with what the Mayor of Maui said and I repeat his words here.

It is important to consider that the County of Maui has already established an Office of Recovery, and much community input and dialogue has been and is still being received and acted upon, including the development of the community's initial Recovery Needs Assessment and future Long-Term Recovery Plan. For updates to the efforts of the Office of Recovery, see <https://www.mauirecover.org/recoveryphases>. Establishing a new process and regulatory layer for wildfire survivors to now navigate and understand may introduce additional barriers to rebuilding and recovery efforts. The bill aims to centralize decision-making under the authority, including the ability to levy assessments, which likely raises community concerns about the broad range of authority granted to a non-elected board and the selection process established for the members of the district. It's essential to ensure that the authority's composition adequately represents the diverse perspectives and interests of Lāhainā residents and businesses, fostering a collaborative approach to rebuilding and recovery efforts. The desire to increase agricultural activities in West Maui has been listed as a priority by the community. Assessments in this proposed bill appear to be determined by the size of the parcel, which may disproportionately affect large agricultural land owners, potentially providing further disincentives toward the revitalization of agricultural activities in the area. An aggressive plan has already been put in place to allow residents to expeditiously return to their properties. This plan includes prioritizing infrastructure repairs to residential areas and an expedited permitting center, which will be available in the Spring of 2024. The time frame for the establishment of the Lele Community District may not align with the County of Maui's ongoing effort and expedited timeline to return residents to their properties, which may affect overall rehousing efforts.

SB-3381-SD-1

Submitted on: 2/25/2024 7:52:18 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry Mejia	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition of bill SB3381. It is an absolute overreach of the government. It violates the Constitution in so many ways and brings dictatorship over West Maui like nothing America has seen before.

Here is why Bill SB3381 should die immediately:

Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?

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Page 4, line 6 states: The board shall have sole jurisdiction over the district. It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

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Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?

Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?

Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated, "The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase. Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

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users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!

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Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately.

SB-3381-SD-1

Submitted on: 2/25/2024 8:31:02 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tomas Mejia	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition to bill SB 3381. It is not the will of the people to have the land stolen. This bill is an epic failure and a disgrace to our state.

SB-3381-SD-1

Submitted on: 2/25/2024 8:37:04 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I stand in opposition of SB3381.

There are many reasons I'm concerned about this bill and stand in opposition to it. To name a few, the centralization of power within this board is a concern, the board isn't required to interact with the community in any meaningful way, the Governor should not appoint the initial board members, and while future board members could be elected, the requirements to be a candidate in said election is insufficient.

Native Hawaiians have been living in Hawai'i for generations. Some archaeological discoveries point to us being in Hawai'i since about 0 AD, while others point to about 1000-1200 AD. Some Hawaiian traditions, genealogies, and chants indicate that we were born and evolved here. Either way, Native Hawaiians have been here for a very long time.

In Lahaina, many of the Native Hawaiian families that lived there at the time of the fire have been there for generations, most living in the same house and on the same land, while others live nearby but still in Lahaina. Traditional Native Hawaiian customs include burying our loved ones on the same lot as our home, while other practices included us burying loved ones nearby at graveyards or elsewhere.

These Native Hawaiian families that have been in Lahaina for generations belong to Lahaina, and have never called any other place else on earth "home" before, and have never conceived of calling anywhere else, "home." They are tied to this land, the bones of their loved ones buried there, they feel an innate responsibility to care for their land as their family has been doing for generations, their family stories are of there, and their memories of past generations and hopes for future generations are all tied to be there, and no place else on earth. These are the ones responsible for, or at least played a part in, keeping Lahaina's beauty and resources as the place we love and want it to be again, from the time before Captain Cook arrived. These are the families that should have the biggest say in the decisions on how Lahaina is to be rebuilt.

I'd like to recommended the following amendments:

1. Governor Green should NOT appoint the initial members of the board.

2. DOH, OHA, and DHHL shall utilize their resources to identify long-standing families with generational ties to Lahaina, a minimum of 3 generations in Lahaina prior to the wildfire, and select the nominate the initial board members, and the Maui County Council will select the initial board members from those nominated.
3. Whenever any vacancy in membership of the Lele community district board occurs, the remaining board members shall nominate a replacement, which will be approved by the Maui County Council. The person so appointed shall reside within the Lele community district and shall serve for the duration of the unexpired term.
4. Candidates for election of the Lele community district board members are required to have been in Lahaina for at least 3 generations prior to the wildfire.
5. The board is able to create plans and make recommendations, but acquiring, selling, or other actions with property, real or mixed, shall require the approval of another entity, to be determined.

Mahalo nui loa for your time and consideration.

Keoni Shizuma

SB-3381-SD-1

Submitted on: 2/25/2024 8:44:45 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Renana Fisher	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

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- **Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?**
- **Page 4, line 6 states: The board shall have sole jurisdiction over the district.**

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- **Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community**

be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

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Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

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Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/25/2024 9:45:30 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Gretchen Losano	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Please oppose SB3381. The implications of this bill are terrifying or amazing, depending upon who sits on the board. And as you all know, deep pockets greatly influence elections and we cannot play Russian roulette with the fate of Lahaina Town. The people of Lahaina town who are the most well suited for this board, but have lost everything due to the fire and have been tossed around by Red Cross and Fema for the last 6 months, might not be up for running a campaign at the moment. Please oppose this bill.

Mahalo,

Gretchen Losano

Lahaina, Maui

2/25/24

I am against Bill SB3381 regarding Lahaina and vicinity building and rebuilding permitting and management:

This bill violates many concepts of the United States constitution, the main issue is that underlying this document is a unilateral proposal that changes decision making structures that are enshrined in our constitution. Our republic is based upon the consent of the people being governed, in the case of this document no written informational materials presenting the pros and cons were made available to be voted upon by those that are impacted by this legislation. This proposed legislation far exceeds the powers of our elected officials. Furthermore this legislation abrogates future decision making from direct legislative oversight and control by the people, to an unelected committee yet to be selected. The people have not authorized such abrogation of duties by you who represent us. These changes and additions to empower new and existing departments, and committees, need to be agreed to by the people. We have too many unelected bureaucrats that wield far too much power over the people, power that belongs to the people, not these unelected groups and individuals. Your responsibility is first and foremost to defend the State and National Constitutional principles by going back to your constituents and providing firstly the constitutional basis for this new law, then, the pros and cons of this proposed legislation in order to give your constituents the ability to make an informed decision in voting for or against this new law . Your duty is to represent we the people, not, the Governor, lobbyists, donors, or any special interest groups. Vote no.

Sincerely,

Ken Honma

P.O. Box 451 Kurtistown Hi. 96760 8089677553

SB-3381-SD-1

Submitted on: 2/25/2024 9:48:36 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara C Griffiths	Individual	Oppose	Written Testimony Only

Comments:

As a citizen of Lahaina, I oppose this measure. This is NOT keeping Lahaina lands in Lahaina hands. This measure is redundant and duplicative and a further attempt for outsiders and special interests to grab the precious lands of Lahaina and the surrounding areas. Stay out! Lahaina is not for sale and it is not up for grabs!

Respectfully,

Tamara Griffiths

SB-3381-SD-1

Submitted on: 2/25/2024 10:00:57 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sonja Corrigan	Individual	Oppose	Written Testimony Only

Comments:

I oppose. Prioritize Lahaina

SB-3381-SD-1

Submitted on: 2/25/2024 10:26:53 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle PonTell	Individual	Oppose	Written Testimony Only

Comments:

I am in STRONG opposition to SB 3381. The lack of transparency, taxation ("assessment") without true representation, and "overlords", including those from O'ahu, determining what is done with OUR land, is one of the most aggregious attempts of government to abuse power I have seen.

SB-3381-SD-1

Submitted on: 2/25/2024 10:55:17 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	Written Testimony Only

Comments:

i oppose SB3381.Lahaina residents suffered enough by losing there house,losing there land,losing lives from the massacre that was not by global warming.Leave them alone and since you guys not helping them or supporting,believe in God and Pray to God for justice and healing towards those poor people.Have you any mercy?Looks like our governor wrote this bill to do what he planned to LAND GRAB.Please dont help him out,hes a scum bag.

SB-3381-SD-1

Submitted on: 2/25/2024 10:55:55 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lana Albright	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I oppose this bill SB3381. I don't believe this is good solution for Lahaina and it shouldn't be rushed. We need more transparency and more Lahaina community involvement.

SB-3381-SD-1

Submitted on: 2/25/2024 11:37:02 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jan Ashlock	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-3381-SD-1

Submitted on: 2/26/2024 2:01:59 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
ann williams	Individual	Oppose	Written Testimony Only

Comments:

Here is why Bill SB3381 should die immediately:

- This bill states *the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina*. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee.
- This bill states

The district shall be governed by the board. Why is this district going outside the governance of the County?

- This bill states

The board shall have sole jurisdiction over the district. It seems to be creating a completely new government for this area. That is not in compliance with the Constitution.

- *This bill states*

The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost? What are they investing in? When did they start investing?

- *This bill states*

Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? If so why is it not stated??

- *This bill states*

The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't it say, "include homeowners". What government agencies, and organizations are going to be a part of these decisions?

-

This bill states:

The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawai'i Constitution Article I states: Political Power rests with the people. The Government is the people so who decided what the neighborhoods would include? This control of how people move around within the district is UNCONSTITUTIONAL!

- This bill states

The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated,"The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. Has any of the sea levels on any of our islands risen? Are home insurance companies not insuring homes due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- This bill states

*Building in residential areas shall cater to the needs of residents. What does "cater" mean exactly? It would be better stated, Building in residential areas shall be at the **sole discretion of the homeowner.***

- This bill states

The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. This is facism. The Government cannot "acquire" people's real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful!

- This bill states

The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT do this! You are trying to bring in facism! This bill MUST DIE!

- *This bill states*

The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It sounds like **bribery and fraud** will be allowed. Politicians have gone to jail for this!!

-

This bill states

The board shall have the power to assess all land users, except the federal government, for their fair share of the costs including staffing costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud and the states way to take the land!!

-

This bill states

The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!

- *This bill states*

Financial aid from the federal government; contracts with the federal government. ItThen on page 13, line 12 it states: *The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance.* It looks like this board will comply with anything. That is very dangerous! What is the point of having a board if they have no real power to make decisions??

- This bill states

It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people at all and again VERY DANGEROUS! This is facism at is finest!

- *This bill states*

The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution!

Bill SB3381 is an absolute overreach of the government and must die immediately.

Mahalo. Here is why Bill SB3381 should die immediately:

SB-3381-SD-1

Submitted on: 2/26/2024 3:19:09 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
norm gove	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- **Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?**
- **Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?**
- **Page 4, line 6 states: The board shall have sole jurisdiction over the district.**

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- **Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?**
- **Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?**
- **Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?**
- **Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?**
- **Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated,"The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.**

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No,

that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- **Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.**
- **Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.**
- **Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!**
- **Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.**
- **Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!**
- **Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!**

- **Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.**
- **Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.**
- **Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.**

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/26/2024 3:37:40 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Gibran Vicente	Individual	Oppose	Written Testimony Only

Comments:

As a resident of Maui I oppose this bill.

SB-3381-SD-1

Submitted on: 2/26/2024 4:19:40 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr Marion Ceruti	Individual	Oppose	Written Testimony Only

Comments:

As a Lahaina resident, I can tell you that we don't need more outside influence dictating how to rebuild Lahaina with a plan to get rid of local-property owners and establish centralized state control. This bill centralizes control too much outside of Maui. We don't need or want this bill. Get rid of it and cancel it now. Respect local property rights. Vote NO on SB3381 SD1.

SB-3381-SD-1

Submitted on: 2/26/2024 4:27:38 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill Burbary	Individual	Oppose	Written Testimony Only

Comments:

The bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety!

That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Jill

SB-3381-SD-1

Submitted on: 2/26/2024 6:19:22 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tarsis Rich	Individual	Support	Written Testimony Only

Comments:

SB3381, establishes the Lele community district to facilitate rebuilding in Lahaina under the Hawaii Community Development Authority based on O‘ahu. I Support.

SB-3381-SD-1

Submitted on: 2/26/2024 6:29:09 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Joe Hendrickson	Individual	Oppose	Written Testimony Only

Comments:

This bill does not support the people of Hawaii and should be rejected.

SB-3381-SD-1

Submitted on: 2/26/2024 6:46:32 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Leonard Nakoa III	Individual	Oppose	Written Testimony Only

Comments:

This bill has to many holes that will hurt Lahaina. Let wait till we all can go over this bill and make it good for us Lahaina people

February 26, 2024

Sen. Donovan Dela Cruz, Chair
Sen. Sharon Moriwaki, Vice-Chair
Members of the Senate Committee on Ways & Means

Re: Testimony in Support of the Intent of S.B. 3381 S.D. 1 – Relating to Lahaina

Dear Senator Dela Cruz and members on the Senate Committee on Ways & Means,

My name is Eric Arquero, and I am a resident of Lahaina, Maui.

The wildfires in Lahaina on August 8, 2023 drastically and devastatingly altered our world in West Maui. Since that fateful day, Lahaina has faced some increasingly and painful challenges – the destruction of our town’s landscape, the departure of family, friends and neighbors due to uncertainty, and certainly the deafened response of government officials and agencies who lacked an adequate level of knowledge on how to respond to this disaster with compassion and empathy for our people.

As you may already heard, Lahaina is a unique and special place, one that is full of historical and culture significance. A melding of ethnic cultures and a town rooted in the pride of the exceptional characteristics that make Lahaina home. If you asked a room of 25 individuals how they would like to see Lahaina rebuilt, you would likely get 25 unique answers because there is so much at stake for our town – differences between our people whose focuses are on the all the intricate areas and details. that no one wants to compromise because they make Lahaina the place we love. You would also hear visions of a Lahaina that once was, but this bill changes the question – because it asks us to envision Lahaina as a community and this is where the challenge is.

Because so much of the rebuild incorporates things that we are either uncertain about, don’t know or don’t have the courage to hope for, I do feel that this bill attempts to bridge together voices with the practical knowledge that is needed to facilitate a community plan that is reflective of not only the Lahaina we desire now, but the Lahaina we can possibly build to sustain our families for generations to come. I appreciate the intent of the author of this bill to place the community in the driver’s seat and to give us the ability to make decisions based on community consensus vs. having to lobby for our voices to be heard by officials who have set their own agenda or interpretation of what Lahaina wants. Discussions about this measure have reprised a sentiment that as a community we must have the courage to hope and I believe this bill provides for that structure to be built so that we as a community can fill it with the infrastructure, facilities and usage that is reflective of the people.

I, along with other private community members have voluntarily taken the obligation to share this space with the community. Last week about 30 individuals met with Mr. Craig Nakamoto of HCDA and his staff. We appreciate Mr. Nakamoto and HCDA’s graciousness to receive questions from our community and I believe that their efforts helped to forge together a discussion that has been needed but not yet achieved until that day.

Lahaina as a community will face many more uncertainty in the days, months and perhaps years to come. At this time, I feel that S.B. 3381, if at least provides a motivation to come together and have those discussions despite differing views. Shall this bill move forward in the legislative process, I'd like to offer the following suggestions to address concerns and questions that I have personally observed within discussions thus far.

- 1) Consider inserting a sunset date into the bill to provide a defined deadline for community planning to be completed.
- 2) Considering (if legally viable) in creating a hybrid board consisting of Governor appointed members who are residents of the district but have specific specialty/expertise such as a cultural advisor, historical expert, business representative, etc.) and resident members that can be elected.
- 3) Expand the residential area for participants (board members and electors) to include parts of Northern Lahaina.
- 4) Restrict the use of eminent domain to be solely and judiciously used for public infrastructure use and not for residential/commercial purposes.

Thank you for the opportunity to provide testimony in support of the intent and provide suggestions on this measure.

Sincerely,

Eric C. Arquero

SB-3381-SD-1

Submitted on: 2/26/2024 8:53:28 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah Trimboli	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety!

That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

SB-3381-SD-1

Submitted on: 2/26/2024 9:18:33 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ann Marie Quinlan	Individual	Oppose	Written Testimony Only

Comments:

Whoa! As a Lahaina citizen, I protest that this bill is moving so speedily without significant input from those it impacts --- us! This is high-handed government at its worst.

SB-3381-SD-1

Submitted on: 2/26/2024 9:34:42 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Atteberry	Individual	Oppose	Written Testimony Only

Comments:

As a long-term resident of Lahaina, I oppose this bill.

SB-3381-SD-1

Submitted on: 2/26/2024 9:38:15 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
stephen	Individual	Oppose	Written Testimony Only

Comments:

this legislation is clearly not supported as is by the office of the mayor.

SB-3381-SD-1

Submitted on: 2/26/2024 9:53:57 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
taryn sutherland	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE THIS TOTALLY UNCONSTITUTIONAL BILL!!!

THIS IS TOTAL GOVERNMENT OVERREACH!

THIS MUST BE STOPPED!

SB-3381-SD-1

Submitted on: 2/26/2024 10:02:07 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Shane Buell	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Dela Cruz and McKelvey, Please do not pass SB3381. It is an absolute overreach of the government. It violates the Constitution in so many ways and brings dictatorship over West Maui like nothing America has seen before. Here is why Bill SB3381 should die immediately:

Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?

Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?

Page 4, line 6 states: The board shall have sole jurisdiction over the district. It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?

Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?

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the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?

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1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated, "The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase. Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

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Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!

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Page 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!

Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!

Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.

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Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government. Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not pass this bill!

SB-3381-SD-1

Submitted on: 2/26/2024 10:06:25 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ananda Stone	Individual	Oppose	Written Testimony Only

Comments:

Please help me keep our lands in our hands.

SB-3381-SD-1

Submitted on: 2/26/2024 11:05:55 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Williams	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381 SD1!

SB-3381-SD-1

Submitted on: 2/26/2024 11:09:15 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
juhl rayne	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

STOP NOW

Here is why Bill SB3381 should die immediately:

- **Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?**
- **Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?**
- **Page 4, line 6 states: The board shall have sole jurisdiction over the district.**

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- **Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?**
- **Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?**
- **Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?**
- **Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?**
- **Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated,"The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.**

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No,

that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- **Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.**
- **Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.**
- **Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!**
- **Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.**
- **Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!**
- **Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!**

- **Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.**
- **Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.**
- **Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.**

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/26/2024 11:24:02 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Davis	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose. My family lives in Lahaina town, next to historical district behind Fleetwoods. We don't want to move or have our land taken from us or be moved anywhere else, mauka, makai, not at all- that is our land.

The HCDA is seeking \$100M in private sector funding, that money will not be a gift, there is quid pro quo. Meaning, the donators will be the ones developing our town, not the residents.

Let the 2022 West Maui Community Plan be the framework for rebuilding, restore the Moku in public lands (delapidated baseball field), don't touch private lands. Strengthen the County's planning department with State resources, but do not usurp their leadership. The 2022 plan was formed from 15 years of public input, you HAVE the community's input- now let's get to building.

The county and state are seeking answers to temporary housing, hotels are too expensive. The real solution is to take that money, don't try to put infrastructure in some undeveloped pineapple field. Troubleshoot Lahaina's infrastructure, get people back on their land ASAP and let them build. It's simple and the most cost effective!

SB-3381-SD-1

Submitted on: 2/26/2024 11:38:02 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jackie Keefe	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee on Ways and Means Members,

Mahalo for the discussion of SB3381. My name is Jackie Keefe and I am a resident of Lahaina. I am writing in strong support of SB3381 SD1 as I would like to see community engagement around the bill continue. I am hoping this testimony makes it to you, as I'd had my dates wrong and thought testimony was due tomorrow morning.

We have finally been able to begin engaging the community in discussions around this bill, and it was immensely helpful for the HCDA director and his team to offer to come to Lahaina last week to answer community questions. Unfortunately, many of their comments and concerns were only things that the legislative staff can address, and I'm hoping that you are able and willing to make edits based on some of the strong opposition that you have received to this bill.

I know that you've seen some of the misunderstanding in testimony, such as that this is a way to grant the state more power - since many don't quite understand the relationship between the Lahaina Board and HCDA.

There are other concerns, though, that aren't so easily addressed - such as the people who are eligible to run and vote for the Board, since our community would much rather see the entirety of 96761 have the ability to participate. While I understand the AG's concerns, "Lahaina" is considered from Ukumehame to Honokohau Valley, even though the district only represents one of those two moku. There are multiple high-income neighborhoods located within the district as established, over representing them as compared to the working class.

Personally, I'd like to see more language that was reflected in the cultural corridor bill, SB2980. For example, the establishment of community boards and public hearings regarding plans for the district.

Thank you for your time and efforts on this bill, and I hope that you pass it so that we may continue the community conversation and education about Lahaina's ability to shape legislative

bills.
Jackie Keefe

SB-3381-SD-1

Submitted on: 2/26/2024 12:15:40 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Balinbin	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Eric Balinbin

SB-3381-SD-1

Submitted on: 2/26/2024 12:18:04 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tia	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,
Tia Lee Klug-Wessell

SB-3381-SD-1

Submitted on: 2/26/2024 12:21:52 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Winternitz	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

As a Maui resident impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

I am opposed to the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, I am concerned about how the board overseeing this entity would be chosen. It would need to truly represent community interests and there is a real risk it would be unduly influenced by outside groups with their own agendas.

I have concerns about transparency. The current proposal doesn't include enough ways for the Lāhainā residents to have a say in what happens in their community.

Mahalo for this opportunity to testify.

Sincerely,

Elizabeth Winternitz

SB-3381-SD-1

Submitted on: 2/26/2024 12:38:40 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
KEALA FUNG	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Keala Fung

SB-3381-SD-1

Submitted on: 2/26/2024 12:42:42 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
George Chyz	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB3381 because it legalizes a land grab process that provides a way to steal land from the private land owners. This bill is obviously designed to over rule all existing laws regarding land ownership and the rights of land owners. Any senator who votes for this is voting to make the Hawaii government into a criminal government that supports land theft, criminal corruption, and general lawlessness with respect to the existing laws of Hawaii as well as international human rights laws.

Please vote NO on SB3381

Thank you,

George

SB-3381-SD-1

Submitted on: 2/26/2024 12:46:15 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Patton	Individual	Oppose	Written Testimony Only

Comments:

As a member of the Maui community impacted by the August 8, 2023 fire, I am strongly opposed to SB3381 SD1 and am writing to share some of my concerns. There are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. Will the board truly represent our community's interests or will they be influenced by outside groups with their own agendas?

I am also concerned about transparency. The current proposal doesn't include enough ways for the people of Lahaina to have a say in what happens to our community.

In summary, this bill needs some substantial changes to better reflect the needs and concerns of our community. Thank you for listening.

SB-3381-SD-1

Submitted on: 2/26/2024 12:51:09 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Kazuo Flores	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I'm a born and raised Napilihau kanaka in opposition of Bill SB3381, SD1

SB-3381-SD-1

Submitted on: 2/26/2024 12:55:48 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sierra Dew	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As someone who is supporting relief efforts in Lahaina following the August 8th fires, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents the Lahaina community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from from those from the Lahaina community.

In summary, while we agree that coordinated efforts are needed for recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping Lahaina rebuild.

Mahalo for considering our concerns.

Sincerely,

Sierra Dew

SB-3381-SD-1

Submitted on: 2/26/2024 1:09:01 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Hollis Lazo	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

With warmest aloha, Hollis Lazo

SB-3381-SD-1

Submitted on: 2/26/2024 1:15:39 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Marrack	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely, Julia Murrack

SB-3381-SD-1

Submitted on: 2/26/2024 1:55:10 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Micaela Hogger	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Maui community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for the people of Lahaina to have a say in what happens to their community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for taking the time to listen to these concerns.

Sincerely,

Micaela Hogger

SB-3381-SD-1

Submitted on: 2/26/2024 2:05:04 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Hirose	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it is paving the way to serfdom of the people. This bill is preying on people that lost their homes to a very suspicious fire, unexplained by natural causes. The government at local, state and national levels made the Maui fire disaster worse. This bill is enhancing that trend.

This bill is an open door for big money land owners to bribe the board and make the rules to squeeze individuals off their land.

This in my opinion is part of a global scheme by the ruling class billionaires, as represented by organizations such as the World Economic Forum.

In a World Economic Forum 2016 video that said, "You'll own nothing and you'll be happy."

The World Economic Forum also sponsored the Bill and Melinda Gates Foundation "Event 201" that did a Covid pandemic exercise, complete with simulated newscasts in October of 2019. This was before the outbreak in Wuhan in December 2019.

Just like the Maui fires, the US government made Covid worse. The US government and the US government agencies made the US have one of the worst in the world Covid deaths per capita. This is in spite of the fact that the US spends about twice as much as the average of other wealthy countries.

Meanwhile the government actions during Covid squeezed out small businesses transferring market share to the big corporations that the billionaires own part of.

I think this part of a growing cancer of ever increasing corruption in the US government, selling out to big money.

SB-3381-SD-1

Submitted on: 2/26/2024 2:11:19 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I **oppose** this Bill.

SB-3381-SD-1

Submitted on: 2/26/2024 2:17:57 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nikki Kiakona	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Nikki Kiakona

SB-3381-SD-1

Submitted on: 2/26/2024 2:56:10 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Netra Halperin	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381

While the concept of having an elected board, consisting of only Lahaina owners and residents is good, I have concerns about the acquiring of land by eminent domain provision. Many consider this a 'land grab'. Lahaina property owners are at risk from both private and public land grabs.

Many owners would *love* to keep their property, but aren't wealthy enough to ride out the lengthy re-development. I believe that that would be the *most* supportive to 'trauma informed' residents—to make it feasible for them to *keep* their land.

Also, levying assessments on property owners for the improvements is not fair. They didn't cause the fire. They didn't neglect to inform residents, or neglect to provide water for putting it out or keep above ground electrical wires because it is 'too expensive' to bury them. That was all Maui County, Hawaiian Electric and to some extent the State of Hawaii. If the Governor is serious about designating Hawaii as a 'trauma informed state', then the reality of what happened needs to be thoroughly investigated by an *independent* forensic body. Without truth there is no justice. As a psychotherapist I know that the first step to healing is to know and face the truth of what actually happened. There needs to be a **scientific** forensic investigation into what exactly caused the fire, and what accelerated its unhindered growth. The forensic committee needs to not be hired by the government. It needs to be a bias-free, neutral team of forensic fire experts.

This happened TO the owners and residents of Lahaina. They bear *no* responsibility for it. All of the responsibility sits squarely on the shoulders of the government, and that is who should pay for everything.

Having a community elected board is good, but they should be tasked with making the retention of the current land ownership the top priority. Whether the government or a private developer takes your land makes no difference—it is still taken. And forcing people into untenable financial situations is a **taking**. Preventing this should be the top priority of the Board.

Thank you for considering my viewpoint and proposals.

Susan 'Netra' Halperin

(808) 359-1673

SB-3381-SD-1

Submitted on: 2/26/2024 3:03:33 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia McGrath	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Julia McGrath

Lahaina

SB-3381-SD-1

Submitted on: 2/26/2024 3:12:42 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be

coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

SB-3381-SD-1

Submitted on: 2/26/2024 3:14:14 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nani Dapitan-Haake	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Esteemed Committee Members,

I trust this email reaches you in good health. I am a resident of Lahaina and was affected by the wildfire on August 8, 2023. I am writing to express my opposition to SB3381, SD1, and to discuss my reservations about its current provisions impacting our community's restoration efforts.

While I recognize and value the Ways & Means Committee's initiative to highlight our ongoing recovery, I feel there are critical issues to be considered. A significant point of contention is the proposed transfer of control over Lahaina moku lands to a state-managed entity. I fear that this may centralize authority excessively, potentially disenfranchising our community from meaningful participation in land-related decisions.

Moreover, the selection criteria for the governing board raises concern. Our community needs assurance that the board will represent our best interests and not succumb to external influences with separate objectives.

Transparency is another serious concern. The proposal, as it stands, falls short in providing adequate channels for Lahaina residents to engage in the decision-making process. It is imperative that any resolutions concerning our community's future are inclusive of our collective voice.

To conclude, while I agree that a unified approach is essential for our recovery, amendments to SB3381, SD1 are necessary to truly address the needs and voices of the Lahaina community. I am grateful for your dedication to our cause and your willingness to reassess these issues.

Thank you for your consideration.

Nani Dapitan-Haake

Warm regards,

SB-3381-SD-1

Submitted on: 2/26/2024 3:21:44 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
louise drayer	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Louise Drayer

SB-3381-SD-1

Submitted on: 2/26/2024 3:33:22 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lucy Parkin	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am a Hawaii resident and have lived and worked in Lahaina, Maui for 15 years from 1993 to 2008. I am opposed to this bill for the people of Maui, and especially West Maui.

I do not want the land and businesses be dictated by unknown stakeholders. AUWE!

Please do not pass this bill.

Mahalo,

Lucy Parkin

SB-3381-SD-1

Submitted on: 2/26/2024 3:35:31 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a Maui resident, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Shay Chan Hodges

Haiku, Maui

SB-3381-SD-1

Submitted on: 2/26/2024 3:39:58 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela J Carmichael	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- **Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?**
- **Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?**
- **Page 4, line 6 states: The board shall have sole jurisdiction over the district.**

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- **Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?**
- **Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?**
- **Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?**
- **Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?**
- **Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated,"The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.**

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No,

that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- **Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.**
- **Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.**
- **Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!**
- **Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.**
- **Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!**
- **Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!**

- **Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.**
- **Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.**
- **Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.**

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/26/2024 3:43:46 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Suzette Marlowe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Suzette Marlowe

SB-3381-SD-1

Submitted on: 2/26/2024 4:27:15 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
ericka	Individual	Oppose	Written Testimony Only

Comments:

I oppose the land grab from the citizenry of Maui. We own our private lands.

SB-3381-SD-1

Submitted on: 2/26/2024 4:30:32 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ivy Kitamura	Individual	Oppose	Written Testimony Only

Comments:

This bill should not be put into law. Why should a board govern over the West Coast of Maui? How does this benefit the residents of Hawai'i? There are many things in this bill that is vague and does not equate. For instance, the bill states that the Lele community district to facilitate the rebuilding of Lahaina. However, the district map shows most of the area that would be under the authority of the Lele community is out side of Lahaina that was fire damaged. Why are they going outside the burn zone? This is only one aspect of this bill that doesn't make sense. Again, this bill needs to be stopped!

SB-3381-SD-1

Submitted on: 2/26/2024 4:33:36 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
sherri curry	Individual	Support	Written Testimony Only

Comments:

Please, establish a community district and board for helping housing needs in W. Maui.

SB-3381-SD-1

Submitted on: 2/26/2024 5:03:28 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven Forman	Individual	Oppose	Written Testimony Only

Comments:

Please do not support this bill. No 9 member committee from another island should be in charge of land that is not on the island they live on and by no means should anyone be in charge of taking away someone elses land! This bill leave too much room for foul play.

SB-3381-SD-1

Submitted on: 2/26/2024 5:08:05 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

SB-3381-SD-1

Submitted on: 2/26/2024 5:21:23 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Mariko Higashi	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Mariko Higashi

SB-3381-SD-1

Submitted on: 2/26/2024 5:48:09 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica dos Santos	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

As a concerned citizen, I stand in strong opposition to SB3381 SD1. The Lahaina community finds itself at a critical juncture in their recovery from the devastating August 8, 2023 fire. The efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved is commendable. However, community members are calling for greater cohesion and collaboration among these entities to address the challenges we face.

While many recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to their community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, there must be an integration of favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. Your attention to these concerns and your commitment to the well-being of our community is appreciated.

Mahalo for your consideration.

Sincerely,

Jessica dos Santos

SB-3381-SD-1

Submitted on: 2/26/2024 6:16:52 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Hanus	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381 because it will deprive Native Hawaiians of they're lawful property rights.

The Bible says "You Shall Not Steal, Not only is it a Crime but a Sin"

Have a nice day...

SB-3381-SD-1

Submitted on: 2/26/2024 6:21:10 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Jelley	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Maui community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Sara Jelley

SB-3381-SD-1

Submitted on: 2/26/2024 6:23:55 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice Herrick	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Janice Herrick

SB-3381-SD-1

Submitted on: 2/26/2024 6:56:08 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Moll	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government over the people. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. They'll be able to create rules on health and safety! This is beyond the scope of rebuilding Lahaina. You're overstepping the Constitution completely! It is disgusting.

SB-3381-SD-1

Submitted on: 2/26/2024 7:33:20 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Annie Franzenburg	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki and Honorable Members of the Committee;

Thank you for taking the time to hear from the West Maui Community as we move forward. I have been living here for 25 years and we appreciate all of your efforts to rebuild, however I strongly recommend us to oppose this measure because it is too soon to rush into a plan that will not be valid for perpetuity.

Each weekeday, I spend my time working at Hawaii Technology Academy in Kapalua, a recently opened school. In the past, I have worked at other schools in West Maui with all ages, I feel these keiki need to have a voice. They represent the diversity of the fabric which makes the Lahaina Community. The SB3381 is too limited to include future generations, and this project will take many years. We also need a broader representation of the people that built this town, not just those who can pay for it.

Thank you for opposing this bill and planning out a more sustainable future that will rescue Maui from this crisis. We need todo more research and consult with professionals in the field, but the final decision must be made by those who live here and are familiar with the immediate needs of the residents.

Sincerely,

Annie Franzenburg

SB-3381-SD-1

Submitted on: 2/26/2024 7:39:36 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Debra M Javar	Individual	Support	Written Testimony Only

Comments:

PLEASE SUPPORT SB3381. I FULLY support this bill.

Mahalo for your time and support.

SB-3381-SD-1

Submitted on: 2/26/2024 7:43:05 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Meghan Ganser	Individual	Oppose	Written Testimony Only

Comments:

I do not consent to this Bill being passed at any time for any reason. This is an express infringement on our right to property and the peaceful enjoyment of our private property; additionally the value of Bonds issued by the United States Corporation are worth almost nothing and do not constitute a payment of fair value for those men and women you seek to displace. I do not consent to the passing SB3381.

SB-3381-SD-1

Submitted on: 2/26/2024 7:47:14 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nalani	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,
Nalani Abellanida

SB-3381-SD-1

Submitted on: 2/26/2024 8:25:21 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lindsay Ranieri	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Lindsay Ranieri

SB-3381-SD-1

Submitted on: 2/26/2024 8:36:26 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
brandi corpuz	Individual	Oppose	Written Testimony Only

Comments:

Aloha my name is Brandi Corpuz and I am a resident of Kula Kai, Maui. I strongly oppose SB3381 for many reasons.

First, this bill will give too much authority to a commission that could be appointed by the governor and although it now includes registered voters before the August 8th fires, it does not represent all of the community from West Maui. It could include community members who have a conflict of interest, such as developers and investors.

Second, this bill will form an additional government that will decide the entire West side's future rather than just for the burn zone area. Why would we form another government agency? We should have a committee or commission but not one that would have ultimate power forever.

Third, this commission will have the power to take people's land with no clear explanation or boundaries. The fear of all those who lost their homes and businesses has always been the "government" land grab! By allowing anyone to have the complete power to take peoples properties, it shows us all that a "smart city" is in the works. No one should have the ultimate authority to steal peoples properties. There is no clear reason for this for community purposes or any reason. Hawaiian land has been stolen time and time again. Do you want to be part of that history? Stealing land from our people?

Fourth, this commission will have more authority over the West side of Maui meaning that basically they will be separate from the rest of us. This is unacceptable and should not happen because it sets up a "have and have nots" type of community. A simple fact is that Short term rental properties, million dollar properties and high end hotels and condos already own most of the West side so they will have great influence over this commission. If that is allowed to happen then our local community will basically be completely kicked out and our Lahaina will be gone forever.

This group would be governed by another Corporate agency that already has too much power. It reminds me of the problems we see with other Corporate agencies such as the ADC. The fact that ADC was able to recently change their mission to agrotourism, when it was created to help support ag and food sustainability is very concerning to me. They also have too much power and are subject to and influenced by other big corporations.

The ADC is a good example of how the focus and mission of an organization or commission with so much power can begin to cause more problems for us than to do good. Right now the ADC is pushing to build a \$35million dollar bridge that is being built for tourists!!! How does that money help our communities? I am afraid that this commission will end up doing the same. As the government officials change so will the focus of this commission.

I would like for SB3381 to be stopped now because it is dangerous and unnecessary for the recovery of Lahaina unless you are trying to build that "smart city" that has been talked about since August 8th. This bill is a slap in the face for all of our community members who are trying to rebuild their lives. Its a diversion that hurts us more than helps. If any money is put in the budget right now, that money should not go to another commission or paychecks for people. It should go to rebuild Lahaina for our community. That 100 million that this commission is supposed to get, should go towards infrastructure, utilities and a water station put right above the burn zone. Rebuild for our community, not for the rich and famous, tourist or government oversight and plans.

Thank you for your time and consideration,

Brandi Corpuz

SB-3381-SD-1

Submitted on: 2/26/2024 8:43:57 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lonopele Cabanilla	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas. With that being said, we should include the input from Napili to Puamana instead of the board members only being from Puamana to Ka'anapali. I feel that it should extend to Napili because they are a part of the Lahaina (west maui) community.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us. I feel that the West Maui community should be in control of who the 9 appointed board members are by having an open public election for the members. I also believe that whoever is a part of the board, should always include the community of west maui when making decisions by having public meetings for the community to discuss issues and/or resolutions. The board should not be able to make a final decision without a majority community agreement.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Lonopele Cathcart-Cabanilla

SB-3381-SD-1

Submitted on: 2/26/2024 8:45:34 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lana Bilbo	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. As a lifelong member of the Hawaii community, I understand that the Lahaina community finds itself at a critical juncture in their recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Lana Bilbo

SB-3381-SD-1

Submitted on: 2/26/2024 8:47:54 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Ho	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

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Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Richard Ho

SB-3381-SD-1

Submitted on: 2/26/2024 8:48:36 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Janal Pagdilao-Bala	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas. With that being said, we should include the input from Napili to Puamana instead of the board members only being from Puamana to Ka'anapali. I feel that it should extend to Napili because they are a part of the Lahaina (west maui) community.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us. I feel that the West Maui community should be in control of who the 9 appointed board members are by having an open public election for the members. I also believe that whoever is a part of the board, should always include the community of west maui when making decisions by having public meetings for the community to discuss issues and/or resolutions. The board should not be able to make a final decision without a majority community agreement.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Janal Pagdilao-Bala

SB-3381-SD-1

Submitted on: 2/26/2024 8:51:35 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita Wong	Individual	Oppose	Written Testimony Only

Comments:

I absolutely OPPOSE SB3381

SB-3381-SD-1

Submitted on: 2/26/2024 9:11:30 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nathan Abril	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for recovery efforts.

I believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Maui moku to a state entity. This could concentrate too much power in one place, potentially leaving the Lahaina community without a voice in decisions about their own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. I want to make sure it truly represents Lahaina community's interests and isn't influenced too much by outside groups with their own agendas.

I am also concerned about transparency. The current proposal doesn't include enough ways for the people of Lahaina to have a say in what happens to our community. I believe that any decisions about Lahaina's future should be made with input from Lahaina.

In summary, while I agree that coordinated efforts are needed for their recovery, I believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of their community. I appreciate your attention to this matter.

Sincerely,

Nathan Abril

SB-3381-SD-1

Submitted on: 2/26/2024 9:14:24 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ravi Bugga	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration

Yours sincerely,

Ravi Bugga

Lahaina

SB-3381-SD-1

Submitted on: 2/26/2024 9:20:16 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Angelique Pokipala-Kahula	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

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Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Angelique Pokipala-Kahula

SB-3381-SD-1

Submitted on: 2/26/2024 10:23:41 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Roy Genatt D.C.	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution! This is my exact opinion which i quoted from Michele who said it better than I could.

SB-3381-SD-1

Submitted on: 2/26/2024 10:37:14 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Dina Edmisson	Individual	Oppose	Written Testimony Only

Comments:

Testimony re: Bill 3381.

Everyone is up in arms with concerns about eminent domain, a potential land swap and ultimately this bill being a land grab and now I agree. I attended a meeting held on Friday, Feb. 23rd at Napili Noho with the representatives from HCDA. They came to answer questions about the bill 3381. Someone in the meeting asked about land swap, they mentioned a real concern being that, if an individual agrees to a land swap then would they come to find out that their only choice is to swap out for land in Kihei? Because that would be unacceptable and not a welcome solution. So the answer came back "no it would be like what was offered to people who swapped so the Lahaina bypass could be built". Oh ok that was an acceptable answer. Those folks were offered land up Lahainaluna. They stayed relatively close to their old neighborhood, similar commutes, neighborhood, views, etc. The trade off was monetary, as it should be, but also to make life easier and progress to support the whole of the community. Ok so we accepted that as a community.

So then I said if this bill were only to use eminent domain for infrastructure use i.e. widen roads, utilities, water, waste, etc. then I would imagine most of our community could get behind that and support it.

Then I asked "if someone were to agree to a land swap, can you guarantee that the swapped land would be used for infrastructure only and that potentially a 6 story condo complex **won't** be built in that lot?" The answer was no, we cannot guarantee that. This was received with much grumbling from the group.

So clearly that is the concern right? That's what the land grab comes down to. Moving individual home owners out so developers can move in. Oh and yes, I'm sure some infrastructure as well.

So then...

The only way you will be able to convince us this isn't a land grab with outside influence and interest, is if you let the current property owners retain the ability to create generational wealth for their family.

So let's say someone agrees to a land swap. Then, as part of this bill, let them create a lease hold on the swapped lot so they can be the lease holder. And also give them the mineral rights. Develop if you must, but the current owner maintains the investment and leases it to a developer. Or, have the bill strictly cover roads, utilities and infrastructure, no commercial or residential real estate swap.

If you do any of this, it will kill the bill. You will not get outside investors because that is exactly what they're seeking. They want the ability to create generational wealth for their corporations. It's all for profit. And that's understood; that's what corporations do. But let us all not forget what government is supposed to do, and that is protect the people from corporations. This bill does not do that. **There is no protection written in it that explicitly outlines protection of any individual land owner or the community. There must be!**

There is no sunset for this bill. There must be!

How did Waikiki become Waikiki? It was a town first, was it not? Now it's a high rise metropolis. I guarantee you that was not the vision of the original home and store owners and the community. Government and business interests took away those land owners ability to create generational wealth for their families.

Appropriation once again.

HCDA said 'oh with regard to the money match, no one will expect favors for having matched that money.' That is ludicrous! HCDA said "because the money match can come from anywhere. It can come from local charities if they wanted to." If our local non-profits i.e. Hawaii Community Foundation, or Lahaina Strong, or Lahaina Community Land Trust, etc. put up the money for the match, I would donate as well. And I would whole heartedly expect our aligned interests to be represented; which is for our town to be rebuilt as close to exactly as it was as possible with only minimal necessary infrastructure changes.

If the money match comes from a mainland or local developer do you think they will put the money up because they want to see some safe roads built out of the kindness of their heart? Absolutely not. They intend their vision and interests to be represented with their donation; ultimately resulting in a return.

So I asked HCDA if "we can vote on the committee of 9 and if so, can we vote on who to accept the money match from." My question was ignored. **Lahaina towns people must be able to vote on the committee of 9 people. Our vision must be represented.**

A land grab takes away the ability for an individual land owner to create generational wealth for their family. This has been done to Hawaiians over and over throughout history. We will not let it happen again! Give the people the mineral rights! Make them the lease holders! They have the power. You may not take it away. **Protect the towns people!** It's your job! I say this with the utmost respect for you and your office, please do not forget who you work for.

I will pray for your heart and mind to be guided to make the highest and most beneficial, pono decisions for the greater good of the people of Lahiana and all of West Maui.

The people you serve.

Mahalo nui,

Dina

SB-3381-SD-1

Submitted on: 2/26/2024 10:49:55 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Zeldine Martinez	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.As a Lahaina fire survivor,we don't need the state to step in cause I know they will just take our land.I don't think the state have any right to take anyone's land.It their land that they work hard for.I strongly oppose this bill

SB-3381-SD-1

Submitted on: 2/26/2024 11:18:22 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Janell Beattie	Individual	Oppose	Written Testimony Only

Comments:

Oppose SB3381

It is government overreach and unconstitutional.

Aloha Chair De Coite, Chair Inouye, Vice Chair Wakai, Vice Chair Elefante and the honorable members of the committees:

I am submitting my testimony in opposition of SB 3381.

- Page 2, line 1 says: *the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina.* The district is identified as the Lahaina moku, consisting of 29 ahupua'a and covering much more than the burn zones of Lahaina. I have strong concerns that an independent governing board will have authority over the entire West Maui coast.
- Page 6, line 8 states: *The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing.* Homeowners, business owners, and residents of Lahaina must be included in the decision-making.
- Page 6, line 13 states: *The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes.* This demonstrates additional planning expenses and takes funds away from the priority of rebuilding homes and businesses.
- Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. I have concerns that an independent board has the power to condemn real estate, similar to the state and federal authorities.
- Page 10, line 13 states: *The board may contract for and accept gifts or grants in any form from any public agency or from any other source.* The acceptance of gifts from corporations and contractors could be a conflict of interest with concerns of bribery.
- Page 11, line 9 states: *Assessment for operating costs. (a) The board shall have the power to assess all land users, except the federal government, for their fair share of the costs required to administer and operate the district, which may include costs associated with staffing. Assessments shall be based on each landowner's proportionate share of the total acreage of the district.* This is an additional financial burden to the residents, homeowners and business owners who lost their properties. Again, why would residents who are rebuilding their homes in the burn zones be financially responsible for operational costs for the larger district area proposed?

Thank you,
Teresa Ahsing

SB-3381-SD-1

Submitted on: 2/26/2024 11:58:05 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Klahr	Individual	Oppose	Written Testimony Only

Comments:

1. SB 3381 hereto referred to as 'This Bill' seeks to set up a privatized Non Governmental Organization and according to: Mayberry versus Madison was inconsistent with Article III, Section 2, The State can not 'set up' a separate entity to govern.
2. Any and all Laws that are not pursuant to Hawai'i state and American constitutional law are not only repugnat to These contitutions, but are not to be followed (see [Supremacy Clause](#))
3. Why is this district going outside the governance of the County?
4. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims?
5. Why is there a mis-use and mis-interperatation of the 'emminant domain' ?6. Emergency Proclamations, Edicts, [Mandates](#) or any other directives from the Hawai'i State and/or federal governance is applicable to and pertains only to government officials and its contractors and is not Law, Statute Law nor is it applicable to [Inhabitants](#) or Residents on the land and soil of Maui and or any other Hawaii [County](#), [Town](#), Village or [District](#).
7. Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents.Until you provide a clear understanding and exhaustive research involving the Land owners of Lahaina and 'Proposed' surrounding areas we will not submit and vigorously defend the rights provided by God Almighty and the lord Jesus Christ to the People of Lahaina, Maui and 'Hawaii Nei'...

Sincerely

jason-klahr

February 27, 2024

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair
Members of the Senate Committee on Ways and Means

Aloha,

SB3381, SD1 proposes to establish the Lele Community District and Board to facilitate rebuilding in Lahaina. Establishes the Lele Community Special Fund. Declares that the general fund expenditure ceiling is exceeded. Makes appropriations.

In acting on this legislation, please consider the following comments:

1. While I appreciate that the State wishes to help the Maui County to recover, has the Maui County asked for this kind of legislation? If so, do they support the provisions of this legislation? Some of the provisions of the proposed legislation duplicates their work.
2. Regarding section 206E, Board powers, placing the powers of section 206E(4), (5), and (6) in the hands of just nine members may not be in the best interest of Lahaina residents, especially those residents who have resided for generations in Lahaina. The Lahaina community has made it clear that they don't want an HCDA in their community; they are not interested in developing Lahaina like the overdevelopment of Kaka'ako.
3. Regarding the interim appointment of members to the Lele Community District and Board, consideration should be given to accommodating the Lahaina Advisory Team appointed by Mayor Bissen to allow for continuity of their work and because they are all long time residents of Lahaina or who were directly impacted by the Maui fires. To do otherwise is to undermine the work that they have already done and continue to do.
4. Regarding the election of board members in 2026, strongly advocate for public funding for candidates to help to level the playing field against special interests. Lahaina residents likely will not have sufficient funds to run a solid campaign since their funds will still be tied up in daily living costs to rebuild their livelihood.

Bottomline: While it may be necessary to have the kind of organization proposed by this legislation to enable quick recovery for Lahaina, the State should not override the work or interest of the people of Maui. Centralization of power, without any limitation, could be controlled by special interests and is not fair to the community, especially as it relates to decisions on land use, acquisition, or condemnation. Thoughtful, caring legislation that gives balance to economic recovery, cultural integrity of Lahaina's residents, and protection of natural resources and sacred sites are necessary to support the Maui County and the residents of Lahaina.

Respectfully,

Leimomi Khan
(in support of family and friends who reside in Lahaina)

SB-3381-SD-1

Submitted on: 2/27/2024 4:22:47 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
betty fong	Individual	Oppose	Written Testimony Only

Comments:

oppose on the principle of the constitution of the United States that the owner are being targeted unfairly and with malice

SB-3381-SD-1

Submitted on: 2/27/2024 6:38:06 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lori Carter	Individual	Oppose	Written Testimony Only

Comments:

The destruction of Lahaina is the most traumatic experience most of us on Maui will ever endure. Limiting the decision making for the historic and culturally diverse Lahaina to a committee of 9 would limit the cultural representation and understanding of those diverse needs and would further disenfranchise those who were directly impacted by the August 8th fires.

The complete bungling of this tragedy, the withholding of information both about what happened that day and the number of dead, and this attempt to concentrate power serve to punctuate this entire situation as a land grab by moneyed interests.

Don't make a bad situation worse by concentrating the decision making for all of Lahaina in the hands of a few people.

SB-3381-SD-1

Submitted on: 2/27/2024 6:57:11 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Cody Roberts	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face. **We need to create a sustainable future for our island communities. One that considers not only the health and well-being of our people, but also the health of our environment and our natural resources.**

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,

Cody Roberts

SB-3381-SD-1

Submitted on: 2/27/2024 7:03:41 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Marlies Lee	Individual	Oppose	Written Testimony Only

Comments:

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/27/2024 7:14:09 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Cory Nojima	Individual	Oppose	Written Testimony Only

Comments:

I am in **opposition of Bill SB3381**, the community of Lahaina needs to have a say in the rebuilding. My 87 year old mother lost her home and car in this fire and she deserves to have a say in the future!

Mahalo,

Cory Nojima

SB-3381-SD-1

Submitted on: 2/27/2024 7:48:41 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Balgooyen	Individual	Oppose	Written Testimony Only

Comments:

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely, Jeffrey Balgooyen

SB-3381-SD-1

Submitted on: 2/27/2024 7:52:10 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Salazar Hyman	Testifying for Tagnawa	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a citizen who stands with the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for the people of Lahaina to have a say in what happens to their community. We believe that any decisions about their future should be made with input from them.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of the community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Michelle Salazar Hyman

SB-3381-SD-1

Submitted on: 2/27/2024 8:00:37 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Mahealani Medeiros-Criste	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Mahealani Medeiros Criste

SB-3381-SD-1

Submitted on: 2/27/2024 8:21:07 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

me ke aloha 'āina,

Nanea Lo, Mō'ili'ili, O'ahu

SB-3381-SD-1

Submitted on: 2/27/2024 8:29:28 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
rose elovitz	Individual	Oppose	Written Testimony Only

Comments:

I stand in opposition of SB3381.

SB-3381-SD-1

Submitted on: 2/27/2024 8:40:43 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Kuumomimakamae Nahooikaika	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, **I stand in opposition of SB3381 SD1** and I am writting to share some concerns about SB3381, SD1 and it's implications for our recovery efforts.

While we apperciate the efforts of the Ways and Means committee to shed light on our recovery process, we believe there are some important concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much powerw in one place, potentially leaving our community without a voice in decision about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Ku'umomimakamae Naho'oikaika

SB-3381-SD-1

Submitted on: 2/27/2024 8:44:30 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Josephine Keliipio	Individual	Oppose	Written Testimony Only

Comments:

Dear Members,

STOP SB3381

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be

coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

- Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?
- Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?
- Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?
- Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated, "The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.
- Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.
- Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!
- Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.
- Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!
- Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!
- Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal

assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.

- Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.
- Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

Mahalo,

Josephine Keliipio

Kailua Kona, Hawaii

SB-3381-SD-1

Submitted on: 2/27/2024 8:44:39 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Debbie Wyand	Individual	Oppose	Written Testimony Only

Comments:

I am absolutely opposed to SB3381. We need less government regulation NOT more. There are already processes in place for rebuilding Lahaina. Another board funded by taxpayers is NOT NECESSARY! Angus McElvey must be ashamed of himself for introducing this bill to the detriment of all of Lahaina. Vote no!

SB-3381-SD-1

Submitted on: 2/27/2024 8:54:32 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah Sevy	Individual	Oppose	Written Testimony Only

Comments:

The language on this Bill gives away power to, who it is not clear, to make decisions about what happens on the west side of Maui. Although much of what the Bill sounds like it will attempt to do is positive it is unclear what will actually happen and likely could be very negative for the residents of Maui. The Bill needs to spell out who exactly will have the power to make decisions and should not give the county or anyone the power to condemn land in the interest of ??? probably not the local residents.

SB-3381-SD-1

Submitted on: 2/27/2024 8:56:20 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Testifying for Green Party of Hawai'i	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

On behalf of the Green Party of Hawai'i, we stand in strong opposition to SB3381 SD1. We stand with the community of Lahaina to determine their own path forward. Please honor and respect this community.

In Solidarity with Lahaina,

Please oppose SB3381 SD1

Susan RobertsEmery

Co chair GPH

SB-3381-SD-1

Submitted on: 2/27/2024 8:58:06 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Annette Niles	Individual	Oppose	Written Testimony Only

Comments:

The people of Maui and especially Lahaina are already hurting and you just come up with this bills what is wrong with you people we elect our people from Maui to do a job for us and that's how it should be along with our communitys in making decisions and not only a few and having people jump inside for their benefits. Kiss our Local people and Maui goodbye

SB-3381-SD-1

Submitted on: 2/27/2024 9:24:52 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Dean Sterling	Individual	Oppose	Written Testimony Only

Comments:

hi Donna Sterling do not support Senate bill 3381. I feel this is a government takeover controlled, and our Hawaiian culture will be not acknowledged. Government has no right to take our land away and make decisions by nine member panel, how we live where we live between the pili Kapali Talaya we are not the governments puppets anymore. This bill do not move it forward there is build from among the communities, not the government. Thank you

SB-3381-SD-1

Submitted on: 2/27/2024 9:40:50 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Maureen Yuen	Individual	Oppose	Written Testimony Only

Comments:

As an American of Hawaiian ancestry and resident of Hawaii, I am vehemently opposed to SB3381 SD! and any forms of SB3381 that would essentially allow the government to land grab western Maui from native Hawaiians and other existing landowners prior to the inexplicable "Lahaina Fire" last year. This Bill seeks to place the lands of Maui into big corporate entity hands with such vague language as is written to be interpreted by whom? We the People will not STAND for such violation of our Sovereign rights! AUWE to you legislators! We SEE what you are up to!!

Maureen Yuen

410 Kihapai Street

Kailua, HI 96734

SB-3381-SD-1

Submitted on: 2/27/2024 10:00:29 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Stacey Sills	Individual	Oppose	Written Testimony Only

Comments:

Mahalo for reading and considering my testimony before approving this Bill. I am IN OPPOSITION to this Bill.

1) The Bill states that there are 29 Ahupua'a which are to make this Eminent Domain. Potentially taking away the landowners rights and land and not give them cash value but Bonds.

2) Business will be offered Loans and those loans will most likely have interest charges and will have to be paid back with interest.

3) We the Maui People, should be able to testify in person on this bill and at the least testify via videoconference.

4) There should be more than 48hour notices for something so important to the People of Lahaina. It seems like this Bill is being shoved through without clarity and causing major concerns for the People of Maui.

5) Why is Eminent Domain over such a large land area, and more importantly areas not affected by the fires. This is what makes people think it's a land grab 20 or more times the zone of the fire damage.

Please oppose this Bill until there is more clarity on it and that it is in the highest interest of the People and not the stakeholders.

Mahalo,

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 10:11:11 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
patricia westbrook	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I'm sure you have received detailed testimony as to

why this bill most definitely needs to not pass for the well-being of the island of Maui. I have read it thoroughly and

urgently urge you to take actions in support of the people not the profiteers. Wishing you the courage to stand up for the people you are entrusted to serve. Thank you with all my heart.

Patricia Westbrook

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 11:24:17 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Litea Maiava	Individual	Oppose	Written Testimony Only

Comments:

I stand in strong opposition to the proposed SB 3381. It is perplexing as to why so many well-to-do, progressive-thinking, intelligent people of Lahaina and Maui County at large, including but not limited to elected officials, are backing this plan. It should come as no surprise that Hawaii is not only known as the Aloha state but a profoundly corrupt state with not one board, elected or otherwise that has not been compromised in one form or another. From HCDA to Bishop Estate, how have boards, historically in Hawaii, furthered the agenda of its constituents without falling victim to greed, collusion, and illegal mishandling of funds? To give one entity control over an entire district within the United States that contains 29 ahupua'a, much of which was not directly affected by the August 8th fires, is unprecedented, if not blatantly unconstitutional.

To suggest that landowners/land users would be subject to fees and assessments outside the purview of Maui County and the state of Hawaii is unlawful. With the power of eminent domain, let's evaluate an undeniable, ongoing, recent example. The catastrophic rail and the real property the state condemned to attain this "smart" transport that nobody rides yet everyone pays for is a gross misuse of poorly crafted legislation and execution that has produced billions of dollars in debt rather than an efficient alternative transportation mode. The infrastructure put in place cannot be undone, and Oahu is forever transformed yet again. The private lands taken for public use under the guise of eminent domain are fraudulent. Who was on that board?

Furthermore, why is there no end date for the board after the rebuild is complete? Is the board intended to facilitate the rebuild or rule Lahaina like an HOA indefinitely?

Lastly, a healthy market is free, diverse, and competitive. A thriving arena in which the small and big fish can play. This, of course, is not the capitalism that exists at present; ours is one of oligarchs and monopolies, Oprah and Bezos. Be that as it may, it should be the aim of this rebuild. Giving a 9-member board public control over an entire district is not free, diverse, or competitive—instead, it is a slippery slope toward tyranny and many forthcoming lawsuits for the county and state.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 11:58:16 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Penny Guth Tuipulotu	Individual	Oppose	Written Testimony Only

Comments:

As a resident of Lahaina, a real property owner, and someone who lost a home, place of work, and sense of self on August 8th, I find this proposition short-sighted, coercive, and manipulative in both language and agenda. I understand that Lahaina must rebuild, but why must an additional overlord manage how, what, when, and where? Is that not the duty of the county and state? Everything is underway; some people can move back, some never had to leave, and cleanup has commenced. After this, certain environmental assessments will be necessary to determine the timeframe in which the building can begin. When that time arrives, why would I want my plans approved by this quasi-government entity, elected or not? The municipality should be handled by state and county officials, not a newly inducted board with access to a special fund with little to no oversight.

Whatever SB3381 is intended to be, it feels deliberate, strategic, and swiftly moving with minimal public notice. The creation of boards and further bureaucratic black holes will only divert funds and resources to hands ill-equipped to tend to the needs of the diverse population affected by the Lahaina fires of August 8th, 2023.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 12:30:09 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ann Benavente	Individual	Oppose	Written Testimony Only

Comments:

SB3381 - Is Hawaii /US still under Emergency Authorization? Is this why you are attempting to steal the land from the people of the land?

This bill is unconstitutional and against Hawaii Constitution law. No to SB3381

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 12:40:19 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Vander Waerd	Individual	Oppose	Written Testimony Only

Comments:

We see everything you demons have done. You will all be held accountable for your actions and monstrous behavior toward the people of Hawaii. Justice will be swift and your actions will not stand. 🙏❤️💪

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 12:52:28 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Bergman	Individual	Oppose	Written Testimony Only

Comments:

The Bill of Rights was ratified in 1791, it became part of the law of the land. Clearly the Hawaiian Government does not obey this.

America's Founders understood clearly that private property is the foundation not only of prosperity but of freedom itself. Thus, through the common law, state law, and the Constitution, they protected property rights-the rights of people to acquire, use, and dispose of property freely.

Congress shall make no law respecting an establishment of religion, prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

This bill is clearly an egregious over reach of government. Passing this Bill is stating to all Americans, humans, you do not count.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 1:16:57 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Don Steiner	Individual	Oppose	Written Testimony Only

Comments:

As a dictatorial act by the Hawaiian Government, this bill doesn't not represent the best interest of the residents of Maui and becomes a precedent to similiar actions in the rest of the Hawaiian counties. The only proper action for the legislative entities that are promoting this bill is impeachment from office.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 1:27:56 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Roberts	Individual	Oppose	Written Testimony Only

Comments:

This bill is an overreach Please establish a fund for the folks of Lahaina, but do not make everyone subject to the control of one committee. I worry about the laws they will be able to create for these folks. Please make sure that they still will be able to have a final say in what happens to this area, their land, their island.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 1:35:26 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
ROBERT DUERR	Individual	Oppose	Written Testimony Only

Comments:

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 1:35:53 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Francesca Woolger	Individual	Oppose	Written Testimony Only

Comments:

I oppose this measure. It seems to me that Maui Government is taking advantage of the recent disaster to take control of a vast area not even included in the recent fires.

Let the people rebuild their own communitites. Just give them the funding and stop trying to control everything. This centralized control is anti Hawaiian!

SB-3381-SD-1

Submitted on: 2/27/2024 1:37:53 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
kaatee bailey	Individual	Oppose	Written Testimony Only

Comments:

To: Hawaii State Legislator From: Pastor Kaatee L. Bailey Date: 2-28-2024 Testimony in Opposition to HSB3381

As a Constituent, Pastor, and Christian leader in Maui County, I am writing this letter on behalf of the rights and freedoms of the People of Hawaii. I strongly oppose Senate Bill HSB103 which allows our Governor executive powers to make sole decisions and emergency proclamations that can affect the public's health and personal properties which can result in long-lasting and detrimental effects

According to Section 325-32 and 325-38 of this legislation, it will allow our Governor the right to quarantine or force anyone to take a compulsory immunization if the persons health is a threat to the public.

Furthermore, the bill will permit our Governor the right to designate public nuisance acts and practices which can affect personal or public property, including the isolation or closure of properties that are considered contaminated or dangerous to the public health. It also permits any police officer or authorized person for the cleaning and repair of property at the expense of the owner and authorize without permission of the owners or occupants, entry on private premises for any such purposes.

I am vehemently opposed to the current legislation HSB3381. The people of Hawaii should not be forced to surrender to immunizations, quarantines and property control under no circumstances. Our health and personal property decisions are an animable God given right.to the individual. This Bill is clearly not in the best interest of the people, but is a short-sighted attempt to control their health and their land. I trust that our Governor will protect the God given freedoms of the people to make their own choices to what rightfully belongs to them. Thank you for this opportunity to testify.

Sincerely,

Pastor Kaatee L. Bailey

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 1:46:13 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheila O'Malley	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money and gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution! Do it the right way and stop this absurdity!

SB-3381-SD-1

Submitted on: 2/27/2024 1:55:22 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Paula Blum	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381

SB-3381-SD-1

Submitted on: 2/27/2024 1:58:44 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Phelan	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be

coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

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Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.
- Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.
- Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!
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- Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!
- Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!
- Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal

assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.

- Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.
- Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.
- Page 19, line 3: There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment of nine full-time equivalent (9.0 FTE) positions within the Hawaii community development authority. Why are they assessing fees for land users if they’re getting millions from other sources?
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Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 2:08:04 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Mabelle Bastien	Individual	Oppose	Written Testimony Only

Comments:

Stop this bill as it is a disguised land grab and governmental power grab.

OPPOSE!!

SB-3381-SD-1

Submitted on: 2/27/2024 2:15:04 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
emily gambino	Individual	Oppose	Written Testimony Only

Comments:

My concern is that this bill is an overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is overstepping the Constitution.

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be

coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

- Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?
- Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?
- Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?
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Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.
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- Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.
- Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!
- Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!
- Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal

assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.

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- Line 10: SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$6,000,000.
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Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

SB-3381-SD-1

Submitted on: 2/27/2024 2:15:45 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Kerr	Individual	Oppose	Written Testimony Only

Comments:

Dear members of the Ways and Means Committee,

I respectfully submit this testimony in **STRONG OPPOSITION to SB3381, SD1**. The victims of the Lahaina Fire have been treated with the upmost disrespect and this proposal is an absolute overreach of government.

This proposed Board will control not only Lahaina proper, but the entire West Coast of Maui. Why is it not confined to just the burn area, outside the governance of the County. How much say will the actual residents of Lahaina have on this board? Any, I doubt it.

Page 6 of the bill mentions that "the design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes." **This sounds an awful lot like the top-down control model of the "15-minute city" rather than rebuilding Historic Lahaina.** This is NOT what the residents of Lahaina, nor most of Maui residents want.

The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why aren't the people able to decided what the neighborhoods will include?

The supposed climate mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

The Bill also states on page 9, "The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part". Again, **the government CANNOT acquire property without due process.**

Page 11 states "The board shall have the power to assess all land users, except the federal government, for their fair share of the costs". Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!

I am embarrassed and ashamed for the way the State and many in Maui County government have handled the Lahaina fire victims and feel strongly that rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill

SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 2:58:33 PM
Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Diana Frank	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

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Act. This “special funds” seems to have a deep pocket. Where exactly is the special funds coming from?

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 3:05:13 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Maxwell	Individual	Oppose	Written Testimony Only

Comments:

In SB 3381, the naming of a new "authority," and the method of choosing nine members for it, are too "technical." I have seen Re-development Authorities established in other cities, and they always cater to the Big Guys. And their architectural creations may be odd. (Though I have also seen excellent ones.)

Here are my humble suggestions

Point One -- the Mix of Resident Homeowners and the Condo Business

The HI Legislature can't just vote on that bill with everyone ignoring a *main* issue. SB 3381 does not breathe a word about the problematic fact that there are four types of "residents." All of these persons have rights to the devastated area, and not all are in harmony -- native Hawaiians, long-term nonnative Hawaiians, owners who dwell there part-time, and absentee homeowners, such as persons (from anywhere) who bought one or more condos as these are rentable to tourists.

For that matter we could almost identify a fifth group, the extraordinarily wealthy, including celebrities. I keep hearing that Maui people are suspicious of the intentions of such people buying up huge parcels of land -- it is a rather unusual thing to do.

I recommend that the concerns of all 5 groups be aired. Sure, that may be poking a beetle's nest, but to remain silent about the conflict has a depressing effect on everyone.

As for the huge-acreage owners, they can be cordially invited to a communal meeting to share some ideas. If they don't share them, others will imagine the worst.

The point of such a meeting (counseled by a disinterested party who understands emotions, such as Fran Shur or Marianne Williamson?), would be to make known that it's urgent for everyone to listen to all sides. A bid for solidarity ("All Hawaii stands together"?) can help folks accept that compromises are now inevitable.

Point Two -- Eminent Domain and SCOTUS

Folks were shocked by SCOTUS's decision in the 2005 case of *Kelo v New London*. The Justices ruled, 5-4 ruled to let 'Eminent Domain' support a 'taking' of a private home by a developer, on the grounds that the new constructions would yield more tax dollars. I am sure that the Fifth Amendment, saying that the gov't can "take land for public use," did not mean that. Happily, within 6 weeks of the ruling, several state legislatures corrected it for their state!

It shouldn't be assumed, even in the rare situation that Maui is in, that the law of Eminent Domain means that 2200 households have given up the right to their castle. Granted the state has to do something. But the plan does not have to be so drastic as home-ownership-cancellation. Please kill SB 3381 on that basis alone.

Point Three -- the EPA's Requirement That Blame Be Established

The debris of the burnt properties was quickly removed, yet the federal EPA legislation says that the cost of doing the clean-up had to be billed to the landowner.

Moreover, the wording of that law mandates an investigation of the event. It states that EPA would have to establish blame. "Who had caused the damage on August 8, 2024?"

Everybody knows that Lahaina was destroyed, not by a natural fire, but by means of Directed Energy Weapons. I repeat, *everybody knows* (except the willfully blind).

In these first 6 months since Lahaina burned, local people are too overwhelmed to discuss such awful matters. That is understandable, and many of them are in bereavement, too. But the legislature can discuss it. It is truly nuts to let the guilty persons walk away, laughing.

The US is my country and I won't put up with such criminals. Who could ever believe that the Great Republic would come to this? Let's fix it right this minute! And, in keeping with the EPA's rule, the guilty can be made to pay for the clean-up.

I beg you to NOT schedule SB3381 for a hearing. If there must be a new Development Authority it must, *must* have advance approval by those wonderful persons with the deepest sense of protecting the Maui community -- not by those who know how to throw legalese around, and not by developers, as such.

Mahalo.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 3:13:33 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Martin Choy	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB 3381.

It is clearly government overreach in creating vague and unnecessary laws for the specific problem of restoring Lahaina, but will be used to control the rest of Hawai'i in time.

It is obvious to everyone who is watching, that this is collusion to take away the rights and freedoms of the people of Hawaii.

Show us where it conforms to our State and National Constitution.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 3:16:53 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Candace Vizcarra	Individual	Oppose	Written Testimony Only

Comments:

I rebuke anything or anyone trying to steal from the nation of Hawaii! God almighty owns Hawaii and Maui.... leave them alone in Jesus's name!!

A concerned citizen

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 3:29:02 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Brian McCord	Individual	Oppose	Written Testimony Only

Comments:

I vehemently oppose [SB3381 SD1](#)

The language of this Bill fundamentally violates both the U.S. Constitution as well as the Hawaii State Constitution.

This Bill must be put down. The people of Lahaina do not support it... Kupunas have been ignored.

No to SB3381 !!!

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 3:48:13 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Thompson	Individual	Oppose	Written Testimony Only

Comments:

Definition Eminent Domain: land acquisition, compulsory purchase, resumption, resumption/compulsory acquisition, or expropriation is the power of a state, provincial, or national government to take private property for public use.

An unelected Board of Commission has NO authority. Where are the checks and balances? This is a broad based **poorly written bill**, with potential for land grab, corruption, and fraud.

To the contrary of the official climate agenda narrative being perpetuated, these were not wildfires. The hurricane was over 500 miles to the south and the strong winds came out of the Northeast. As a federal investigator of 32 years, I have analyzed an abundance of evidence being compiled by the Maui Community Investigation team to include arson sites, weather modification (documented satellite footage and personal observations), unbelievable failure of government officials to protect the people (no sirens, no water, police blocking exits on purpose), cell phone services were down before the fires started, and highly suspect burn patterns that are not natural according to fire and arborist experts. The evidence is overwhelming this was a complex **multi level attack**.

The people of Hawaii will not stand for these land grabs ultimately led by United Nations and the Nazis out of Davos that have their grip on government bodies that have succumbed to their extreme control measures. Shame on the elected officials promoting this junk science agenda like parrots. The trick of create a problem and offer a solution is really getting old.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 3:54:53 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jadine L Brown	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 4:20:07 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Hillary Davis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. it's unconstitutional.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 4:32:33 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Fay Huff	Individual	Oppose	Written Testimony Only

Comments:

I am appalled at how swiftly the state has moved forward with their legislative plan to address the devastation of Lahaina..it makes me wonder how much [little] input from those who who have suffered such unimaginable loss was taken into account to come up with this horrific solution..nothing more than a communist takeover of lands [LAND GRAB] from the people for the benefit of the state and its billionaire friends..all cloaked in well crafted gobbledy gook "legalese" to disguise the evil intent of its authors..to leave out the rightful owners of the properties of Lahaina..I most vehemently oppose this bill..not of or by the people..any legislator who chooses to support this bill is NOT a servant of the people of Lahaina..or the entire state for that matter..I pray for your souls if you choose to abandon those who have suffered [and continue to suffer] the most devastating losses from the Maui fire..this Bill SB3381 is completely devoid of Aloha..and must be abandoned immediately..so a real solution for rehabilitating the land for the people to whom it rightfully belongs can be developed..without that..no real healing of the community of Hawaii who ache for their fellow citizens who lost everything..in a highly questionable disaster..too many unanswered questions. just spin and lies..NO amount of glossy TV ads will ever convince the real people of Hawaii that their government has their best interests in mind..

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 4:38:29 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashley Rudolph	Individual	Oppose	Written Testimony Only

Comments:

This is an overreach and does not protect private property owner rights. Attorney being retained. We are not a communist government. Public private partnerships with elite entites will strip every land owner in Lahaina of their rights while imposing authoritative rule. Do not move forward with this. You shill shame Hawaii and awaken a lion. I am a Hawaii resident, living in West Maui.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 4:48:32 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Fisher	Individual	Oppose	Written Testimony Only

Comments:

This bill is an over reach of government. This is un necessary for the rebuilding of Lahaina. Doing something like this will create a precedence that will trample over all of the peoples rights in all the United States.

For the people of Lahaina who lost their homes and personal property, they need advocates to help them get the compensation needed for the loss of their homes and belongings. For example, if there was a home owners insurance policy in place, the insurance companies should pay the home owner what is due to them. Not one property should be sold to anyone else, especially under duress. All funding should go directly to each land owner to help them rebuild on their own land (land that still exists).

There has been too much politics involved in this on going tragedy. Americans should be given the protection required and every resource out there for them to rebuild in the aftermath of this horrendous calamity.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 4:55:14 PM
Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Mar	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill for many legitimate reasons. 1 reason - on page 13 of this SB No. 3381 SD1 - Lele Community Special fund - opens and welcomes any and all private funds - in other words, this is wide open for fraud. This is blatant violation of oaths taken by officials to protect the interests of the people. I oppose this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 5:04:40 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita Okeane	Individual	Oppose	Written Testimony Only

Comments:

I oppose assessing fees from the residents of the west side to off set the costs of rebuilding Lahaina. Let the government and the responsible utilities pay.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 5:35:21 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Indra Lotus	Individual	Oppose	Written Testimony Only

Comments:

"This proposed bill represents a significant overreach of government authority. The idea of establishing a board to oversee the entire West Coast of Maui is concerning. Granting this board the power to accept monetary gifts from any source raises questions about potential conflicts of interest and undermines transparency. Moreover, the prospect of the board complying with any demands to secure federal funding raises doubts about its autonomy and ability to serve the public interest.

Furthermore, the proposal to impose fees on land users, along with additional charges and interests, is alarming. Such measures could place undue financial burden on residents and businesses without clear justification. Additionally, granting this board the authority to create regulations related to health and safety goes far beyond the intended scope of efforts to rebuild Lahaina. It encroaches upon individual liberties and resembles characteristics of authoritarianism rather than democratic governance.

In essence, this proposal risks violating constitutional principles by exceeding the rightful bounds of governmental authority. It is imperative that we carefully scrutinize and challenge any legislation that threatens to undermine the fundamental rights and freedoms of the people."

Furthermore if anymore mishandling of Lahaina, the land thereof or the people (Natives) of Lahaina, there are people/ organizations on the sidelines prepared to take out a lawsuit all the way to the supreme court and ask for anyone responsible for the "cover up" to be held responsible on crimes against humanity. We are watching closely.

Thanking You in Advance,

Indra Lotus

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:03:31 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Janet Spreiter	Individual	Oppose	Written Testimony Only

Comments:

I am adamantly opposed to this. It is yet another example of how our State and County want to take over Lahaina, and now all of West Maui. There is nothing good in this bill. What we need is a massive investigation into the fire and its consequences to the law abiding citizens of Lahaina, not a rush job on a bill that will be the final blow to any restoration of the Westside. This is a dangerous bill and very complex, but even on the surface it screams of criminality. Anyone who agrees with this bill is most likely looking to acquire a lot of land illegally and cheap. OPPOSE!

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:10:27 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
alison hamman	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs,

I strongly oppose SB 3381

The last thing we need here after the horrific Lahaina fire tragedy is more unelected officials, pushing out local families and businesses in what is obviously a huge land grab.

let families rebuild .

this is NOT Oahu

we do NOT consent to a "smart city " plan or " smart island plan!

please consider my testimony as representative of hundreds of us on Maui.

respectfully,

alison Hamman

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:13:27 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosa L Jaime	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose Senate Bill 3381,

This bill will give the Lele Development District board usually expansive powers, with the authority to impose rent control, for instance and to take property from one person through eminent domain and transfer it to another. Taking the power away from the right owners and stealing their land from them should they decide to setback the buildings from the shoreline and make what the Lele Development District Board what it to be. Their vision not the rightful owners will be implemented. This is a huge overstep by the government and will cause the people to loose even more trust in the local government .

There are also many questions yet to be answered in how the Board will be voted in and what the qualifications are if they are only limited to Lahaina residents before the fire. The constitutionality of this prerequisite is still in question. Will it be only the rich who can have to money to campaign for this very influential board is also in question. Squeezing out the locals once again.

Having this senate bill written with these conditions once again subverts the will of the Maui people by the local government who has been negligent and that caused the fire in the first place. With so many legal cases still in the works this seems like a huge mistake. Take the time to put together a bill that will actually help the legal owners rebuild and bypass the red tape of government that makes life so difficult for the displaced and frustrated owners of Lahaina.

Thank you for taking the time to read this testimony and for doing the right thing for the hurting people of Lahaina Maui.

R. Lilia Jaime

LATE

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: *the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina.* Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: *The district shall be governed by the board.* Why is this district going outside the governance of the County?
- Page 4, line 6 states: *The board shall have sole jurisdiction over the district.* It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.
- Page 5, line 4 states: *The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all **stakeholders**, etc.* Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?
- Page 5, line 14 states: **Guidance policies. Shall reflect the values, aspirations and goals of residents.** What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?
- Page 6, line 8 states: *The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders*

of housing. Why doesn't this part **include homeowners**? What government agencies, and organizations are going to be a part of these decisions?

- Page 6, line 13 states: *The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes.* When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?
- Page 6, line 18 states: *The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies.* 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated, "The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- Pag 7, line 7 states: *Building in residential areas shall cater to the needs of residents.* What does "cater" mean exactly? It would be better stated, Building in residential areas shall be at the **sole discretion of the homeowner.**
- Page 8, line 16 states: *The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same.* The Government cannot "acquire" people's real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.

- Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!
- Page 10, line 13 states: *The board may contract for and accept gifts or grants in any form from any public agency or from any other source.* This is very disturbing! It looks like they can allow **bribery and fraud**.
- Page 11, line 4 states: *The board shall have the power to assess all land users, except the federal government, for their fair share of the costs.* Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!
- Page 11, line 19 states: *The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments.* This is an overreach of government, and fraud! This bill is against the people and must die!
- Page 12, line 12 states: *Financial aid from the federal government; contracts with the federal government.* Then on page 13, line 12 it states: *The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance.* It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.
- Page 13, line 15 states: *It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government.* They will do "all things necessary"? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.
- Page 15, line 6: *The board has the power to adopt rules pursuant to chapter 91 relating to health, safety.* Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.

- Pag 19, line 3: *There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment of nine full-time equivalent (9.0 FTE) positions within the Hawaii community development authority. Why are they assessing fees for land users if they're getting millions from other sources?*
- Line 10: SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$6,000,000.
- Page 20, line 15: Provided that no funds shall be made available under this section unless the Lele community district board obtains \$100,000,000 in matching funds from the private sector for the purpose for which this sum is appropriated. Who are these people who are going to match 100 million dollars and why?
- Page 21, line 1: *There is appropriated out of the Lele community special fund the sum of \$200,000,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the purposes of the Lele community district; provided that funds are available pursuant to section 8 of this Act. This "special funds" seems to have a deep pocket. Where exactly is the special funds coming from?*

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

Colin Anderson

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:18:25 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Heidi Denecke	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381. This proposal is not appropriate and should be cancelled.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:19:20 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Amber	Individual	Oppose	Written Testimony Only

Comments:

We are making this more complicated than it has to be. It's simple: Grant the victims the money to rebuild what they lost. Besides that and ensuring the proper infrastructure is in place, that is as involved the state needs to be in this. End of story.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:20:31 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Bats	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to SB3381. We already have grassroot community leaders and organizations that the people of Maui trust. We do not need a new committee to oversee all activities in West Maui. We cannot trust the committee members that are chosen by the government and not by the people of this community. Why would this committee oversee ALL of west Maui and not just Lahaina? This is a big red flag to me. It seems like there is a hidden agenda.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:29:31 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Marie Le Boeuf	Individual	Oppose	Written Testimony Only

Comments:

- I live in Kihei and VEHEMENTLY oppose this bill! " page 11: "The board shall have the power to assess all {land users}, yet, on pages 19-21, shows millions of dollars to be allocated to the committee". Just what are these "fees" that will be assessed to "land users" Aren't we ALL "land users"? This goes against the Constitution and is unlawful and looks like fraud to me! Rebuilding Lahaina does not need a committee that is in complete control of West Maui! It is an absolute overreach of the government and must die immediately! Please, KOKUA! do not even schedule a hearing for this bill. Thank you for considering MOST of us here on Maui. ALOHA- Marie LeBoeuf

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:31:30 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Eileen Downing	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:38:02 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sondra Furtado	Individual	Oppose	Written Testimony Only

Comments:

I oppose as vacation rental resorts employ many many island residents as well as support many people working in industry. The island needs this income to aid it's residents.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 6:45:43 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jo Anne J Winer	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill on the basis that it is unconstitutional and will only result in years of litigation and delay. We need measures that support the community while still remaining legally defensible.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 7:53:34 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lora Santiago	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose Bill SB3381.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 7:57:12 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Kerman	Individual	Oppose	Written Testimony Only

Comments:

To Whom This Should Concern,

I absolutely oppose Bill SB3381.

Simply stated, this Bill is an outrageous land grab that the general public is very aware of. This Bill is in violation of your duties to adhere to the constitution and to represent the people, which this Bill clearly does not do. You do not have the authority to create a board that has the power to govern over the entirety of West Maui. This Bill wreaks of Communism. Do not pass this Bill!

Lisa Kerman of Kauai

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 8:49:26 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Yuki Klahr	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:12:25 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Pat Spackman	Individual	Oppose	Written Testimony Only

Comments:

DO NOT PASS THIS BILL. It is unlawful to take peoples land without them voting on how it will be revived. The people trying to push this thru are not doing the peoples will. Please do not push this bill thru without the people voting on it!!!

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:23:51 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jasmin McCracken	Individual	Oppose	Written Testimony Only

Comments:

I do not give you permission to turn our beautiful Hawai'i into a communist state. If you are going to steal property from the rightful owner and resell it, and the only people that control it are 9 stakeholders who are not property owners, you are breaking the law, trashing The US Constitution & violating the 1st amendment of the Bill of Rights upon which all other rights are based. This bill is absolutely illegal. I don't care how many proclamations the Governor has made! I stand with the Hawaiians who've owned this land for generations, and I am upset that this attempt is being made by you, who are our government administrators!!

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:26:16 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Adele Henkel	Individual	Oppose	Written Testimony Only

Comments:

This bill is an inane con. It strikes down personal and state sovereignty as set forth by constitution, so much so, that it leads me to believe that it's part two of a planned, coordinated, and executed land grab by monied foreign-globalist entities.

Do not schedule a hearing for this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:28:36 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Claudia Schimmer	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass this bill It s unfair to the residents of Maui.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:39:25 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Gay Jensen	Individual	Oppose	Written Testimony Only

Comments:

Weighing in only. Opposed

Searching for submit button to accept

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:43:12 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tina Lia	Individual	Oppose	Written Testimony Only

Comments:

Your unlawful government holds no authority over these lands. This is the Kingdom of Hawai'i.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:48:20 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita Scanlan	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:53:17 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Myra Vavrina	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:53:41 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Arion Love	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 9:58:35 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Vavrina	Individual	Oppose	Written Testimony Only

Comments:

I oppose to this bill

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 10:03:20 PM
Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Joyal Yasuda	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE BILL SB3381. it is time to listen to the voices of the people that elected you. This landgrab is unacceptable NOT PONO.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 10:10:51 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
CARLA SUE JENKINS	Individual	Oppose	Written Testimony Only

Comments:

NO, no, no. This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui.

SB-3381-SD-1

Submitted on: 2/27/2024 10:12:29 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Lorraine Nip	Individual	Oppose	Written Testimony Only

Comments:

Public needs more time to assess authority and review this bill.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 10:17:20 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Angela Winter	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it wrong in so many ways, the residents of Lahain and West side need to retain the freedom to rebuild as they wish without being controlled by anyone. Bill SB3381 is an absolute overreach of the government and must die immediately.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 10:19:04 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin Hill	Individual	Oppose	Written Testimony Only

Comments:

I strongly appose this bill. As it is written it is loaded with issues for individual property owners, frightening ambiguities, horrifying open doors for abuse through financial influence (can receive money from the feds, and from private sources and can assess homeowners... massive room for self interest, bribery, favors to large donars etc) all through a committee that is given massive power. The ones who ARE NOT given appropriate power are property owners and the public.

Absolutely not. Serve the people, fear the Lord.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 10:31:27 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Stowell	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill. This appears to be a Maui land grab, which could acquire land against the will of the owners. This is way beyond the scope of rebuilding Lahaina. Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This bill is an overreach of government.

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 11:00:31 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Chanel L Sebala-Bumanglag	Individual	Oppose	Written Testimony Only

Comments:

STOP THIS BILL

A'OLE A'OLE !!

We say

A'OLE TO GOVERNMENT OVEREACH

THIS BILL IS DANGEROUS AND DOES NOT BENEFIT THE PEOPLE AND THE FUTURE OF OUR GENERATIONS THAT SHALL FOLLOW US.

It is an absolute path to LAND GRABBING what is not the Fake state Of Hawai'i.

Remember

Illegal occupation does not give this government right to bullying their way to Land Grabbing. We see and Know what's going on and say

A'ole!!!!

LATE

SB-3381-SD-1

Submitted on: 2/27/2024 11:50:15 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Miriam Keo	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. This gives too much power to a select few over an entire historical town. While I believe that our people should decide, I don't think this is the correct way. We need to go back to the drawing board.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 2:13:36 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Uilani	Individual	Oppose	Written Testimony Only

Comments:

My name is Uilani Bourgeois, I deeply oppose this bill!

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 3:39:52 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nelmie Kristine Brown	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I am writing to urge you not to schedule a hearing for SB3381. This bill represents a significant overreach of government authority and raises serious constitutional concerns.

Upon reviewing the contents of SB3381, it is evident that several provisions directly contradict fundamental principles of governance and individual rights. For instance, the establishment of the Lele community district outlined in the bill extends control over a vast area, including portions unaffected by the stated purpose of rebuilding Lahaina. Such expansion of jurisdiction beyond the governance of the County raises questions about the necessity and legality of creating a separate government entity.

Furthermore, the granting of sole jurisdiction to the board over the district, as stated on page 4, line 6, effectively creates a new government body with unchecked power, which is inconsistent with constitutional principles.

The lack of clarity regarding stakeholders and their involvement in decision-making processes, as well as the absence of homeowner representation in key decisions concerning housing and infrastructure development, further underscores the undemocratic nature of this proposed legislation.

Additionally, the provisions allowing the acquisition of property through condemnation and the imposition of fees and penalties on land users without proper due process raise serious concerns about property rights and individual freedoms.

Moreover, the apparent willingness of the board to comply with any terms and conditions required by the federal government, as stated on page 12, line 12 and page 13, line 12, raises alarms about potential loss of local autonomy and democratic accountability.

In summary, SB3381 represents a dangerous overreach of government power, undermining constitutional principles and individual liberties. I urge you to refrain from scheduling a hearing for this bill and to instead prioritize legislation that upholds the rights and freedoms of the people of Hawaii.

Mahalo Nui Loa

LATE

Testimony of Sherilyn Wells re SB3811

https://www.capitol.hawaii.gov/sessions/session2024/bills/SB3381_SD1_PROPOSED_HTM

Resident of Hawai'i (Big Island)

votetrees@protonmail.com

This legislation appears unconstitutional to me and, accordingly, should go no further. However, should the legislation continue to be debated, I have added additional comments, while retaining my primary stance that this is unconstitutional and unnecessary because the system that could accomplish redevelopment already exists.

THE ALLEGED FOCUS OF THE LEGISLATION

The legislature finds that the wildfire of August 8, 2023, devastated Lahaina's heritage, economy, and sense of place, and has deeply affected housing, businesses, jobs, and treasured resources.

**COMMENT – where is mention of the PEOPLE who died and the effect on families who lost loved ones? Just “heritage, economy, sense of place..”
Could this failure to explicitly mention the people who lost so much lead to the next issue with the term "residents?"**

HUGE PROBLEM WITH THE TERM “RESIDENTS”

*§206E- Lele community district board; established; members; terms. (a) *There is established the Lele community district board, which shall be placed under the authority within the department of business, economic development, and tourism for administrative purposes. Members of the board shall be residents of the district.**

COMMENT – “Residents” is broad and vague. It does not necessarily mean someone directly impacted, people who were present IN SITU at the time of the fire, who are the OBVIOUS choice for selection to rehabilitate their homeland.

**COMMENT - And at what point in time have “residents” become “residents?”
There is NO timeline specification in the legislation, so someone brand new to the area could still be appointed, elbowing out someone who was deeply affected by the event/fire that is alleged to be the source of this proposal.**

BAIT AND SWITCH?

Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina.

COMMENT - However/"curiously," the district map shows most of the area that would be under the control of the Lele community (1) isn't burned and (2) is outside the historic city of Lahaina.

So what DOES this bill facilitate? Eliminating constitutional home rule charter county government in the designated area (board has SOLE JURISDICTION) and installing an elitist board.

This bill would put most of the people in West Maui under the control of this board.

TWO CONSTITUTIONS APPLY

“FEDERAL CONSTITUTION ADOPTED The Constitution of the United States of America is adopted on behalf of the people of the State of Hawaii.”

UNCONSTITUTIONAL – IGNORES SUPERIOR CLAUSE, TOO

COMMENT - By slyly using the creation of a “special district” (notably NOT enacting a general law) that has been extracted from within the explicit structure and organization of the current legitimate government (the charter county government of Maui)... a devious move to create an entity – filled with unelected gubernatorial appointees - that will subsequently morph into a new local government with sole jurisdiction and public health and safety powers... this proposed legislation violates the federal and state constitution(s).

Bypassing the Maui County Council and its Charter Home Rule jurisdiction over the governmental structure and organization of the area in question, the state thus ignores its own constitution and the “superior clause.”

The constitution, article VIII, §2, provides that **charter provisions relating to a political subdivision's executive, legislative and administrative structure and organization shall be superior to statutory provisions¹**, subject to the authority of the legislature to enact general laws allocating and reallocating powers and

¹ **The 1968 amendments included the addition of a “superior clause”**

The 1968 amendments added a provision which gave county charters a higher status within the a prescribed area – the executive, legislative, and administrative structure and organization of the county. This provision is referred to as the “**superior clause.**”

HGEA v. County of Maui (1978)

Does state law preempt a county charter?

The Hawaii Supreme Court observed that the delegates to the 1968 Constitutional Convention “**intended that county charters acquire a stature which would resist legislative interference in some areas.**”

These areas encompass charter provisions that affect “the organization and government of the county...”

The Court also observed that **HRS 50-10** was designed so that any state law “**affecting the organization or governmental structure**” of a county would not invalidate conflicting charter provisions.

functions. Accordingly, the charters should be consulted with respect to any provision concerning the counties appearing in the Revised Statutes.

https://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0046/HRS_0046-.htm

The Constitution gives the County home rule powers over (a) the structure and organization of County government and (b) “all functions, powers and duties relating to the taxation of real property”..

The threshold inquiry is whether a conflict exists between a charter city/county law and state law. If no conflict exists, the charter city/county law stands. If a conflict exists, the court will find the matter is a municipal affair unless it qualifies as a matter of statewide concern. Even if the subject matter is of statewide concern, the state law must be reasonably related and narrowly tailored to address that statewide concern. See *Johnson v. Bradley*, 4 Cal. 4th 389, 14 Cal. Rptr. 2d 470 (1992).

COMMENT - With a nearly two-year gap between the governor appointing the special district board and that selfsame board now morphing into an elected body, both new entities with SOLE JURISDICTION² (definitely a grant of Ultra Vires power to a “special district”), it is clear that this is a transparent attempt to use the “advice and consent” provision, a process described in the federal constitution (Article II, Section 2) to slyly install the “condition precedent” to a new legislative body, wrested from the control of its rightful government – the charter county of Maui.

*(f) Notwithstanding subsection (e) or any other law to the contrary, the initial members of the board shall be appointed by the governor, **subject to the advice and consent of the senate**³*

ADVICE AND CONSENT – JUDICIAL AND EXECUTIVE POSITIONS

² **Jurisdiction:** “A government’s general power to exercise authority over all persons and things within its territory..” Black’s Law Dictionary, 8th Edition.

<https://www.merriam-webster.com/dictionary/jurisdiction>

2a : the authority of a sovereign power to govern or legislate

2b: the power or right to exercise authority : [control](#)

³ **The Advice and Consent clause is located in Article II, section 2 of the U.S. Constitution.** This clause gives the president the authority to negotiate treaties for foreign countries and to nominate high ranking public officials. It also gives the U.S. Senate the power to confirm or not confirm these executive recommendations.

The advice and consent process is outlined in Article II, section 2 of the Constitution. The U.S. Senate has the responsibility of developing an advice and consent position. These positions inform the Senate on Presidential nominations and treaty ratification.

According to the U.S. Constitution, the Senate is required to engage in advice and consent. The Advice and Consent clause of Article II, section 2 requires that the U.S. Senate share the treaty-making process with the president. It also mandates that the Senate share the responsibility of **appointing high ranking executive and judicial positions.**

COMMENT - The section of the Constitution (Hawai'i's government is based on both the state AND U.S. constitutions) that applies to "advice and consent" (Article II, Section 2) specifies EXECUTIVE and JUDICIAL nominations, NOT the formation of a new "sole jurisdiction" legislative entity initially derived from a special district (an action which could also be seen as a violation of Separation Of Powers). See Footnote 2.

See the federal parameters of what constitutes "Advice and Consent.")

<https://constitution.congress.gov/browse/article-2/section-2/clause-2/>

POWERS NOT DELEGATED INCLUDE THOSE RESERVED TO THE PEOPLE – 10TH AMENDMENT AND POPULAR SOVEREIGNTY

COMMENT - Since much lip service is paid in this proposal to listening to/empowering the choices of the people (an illusion which is then backpeddled by using multiple mandates that have never been authorized/selected/chosen by accepting the testimony of the affected population), how about officially recognizing (incorporating) THIS language re the power of the people, found in the Tenth Amendment to the federal Constitution:

The Tenth Amendment to the United States Constitution does acknowledge an internal division of authority below the level of the federal government in its pronouncement that **powers "not delegated to the United States," unless otherwise prohibited by the Constitution, **are "reserved to the States respectively, or to the people."****

See Jake Sullivan, The Tenth Amendment and Local Government, 112 Yale L.J. 1935, 1937 (2003).

That disjunctive phrasing... clearly implies that the federal Constitution recognizes that **state sovereignty and popular sovereignty are not identical, leaving federal constitutional space for the people of each state to delegate their popular sovereignty** within their states between state and local-government levels.

Why is our state government now trying to establish "governing institutions" within Hawai'i via a completely unconstitutional process, begun by installing what we might suspect to be Green's "puppets" to set nearly two years of precedents favoring an elite agenda?

ADMINISTRATION

DBEDT and its Innovation Development Program – to effect REAL results related to the climate change narrative, try following in the footsteps of initiatives like that of Free The Tech (see Footnote 5).

WORK TO END THE SUPPRESSION OF CERTAIN TYPES OF PATENTS, including Power Supply and Propulsion Systems – see Footnote 5.

The Federation of American Scientists’ FOIA request revealed that SOLAR TECHNOLOGY was suppressed for over FIVE DECADES under this patent suppression system.

“Patents can be restricted not only for being a national security threat, but also for disrupting economic stability. This means that **any number of potentially ground-breaking inventions that challenge the status quo may be restricted and suppressed.**”

Since you have listed Dbedt.hawaii.gov as the initial administrator and, **in its rules** – DBEDT Chapter 5 screenshot below – **it provides support for innovation and invention**, shouldn’t you/they be openly pursuing an agenda similar to Free The Tech ⁴ to

⁴ <https://www.electronicdesign.com/community-home/article/21807003/freethetech-finds-5784-inventions-suppressed-by-us-government-secrecy-orders>
<https://www.epicos.com/article/213687/freethetech-finds-5000-technological-inventions-suppressed-classified-patent-program>
<https://www.prnewswire.com/news-releases/freethetech-finds-5000-technological-inventions-suppressed-by-classified-patent-program-300579337.html>

FreeTheTech Finds 5,784 Inventions Suppressed by U.S. Government Secrecy Orders
 Sept. 14, 2018

The organization is looking to spread awareness of the suppression and bring greater transparency by creating a citizen review panel to assess the classified patents.

[Sam Davis](#)

As reported last month via PRNewswire, over [5,000 inventions](#) (5,784 in 2018) are being suppressed via the U.S. Government's classified patent program, according to official **data obtained under a recent Freedom of Information Act request by the Federation of American Scientists.**

This means literally thousands of potentially ground-breaking inventions and technologies are being withheld from the public.

ACTIVITY	FY05	FY06	FY07	FY08	FY09	FY10	FY11
New Secrecy Orders	106	108	128	68	103	86	
SO's rescinded	76	81	68	47	45	32	
Total SO's in effect, end of period	4915	4942	5002	5023	5081	5135	
Sponsoring Agencies for new SO's							
ASPAB	23 21.7%	3 2.8%	10 7.8%	10 14.7%	21 20.4%	18 20.9%	0.0%
ARMY	14 13.2%	2 1.9%	22 17.2%	8 11.8%	9 8.7%	12 14.0%	0.0%
NAVY	8 7.5%	36 33.3%	28 21.9%	8 11.8%	39 37.9%	35 40.7%	0.0%
AF	46 43.4%	40 37.0%	45 35.2%	20 29.4%	21 20.4%	13 15.1%	0.0%
DOE	6 5.7%	7 6.5%	0 0.0%	2 2.9%	0 0.0%	1 1.2%	0.0%
NSA	9 8.5%	20 18.5%	21 16.4%	20 29.4%	12 11.7%	6 7.0%	0.0%
DTRA			2 1.6%	0 0.0%	1 1.0%	1 1.2%	0.0%
NIH	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0.0%
New DOD SO's imposed by Type							
DOD Type 1 (export control)	11 10.4%	19 17.6%	15 11.7%	21 30.9%	41 39.6%	31 36.0%	0.0%
DOD Type 2 (classified/classifiable)	42 39.6%	52 48.1%	68 53.1%	25 36.8%	24 23.3%	19 22.1%	0.0%
DOD Type 2 (foreign PSA)	24 22.6%	3 2.8%	11 8.6%	10 14.7%	23 22.9%	19 22.1%	0.0%
DOD Type 3	23 21.7%	27 25.0%	34 26.6%	10 14.7%	15 14.6%	16 18.6%	0.0%
New Non-DOD SO's imposed (DOE/NSA)	6 5.7%	7 6.5%	0 0.0%	2 2.9%	0 0.0%	1 1.2%	0.0%
John Doe SO's	32	29	53	22	21	26	

effect the release of patents for inventions with a direct positive effect on perceived climate change issues (categories like **power supply, propulsion systems, etc.**)? That **could shift many of the alleged ways to address the climate change narrative** (which many feel are actions far more linked to a CONTROL agenda promulgated by WEF, Klaus Schwab, Bill Gates, et al.. whose cumulative record has NOT been favorable to the general public/human race – e.g., consider their various actions, positions, and investments in the recent Covid-19 debacle⁵).

<https://dbedt.hawaii.gov/overview/administrative-rules/>

ACTIVITY	FY11	FY12	FY13	FY14	FY15	FY16	FY17
New Secrecy Orders	143	98	139	87	95	121	132
SO's rescinded	37	18	21	22	36	20	28
Total SO's in effect, end of period	8241	8327	8445	8520	8579	8680	8784
Sponsoring Agencies for new SO's							
Foreign Origin	0.0%	33 23.1%	14 14.3%	12 8.6%	5 5.2%	10 10.5%	4 3.3%
ARMY	0.0%	19 13.3%	33 33.7%	2 1.4%	13 13.4%	5 5.3%	32 28.4%
NAVY	0.0%	41 28.7%	29 29.6%	68 48.9%	43 44.3%	30 31.6%	41 33.9%
AF	0.0%	10 7.0%	13 13.3%	11 7.8%	5 5.2%	45 41.4%	29 25.0%
DOE	0.0%	15 10.4%	0 0.0%	29 20.9%	15 15.5%	0 0.0%	3 2.5%
NSA	0.0%	25 17.5%	9 9.2%	11 7.8%	6 6.2%	4 4.2%	1 0.8%
DTSA	0.0%	0 0.0%	0 0.0%	1 0.7%	6 6.2%	0 0.0%	8 6.8%
NASA, DARPA	0.0%	0 0.0%	0 0.0%	5 3.6%	3 3.1%	1 1.1%	3 2.5%
New DOD SO's Imposed by Type							
DOD Type 1 (export control)	0.0%	33 23.1%	27 27.6%	66 47.5%	42 43.3%	33 34.7%	48 39.7%
DOD Type 2 (classified/classifiable)	0.0%	41 28.7%	18 18.4%	21 15.1%	9 9.3%	34 35.6%	1 0.8%
DOD Type 2 (foreign PSA)	0.0%	33 23.1%	13 13.3%	12 8.6%	11 11.3%	9 9.5%	4 3.3%
DOD Type 3	0.0%	21 14.7%	40 40.2%	5 4.3%	18 18.8%	19 20.0%	62 51.7%
New Non-DOD SO's Imposed (DOE/NSA)	0.0%	15 10.4%	0 0.0%	34 24.8%	17 17.8%	0 0.0%	6 5.0%
John Doe SO's	11	11	21	11	15	49	39

A new project called FreeTheTech.org based in Austin, Texas is raising awareness of the issue through a variety of means, including its new website, a petition on Change.org, and a Billboard fundraising program. Their primary goal is simply to make the public aware that **many potentially useful technologies are being suppressed**, while their secondary goal is to audit the program via a citizen review panel. What exactly is contained within the government's archive of 5,784 classified patents has been the source of rampant speculation for decades. However, a recent leak from the [Category List of 1971](#) finally provides some real-world insight as categories from it include: **Power Supply**, Meteorology, **Propulsion Systems**, and Unique Materials & Devices.

Interestingly, **leaked data from the Power Supply section shows that modern-day solar-panel technology was being restricted some 50 years ago. As a result, one can only imagine what's being suppressed today.**

The origin of the government's program is the [Invention Secrecy Act of 1951](#), which evolved invention secrecy from a temporary wartime agenda into a permanent one. As a result, every time a patent is submitted by an inventor today, it can be [flagged for review](#) by a **multitude of government agencies**. **All it takes is a single opinion by one of them** to keep the invention from ever seeing the light of day. Patents can be restricted not only for being a national security threat, but also for disrupting economic stability. This means that **any number of potentially ground-breaking inventions that challenge the status quo may be restricted and suppressed**. FreeTheTech.org's aim is to end all of the speculation by forming a citizen review panel consisting of both experts and general citizens alike. They would independently, yet privately, review all classified patents to yield greater transparency and accountability.

⁵ <https://childrenshealthdefense.org/defender/bill-gates-profits-biotech-effectiveness-covid-vaccines/>
01/27/23 • COVID > VIEWS

Bill Gates — After Reaping Huge Profits Selling BioNTech Shares — Trashes Effectiveness of COVID Vaccines

- [Chapter 5 – Hawaii Innovation Development Program](#)

If you are TRULY concerned with addressing “climate change” effectively (and not just using it as a cover story, a means to increase control over people, **consider the nearly 6000 suppressed patents identified by the Federation of American Scientists.** (FYI - In the late 1970’s, in Utah, I met a “free energy” inventor who’d created a perpetual motion machine. He stated that he was abandoning his research because he’d been visited by “Black Suits” who informed him that the health and safety of his family depended on him stopping. An unfortunately common story..but it hasn’t stopped everyone, as you’ll see in just 2 examples below.)

How narrative-shattering could such inventions be? Let’s begin with the U.S. Navy’s brilliant inventor Dr. Salvatore Cezar Pais:

<https://interestingengineering.com/innovation/creator-of-groundbreaking-ufo-patents-explains-inventions-in-rare-interview>

A recent podcast interview - <https://www.youtube.com/watch?v=5E6QyAhTB3o> - sheds unprecedented light on the work of the enigmatic inventor **Dr. Salvatore Cezar Pais**, whose work has captivated the Internet’s attention. **The American engineer is known for filing a number of potentially groundbreaking patents through the U.S. Navy for inventions ranging from an incredible craft that can travel by affecting the spacetime continuum and a plasma fusion device that could lead to an energy revolution to an electromagnetic shield generator of immense military capability.**⁶

<https://patents.justia.com/inventor/salvatore-cezar-pais>

⁶ Because he (Salvatore Pais) had such a difficult time getting his work published, he decided to go a different route **and submit patent applications through the Navy.** It was a very arduous process, requiring much explanation and presentation to the “invention evaluation board,” staffed by PhDs in quantum physics, electrical and aerospace engineering. . . .He revealed that the initial inspiration for his ideas was his fascination with “the heavy side version of Maxwell’s equations.” Maxwell’s equations, derived by the Scottish physicist and mathematician [James Clerk Maxwell](#), describe the fundamentals of electricity and magnetism. They speak of the behavior of and the relationship between electric and magnetic fields. Pais’s rumination over these equations led to the discovery of the so-called “**Pais Effect.**” As he described it in the interview and his papers, the effect is **the “controlled motion of electrically-charged matter from solids to plasma states subjected to accelerated vibration and/or accelerated spin via rapid acceleration transients.”** In other words, the effect gives the ability of spin electromagnetic fields to contain a fusion reaction.

Craft using an inertial mass reduction device

Patent number: 10144532

Abstract: A craft using an inertial mass reduction device comprises of an inner resonant cavity wall, an outer resonant cavity, and microwave emitters. The electrically charged outer resonant cavity wall and the electrically insulated inner resonant cavity wall form a resonant cavity. The microwave emitters create high frequency electromagnetic waves throughout the resonant cavity causing the resonant cavity to vibrate in an accelerated mode and create a local polarized vacuum outside the outer resonant cavity wall.

Type: Grant

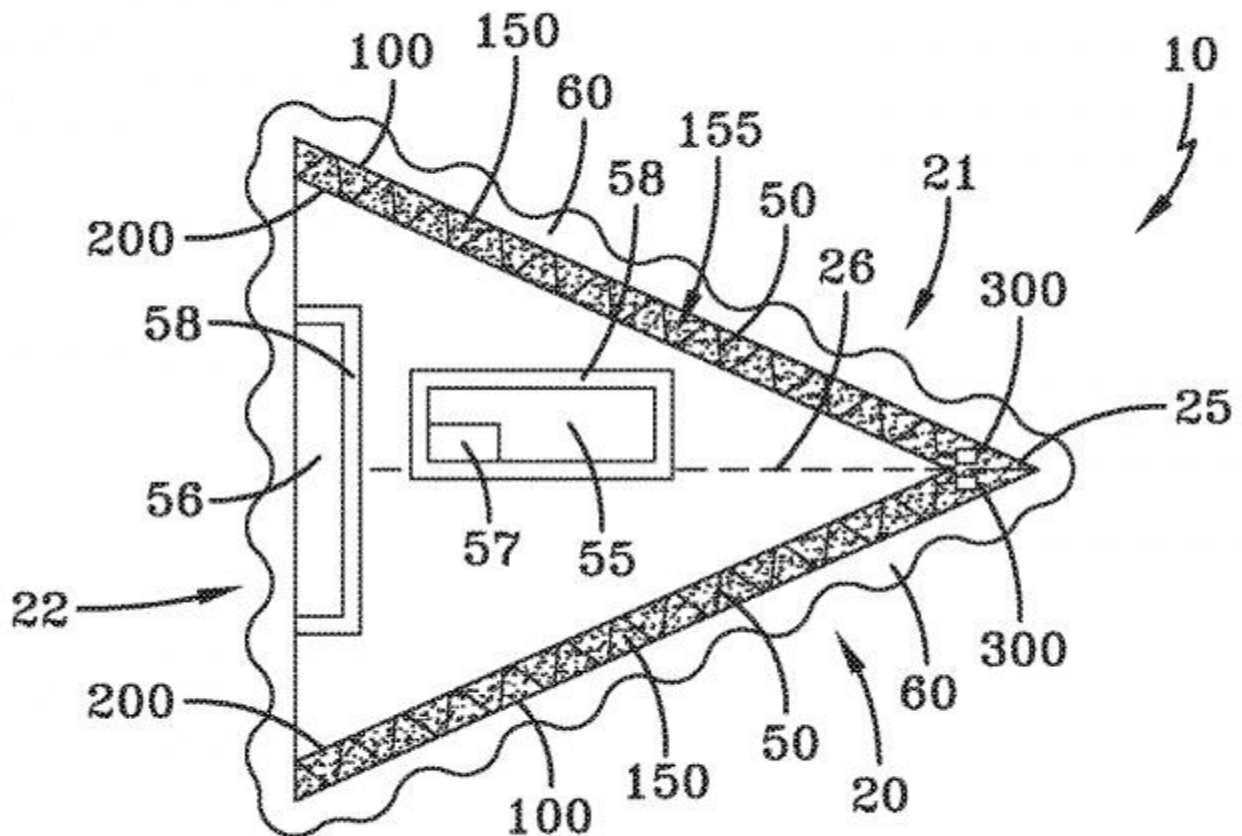
Filed: April 28, 2016

Date of Patent: December 4, 2018

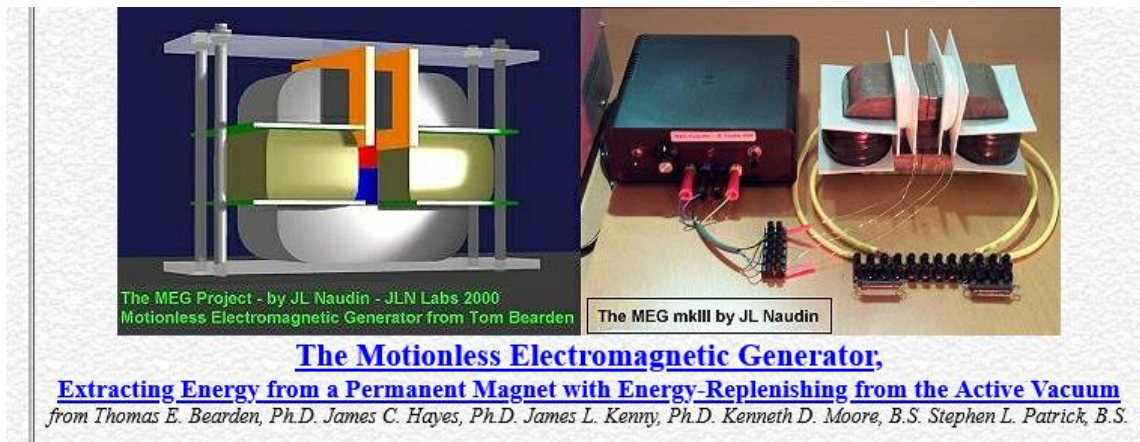
Assignee: The United States of America as represented by the Secretary of the Navy

Inventor: Salvatore Cezar Pais

DIAGRAM OF CRAFT USING AN INERTIAL MASS REDUCTION DEVICE:



U.S. Patent No. 6,362,718. The Motionless Electromagnetic Generator. 12/6/2000. Jean-Louis Naudin.



<https://patents.justia.com/inventor/jean-louis-naudin>

<https://www.limitlessenergysource.com/energy-from-vacuum/jeanlouis-naudin.html>

<http://jnaudin.free.fr/meg/meg.htm>

COMMENT - What necessitates/justifies creating this special district, what functions or services that you assume Maui County cannot provide? Would a similar goal be accomplished if the County was given the resources earmarked for the district and were it to create an ad hoc committee or some other form of specialized focus? Maui County Charter - POWERS OF THE COUNTY⁷

“What we call special districts, or special purpose districts, are essentially any local form of government that provides a specific service not provided by other local governments in the area, like counties or cities” <https://www.lorman.com/resources/everything-you-need-to-know-about-special-districts-17409> \

COMMENT - What are the chances that most/all of the governor’s pre-selected board members (the incumbents, effectively) will then be ushered into (s)elected office in after November, 2026?

Excellent...

⁷ **Section 2-1. Powers of the County.** The county shall have all powers possible for a county to have under the constitution and laws of the State of Hawai`i. These powers shall include, but **shall not be restricted to, or by, the following**: all powers now or hereafter given by the constitution or other laws, and all other powers not prohibited by such constitution or by this charter, to the county or its agencies, or to counties or county agencies, and all powers necessary and proper to carry into execution other powers of the county. The county shall have all such powers as fully and completely as though they were specifically enumerated in this charter; and no enumeration of powers in this charter shall be deemed exclusive or restrictive.

Section 2-2. Exercise of Powers. All powers of the county shall be carried into execution as provided by this charter, or, if the charter makes no provisions, as provided by ordinance or resolution of the county council.

Maui County Charter - <https://www.mauicounty.gov/162/County-Charter>

<https://www.mauicounty.gov/DocumentCenter/View/139187/CHARTER---January-2023>

Few things in life are more predictable than the chances of an incumbentwinning reelection. <https://www.opensecrets.org/elections-overview/reelection-rates>

2022: The incumbent win rate was at or above 90% in all but nine states: Alaska, California, Louisiana, Nevada, New Jersey, North Dakota, Ohio, Virginia, and West Virginia. <https://news.ballotpedia.org/2023/01/05/94-of-incumbents-won-re-election-in-2022/>

Hawai'i State Constitution – <https://law.justia.com/constitution/hawaii/>

The Executive. Article 5 Section 5

COMMENT – I don't see any indication, in EXECUTIVE POWERS⁸, that the governor is authorized to create a multi-stage process that ignores the “superior clause,”

⁸ Section 5. The governor shall be responsible for the faithful execution of the laws. The governor shall be commander in chief of the armed forces of the State and may call out such forces to execute the laws, suppress or prevent insurrection or lawless violence or repel invasion. The governor shall, at the beginning of each session, and may, at other times, give to the legislature information concerning the affairs of the State and recommend to its consideration such measures as the governor shall deem expedient

The governor may grant reprieves, commutations and pardons, after conviction, for all offenses, subject to regulation by law as to the manner of applying for the same. The legislature may, by general law, authorize the governor to grant pardons before conviction, to grant pardons for impeachment and to restore civil rights denied by reason of conviction of offenses by tribunals other than those of this State

The governor shall appoint an administrative director to serve at the governor's pleasure. [Ren and am Const Con 1978 and election Nov 7, 1978]

EXECUTIVE AND ADMINISTRATIVE OFFICES AND DEPARTMENTS

Section 6. All executive and administrative offices, departments and instrumentalities of the state government and their respective powers and duties shall be allocated by law among and within not more than twenty principal departments in such a manner as to group the same according to common purposes and related functions. Temporary commissions or agencies for special purposes may be established by law and need not be allocated within a principal department

Each principal department shall be under the supervision of the governor and, unless otherwise provided in this constitution or by law, shall be headed by a single executive. Such single executive shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. That person shall hold office for a term to expire at the end of the term for which the governor was elected, unless sooner removed by the governor; except that the removal of the chief legal officer of the State shall be subject to the advice and consent of the senate

concluding in the establishment of a local legislature of Sole Jurisdiction, health and safety authority, etc.

Page 3, line 11 states: *The district shall be governed by the board.*

Why - and under what Constitutional authority - will the Lahaina Moku be removed from the governance of the County?

Page 4, line 6 states: *The board shall have sole jurisdiction over the district.*

"SOLE JURISDICTION" is an unequivocal term. It would be **creating a completely new "government" for this area. That action is not in compliance with our Constitution.**

And the board is, apparently, EXCEEDINGLY well paid (overpaid, given that the debt ceiling is being raised to accomplish this act⁹), well above the income of most of the

Except as otherwise provided in this constitution, whenever a board, commission or other body shall be the head of a principal department of the state government, the members thereof shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. The term of office and removal of such members shall be as provided by law. Such board, commission or other body may appoint a principal executive officer who, when authorized by law, may be an ex officio, voting member thereof, and who may be removed by a majority vote of the members appointed by the governor

The governor shall nominate and, by and with the advice and consent of the senate, appoint all officers for whose election or appointment provision is not otherwise provided for by this constitution or by law. If the manner or removal of an officer is not prescribed in this constitution, removal shall be as provided by law

When the senate is not in session and a vacancy occurs in any office, appointment to which requires the confirmation of the senate, the governor may fill the office by granting a commission which shall expire, unless such appointment is confirmed, at the end of the next session of the senate. The person so appointed shall not be eligible for another interim appointment to such office if the appointment failed to be confirmed by the senate

No person who has been nominated for appointment to any office and whose appointment has not received the consent of the senate shall be eligible to an interim appointment thereafter to such office

Every officer appointed under the provisions of this section shall be a citizen of the United States and shall have been a resident of this State for at least one year immediately preceding that person's appointment, except that this residency requirement shall not apply to the president of the University of Hawaii. [Am Const Con 1968 and election Nov 5, 1968; ren and am Const Con 1978 and election Nov 7, 1978]

⁹ the appropriations contained in this Act will cause the state general fund expenditure ceiling for fiscal year 2024-2025 to be exceeded

people whose futures they will be affecting. **If we divide \$1,500,000 by 9, the income per board member is \$166,666.67 annually..** (similar to “they came to do good and they did very, very well,” to paraphrase a famous observation).

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment of nine full-time equivalent (9.0 FTE) positions within the Hawaii community development authority

Page 5, line 4 states: *The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc.*

What is the legislation’s definition of stakeholders? And more to the point - Who determines who qualifies as a stakeholder?

Is there any mandate to bar or reverse or eliminate predatory financial arrangements that further have harmed/impaired the survivors of the fire?

Page 5, line 14 states: *Guidance policies. Shall reflect the values, aspirations and goals of residents.*

By what process will those values, goal, aspirations be determined?

Are the displaced/original residents going to be given any REAL say (i.e., EFFECTIVE input that can change a plan's direction) about what they want?

See the Tenth Amendment/Popular Sovereignty discussion on Page 4.

Hawai’i’s constitution also states that all power derives from the PEOPLE, from the consent of the governed¹⁰.

If any portion of the "plan" **fails to reflect/incorporate the displaced/original-resident-community's values/aspirations/goals, does that disqualify** any further inconsistent action? THAT would be proof positive that the plan IS being formulated according to local input.

Or is this language simply more lip service to give a false sense of public involvement while, behind closed doors, the "real" decisions continue to be made by an elite group?

Page 6, line 8 states: *The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing.****

¹⁰ **ARTICLE I
BILL OF RIGHTS
POLITICAL POWER**

Section 1. All political power of this State is inherent in the people and the responsibility for the exercise thereof rests with the people. All government is founded on this authority. [Am Const Con 1978 and election Nov 7, 1978]

Why doesn't it say, "include homeowners?" Why doesn't it include "displaced residents?"

Alternate language:*The provision of new housing, replacing the approximately three thousand units destroyed in the fire, shall be a priority, and shall be accomplished in coordination/cooperation/collaboration with homeowners/displaced residents, with assistance, when requested by the homeowners/residents, from relevant government agencies, nonprofit organizations, homebuilders.**

Precisely what government agencies and nonprofit organizations are going to be a part of these decisions?

Who decides which agencies and organizations are included?

FIRST YOU SAY THE PLAN MUST REFLECT THE *Guidance policies. Shall reflect the values, aspirations and goals of residents.* But THEN you show your real intention by mandating without regard to that policy... giving strength to my question whether public involvement is lip service only, not meant to actually affect any part of the plan/design. For example -

Page 6, line 13 states: *The design of all neighborhoods **shall include** alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes.*

When was this decided and by whom?

Public testimony was not given for these mandates.

The Hawaii Constitution Article I states: Political Power rests with the people.

The Government is the people... so who decided - and under what authority - what the displaced people's neighborhoods will now include?

DID THE DISPLACED, FIRE-IMPACTED, IN SITU PEOPLE VOTE FOR THIS?

Page 6, line 18 states: *The threat of sea level rise and other climate change impacts **shall** be addressed through appropriate mitigation strategies.*

EXACTLY what "appropriate mitigation strategies" would likely be required by this mandate for action? I'm sure the state has many things in mind...

It should be noted that **articles from NASA and other scientific groups** describe changes in all the planets in our solar system¹¹ at the same time that our solar system is passing through a superheated highly magnetized interstellar cloud that our physicists thought could not exist - <https://phys.org/news/2009-12-voyager-interstellar-discovery.html>.

¹¹ These articles were referenced in a series of lectures given by David Wilcock on GAIA TV/

Does this suggest the chance that the mitigation measures we take might be largely ineffective, because a significant source of “change” lies beyond our globe, unrelated to human activity?

Page 7, line 7 states: *Building in residential areas shall cater to the needs of residents.* What does “cater” mean exactly, in this context? “To be particularly attentive or solicitous; minister”..?

And why does it not mention/emphasize the displaced residents/homeowners instead of the more generic term “residents?”

Which residents prevail when there are conflicting “needs?” For instance - Wealthy versus Poor – we can guess...

Page 8, line 16 states: *The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same.*

Why does the board have ANY role in establishing its own private property ownership, why does it include many of the functions a landlord or realtor would perform?

INSTEAD - Why isn’t the board emphatically standing for the goal of assisting the displaced residents/homeowners to maintain and/or recover their ownership, a far more useful board function since residents’ private ownership has been under assault by financial predators since almost immediately after the fire?

Page 10, line 13 states: *The board may contract for and accept gifts or grants in any form from any public agency or from any other source.*

COMMENT - If someone “contracts” for a gift, there’s usually an expectation on the other party’s side that something will be given in return – “you give me this, I give you that.” **Are there ANY restrictions on what that quid pro quo may or may not include?** For instance, are Land set-asides off the table?

COMMENT - Where in that function Is there to be any consideration of what the displaced, impacted residents and homeowners want or need? ANY restriction on what is accepted?

Will there be a rock-solid way of protecting these gifts from potential embezzlers within the system, a temptation given that the state decimated so many commercial enterprises in recent years? Is there to be a firewall between money received and board access? This reeks of the potential for “baksheesh” ... greasing the palm of “authority” in order to realize significant personal benefit (something that Bill Gates “philanthropy” is adept at creating).

Page 11, line 4 states: *The board shall have the power to assess all land users, except the federal government, for their fair share of the costs.*

COMMENT - What costs, what fees or categories of fees, precisely? Hawai'i's property taxes are already a burden...

COMMENT - And what is a land USER? It is a term that begs to be defined, yet is not..

COMMENT - How is "fair share" to be determined – strictly by "square foot" or are there other considerations? AND in this determination, will some become "more equal than others?" (Animal Farm – "By the end of the novella, only pigs enjoy the privileges.. and the other animals are treated like second-class citizens")

On pages 19-21, it shows that millions of dollars will be allocated to this committee.

COMMENT - What form of ACCOUNTABILITY (progress benchmarks) will be established regarding the EFFECTIVE use of those funds in helping displaced homeowners/residents restore a viable home/living arrangement **of their own choice**?

Page 11, line 19 states: *The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments.*

When an area has been devastated by a tragedy of unimaginable proportions, to hold a financial sword over the head of people struggling to recover seems far more than callous.. disproportionately punishing comes to mind, especially given how many businesses the state drove into bankruptcy during Covid.

It seems as though the state **did to the public, to the economy, what it now wishes to punish the public** for experiencing – constraints due to fiscal devastation due to more than one event.

Punishments should be much further out in time, after appropriate opportunity to recover has occurred.

Page 12, line 12 states: *Financial aid from the federal government; contracts with the federal government.*

Then on page 13, line 12, it states: *The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance.*

Given the lawlessness of our current federal government (e.g., southern border controversy, allowing a massive onslaught of drug and human trafficking in addition to overwhelming many local jurisdictions with illegal aliens), this "compliance" could extend to requirements far beyond the constitutional powers allotted to the federal government. An area ripe for misuse...

I suggest language that incorporates what the federal government is **constitutionally enabled** to require.

Page 13, line 15 states: *It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government.*

COMMENT - They will do “ALL things necessary?” Suppose Biden says Lahaina/West Maui must import/house 10,000 illegal immigrants as a condition of federal aid... will the original homeowners now be displaced in order to comply? When does the phrase “unconstitutional” become operative in these provisions?

Page 15, line 6: *The board has the power to adopt rules pursuant to chapter 91 relating to health, safety.*

COMMENT - Why does this bill give power to create rules for health and safety to this board when its alleged purpose is rebuilding homes and the economy? **Will such rules be limited to land use factors (sewer systems, animal waste, etc.) or will the rules extend into personal medical/health issues? Would factors like “behavioral issues” affected by development patterns come under the board’s authority?**

I suggest a clear distinction in the extent of the board’s authority, given the results of the last time the state chose to abandon common sense, engage in censorship and fear tactics, and tank the economy, not to mention its Nuremberg Code violations (no informed choice was ever given to recipients of the experimental genetic manipulation injection) – Examination of court-ordered release of experiment documents - <https://dailyclout.io/pfizer-and-moderna-reports/>
Senate hearing, 10 minute testimony of ICAN: <https://rumble.com/v4g1qyi-safe-and-effective-covid-vaccine-narrative-gets-obliterated-by-del-bigtree.html>

FINAL COMMENT –

ELIMINATING THE "INCONVENIENCE" OF AN ESTABLISHED, ELECTED GOVERNMENT TO EMBED AN ELITE GROUP

This board looks like the first domino in setting up West Maui (Lahaina Moku) to become a “smart city,” in part because you (1) threw in mandates like climate change and (2) powers like health rules authority and (3) gave our smart-city-loving governor the ability to choose the initial members and (4) referred to the undefined term “land USERS” (not homeowners or property owners or renters). Does this failure to employ ownership language lead to “You will own nothing and be happy” says WEF¹²)...

Will it also set a process-precedent that extends to other counties in the future?

Please take this no further.

¹² <https://www.sciencedirect.com/science/article/pii/S0016328723001131>

The World Economic Forum (WEF) predicted that, by 2030, individuals would own nothing and be happy. This article examines the prediction from a property perspective.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 5:56:35 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Juan Ricci	Individual	Oppose	Written Testimony Only

Comments:

Hello, as a license contractor in maui and with over 23 years of experience in the construction industry, my professional opinion is that this bill is a recipe for disaster.

You can't put regular residents in charge of rebuilding of Lahaina without the proper experience, the process needs proper and professional attention. After reading the entire bill, you are giving way to much power to no experience people, that will shape the future of our loved town.

As well, introducing rent control you are putting homeowners in a difficult position, that they might not rebuild since the expensive cost of building won't cover the rent collected. Rental property are a business and they must be seen such as.

There is many red flags in this bill, including the power for purchase, condemn, or dictate the fire of the privately own land and the town itself.

I believe it's the right idea, but it should act as advisors to a professional committee in charge of the future of Lahaina.

some important facts to have in consideration:

- 1- will all current building codes will be enforce, or the rebuild will be grandfather in?
- 2- how will be address when the land owners does not have the sufficient founds to rebuild ?
- 3- building permits, how will they be handle? Now a days is over 1 year to get a regular residential building permits if everything goes smoothly
- 4- rent control (thoughts above)
- 5- biggest fear is land will be condemn for pushing personal agendas. Not the interstate of a group matches the same as others. Best example is the final dump site for the debris. You have 2 difine groups of locals and residents withe the opposite point of views. Will happen the same.

the advisor group should have the following members.

- 1- local Lahaina resident

2- a maui general contractor. Not a developer.

3- Lahaina business owner

4- maui business owner

5 a maui planning department agent

Thank you for your time

juan ricci

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 6:52:23 AM
Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tami Beyer	Individual	Oppose	Written Testimony Only

Comments:

I completely oppose SB 3381.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 7:19:33 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Kane	Individual	Oppose	Written Testimony Only

Comments:

I am a retired attorney and Lahaina resident. I ask that this bill be struck down and not pass (SB3381). This is an overreach of government and violates individual liberties. We must guard against placing too much power into the hands of a small group of individuals. Although they may have good intentions we must trust the legal process as it proceeds and remember that the road to hell is paved with good intentions.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 7:28:55 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheyenne	Individual	Oppose	Written Testimony Only

Comments:

As a resident of Lahaina that was born and raised here, I strongly oppose SB331. Our elected officials are supposed to represent the people in our community and this completely goes against everything that Lahaina and its residents are fighting for. What happens next in Lahaina should be completely up to our community, people that are actually from Lahaina and have lived here up until the fire know what is best for Lahaina. How would you feel if a group of complete strangers came to your home that just burned down, a home that you fought to build your whole life around for you and your family and these stranger just decided that they will now be making decisions on how to rebuild your lost home and that they have the authority to take it away and use it for whatever they see fit? This is a gross injustice and completely goes against what America is supposed to stand for, so why don't we deserve to be treated with the same dignity and respect that you think you deserve?

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:18:49 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Aulani Dusenberry	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Aulani Dusenberry

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:29:29 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Keahi Ho	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB3381. The County of Maui and the Mayor have slowly been building trust with those of us affected by the Lahaina Fires. We support the state giving the money to the County to move forward with their plan to build back Lahaina as best they can. I grew up in Lahaina and serve as a Lahaina firefighter, and like many like me, hope to see Lahaina built back safer, while still keeping the charm that we had. To put the control of all of West Maui into the state's hands would be disastrous. The state has little understanding or connection to West Maui, (other than the money we generate for them) and quite simply this is not keeping Lahaina lands in Lahaina hands. An election of a 9-person resident board is a nice utopian idea, but regular citizens do not have the skills of city planning, civil engineering, development, etc and most likely poor choice-making and inevitable corruption would ensue. Please keep Lahaina lands in Lahaina hands and County lands in County hands. Mahalo.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:38:15 AM
Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Joni Glynn	Individual	Oppose	Written Testimony Only

Comments:

Bill SB3381 is a complete overreach of government. The board you are planning to oversee the lives and profit all the people of West Maui. This group will be able to take gifts of any sort and even money!? How is that going to help anyone but the board!? I am a timeshare property owner in Ka'anapali, our taxes have gone up every year for so long, I can only imagine this bill will make it worse.

I have been going to Maui every year for over 15 years, if the state continues to behave in the manner of taking and taking from their residents, I will stop coming and supporting your state.

I only see the state officials looking out for themselves and not the native inhabitants of the land. This behavior needs to stop!!!

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:53:44 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Lacques	Individual	Oppose	Written Testimony Only

Comments:

In strong opposition.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:02:29 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Josiah Wyatt	Individual	Oppose	Written Testimony Only

Comments:

As a Hawai'i resident living on Maui I oppose bill SB3381.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:05:48 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrick E. Kane	Individual	Oppose	Written Testimony Only

Comments:

I oppose this overreach by the government.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:08:26 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Kamau	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Mahalo.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:09:44 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Edwards	Individual	Oppose	Written Testimony Only

Comments:

Lahaina=Naboth's Vineyard

"There is Nothing New Under the Sun"

Hawaii Lawmakers must choose to side with Ahab or GOD.

Shall they wash their hands clean as Pilate did against the Innocent ONE by their vote AGAINST this Bill which is to completely take charge over land that belongs to others including the Incinerated Ones???

Shall they choose to back away from Korah with the other rebellious ones???

It is wiser to fear the ONE WHO has power to destroy the body and soul-not the one who can destroy the body only...

"The Beginning of Wisdom is to fear GOD"

The Cry of the Blood of the Innocent Ones is always before the Hearing Ear and Watching Eye of the Eternal Judge.

The Land Excavators cannot Remove their Cries 🥹🥹🥹 for Justice

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:09:54 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Robyn Watts	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:19:36 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jamee Messenger	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB3381 as a mother of children born and raised on Maui and still residing in Lahaina.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:38:17 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 3381 as a long resident and friends with many home owners here in Lahaina I could not be more against this.. This is why people do not trust the government today, the incompetence of our elected so called leaders are not fulfilling their oath to protect and serve the people it is so obvious that is very disturbing. There are so many things that should and could be done here in Lahaina, instead you chose to make lifr harder for those who have suffered greatly dew to the Lahaina fires. The greed and incompetence is beyond understanding. Who are these nine people chosen by Green, what qualifies them to represent the people here in Lahaina?

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:40:03 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Darlene Waddell	Individual	Oppose	Written Testimony Only

Comments:

SB3381, plus any/all variations thereof, should be opposed as it is clearly not in the best interest of the residents / land owners of Lahaina, but rather it is in the best interest of the (greedy) stakeholders who should have no place being involved in privately owned land / rebuilding of residents homes in Lahaina.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:50:03 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashlie McGuire	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I stand in opposition of SB3381 SD1. The Lahaina community finds itself at a critical juncture in our recovery from the devastating August 8, 2023 wildfire. We commend the efforts of the Ways & Means committee to shed light on the recovery process and extract accountable data and plans from the various agencies involved. However, we urge for greater cohesion and collaboration among these entities to address the challenges we face.

While we recognize the importance of coordinated efforts, SB3381, SD1 presents several concerns that must be carefully considered. The proposal to centralize control of lands in the Lahaina moku raises strong apprehensions about power concentration. Furthermore, limitations in board representation and potential influence from special interests pose significant risks to our community's future.

We are deeply concerned about the lack of provisions for public transparency and meaningful community input in the proposed legislation. Additionally, the establishment of a new community plan under a state agency may add unnecessary bureaucracy and undermine established local governance structures.

Research into alternative models for post-disaster recovery governance is warranted to ensure that Lahaina's rebuilding efforts are guided by evidence-based strategies and informed decision-making. Should the creation of an overseeing entity prove necessary, we suggest integrating favorable provisions from alternative bills that prioritize transparency and community engagement.

Overall, SB3381 SD1 requires further refinement to effectively facilitate a sustainable and community-driven recovery process for Lahaina. We appreciate your attention to these concerns and your commitment to the well-being of our community.

Mahalo for your consideration.

Sincerely,
Ashlie McGuire

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 10:08:09 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Angela Domagalski	Individual	Oppose	Written Testimony Only

Comments:

This is a land grab with obtuse language that can be easily manipulated. We see you

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 10:08:12 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher hamman	Individual	Oppose	Written Testimony Only

Comments:

This bill is a greedy land grab

NO

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 10:15:57 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Vicki Gold	Testifying for Water Flows Free	Oppose	Written Testimony Only

Comments:

This proposed bill clearly is a significant overreach of government authority. The idea of establishing a board to oversee the entire West Coast of Maui is absurd and alarming. Monetary gifts from any source raises questions about potential conflicts of interest and undermines transparency. Moreover, the prospect of the board complying with any demands to secure federal funding raises doubts about its autonomy and ability to serve the public interest.

The proposal to impose fees on land users, along with additional charges and interests, is unconscionable. Such measures inevitably will place undue financial burden on residents and businesses without clear justification. Additionally, granting this board the authority to create regulations related to health and safety goes far beyond the intended scope of efforts to rebuild Lahaina. It encroaches upon individual liberties and resembles characteristics of authoritarianism rather than democratic governance. Qui bono? How is this supportive of the overlying goal of restoring Lahaina and its citizens?

This proposal risks violating constitutional principles by exceeding the rightful bounds of governmental authority. It is imperative that we carefully scrutinize and challenge any legislation that threatens to undermine the fundamental rights and freedoms of the people.

The people (Natives) of Lahaina deserve to be heard! There are people/ organizations on the sidelines prepared to file lawsuit all the way to the supreme court. They will demand that anyone responsible for the "cover up" be held responsible for crimes against humanity. The world loves Lahaina and Hawaii and is following closely.

Respectfully Submitted,

Victoria Gold

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 10:20:52 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Quist	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 10:39:58 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Grace Fujii	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB3381. As a citizen of Hawaii, I strongly urge the legislation to stop this bill. Have more discussion, questions and answers from the residents and people of Hawaii. There needs to be more clarification on who are the stakeholders and who will be in this Lele group. Many things are not clearly stated of WHO will be taking this over. Representation of the people who matters the most are not in this bill. It is being taken away from those who actually live and care for the land. **DO NOT TAKE IT AWAY FROM THEM.** Have compassion on the local residents and on the land. I strongly believe by the statements made in this bill that the people of Lahaina, Maui and Hawaii are not being heard. I do not agree for the state to have their hand in this. Legislators- please have compassion on Hawaii. Listen and do what is right. Give the land back to the people who have worked so hard on the land. Don't sell us out. Please do everything in your God given power to stop this and help the people. Thank you for your consideration on this important life giving matter. Live by our state motto: Ua Mau ke Ea o ka 'Aina i ka Pono. The life of the land is perpetuated in righteousness. Do what is righteous and pono for the people of Hawaii.

With a humble heart and love for the people and land of Hawaii Nei,

Grace Fujii

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 10:42:29 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ginny Parsons	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill for, among other reasons, it appears to be unconstitutional under both the Hawaii Constitution and the Constitution for the United States. Additionally, it is over reaching and poorly drafted.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 11:00:58 AM
Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherilyn Kang	Individual	Oppose	Written Testimony Only

Comments:

I oppose, SB3381 SD1. Language in the bill is too vague and needs to be more clear.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 11:06:08 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Christina Wine	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3381.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 11:14:55 AM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Shellie Davis	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE THIS BILL ITS AGAINST THEIR CONSTITUTIONAL RIGHTS

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 11:25:35 AM
Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Patty Takahashi	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose!!!

I am grateful for those who keep Hawai'i from getting exploited!! People, land and sea need to be preserved not taken away, poisoned, or destroyed by greedy ideas.

if you want these ideas move away from Hawaii we don't want you!!!

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 12:26:09 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Season Rosenthal	Individual	Oppose	Written Testimony Only

Comments:

I am a generational family from Lahaina and we did lose our generational family home as well as my home. I oppose this bill for so many reasons, why would I trust anybody that is not chosen from us the Lahaina community to tell us what or how Lahaina will be. Our generational house that was lost, I will be so upset if they deemed it eminent domain what is up with that. I don't like that 9 people has full control over everything in Lahaina. If we get to chose then I might not be so hesitant to support this bill. Lahaina people is what makes Lahaina and by doing this you will be taking that away and Lahaina will never be the same.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 12:32:25 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Dana Keen	Individual	Oppose	Written Testimony Only

Comments:

I have watched Angus McKelvey of Maui in meetings regarding the Lele Development District for the Maui West Side. I am guessing that Angus hatched an idea that went on to run-amuck and escape his control.

SB3881 is a bad idea for Maui. Maui County's mayor and board is taking steps to best serve the Lahaina community by streamlining the rebuild process for residents.

The West Side is not some run-down warehouse district that needs redevelopment. Rather, the West Side just simply wants the West Side rebuilt so WE CAN ALL GO HOME ASAP.

Please OPPOSE this "Death-by-committee".

Please support legislation that fast tracks rebuilding for locals. And if possible, allows the front street, as we knew it, to be rebuilt by property owners at their expense. It is want the vast majority want.

Sincerely
Dana Keen

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 2:18:31 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Dufault	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?
- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

As a concerned citizen and taxpayer, I voice my opinion including the above, and strongly
Oppose SB3381

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 3:15:41 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Janet Belcher	Individual	Oppose	Written Testimony Only

Comments:

I am against measure SB3381 and believe it is not in the Maui community's best interest.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 7:42:27 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa Marzan	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Honorable Members of the Committee,

I hope this message finds you well. As a member of the Lahaina community impacted by the August 8, 2023 wildfire, I stand in opposition of SB3381 SD1 and I am writing to share some concerns about SB3381, SD1 and its implications for our recovery efforts.

While we appreciate the efforts of the Ways & Means committee to shed light on our recovery process, we believe there are some important considerations that need to be addressed. One major concern is the proposal to give control of all lands in the Lahaina moku to a state entity. This could concentrate too much power in one place, potentially leaving our community without a voice in decisions about our own land.

Additionally, there are worries about how the board overseeing this entity would be chosen. We want to make sure it truly represents our community's interests and isn't influenced too much by outside groups with their own agendas.

We're also concerned about transparency. The current proposal doesn't include enough ways for us, the people of Lahaina, to have a say in what happens to our community. We believe that any decisions about our future should be made with input from all of us.

In summary, while we agree that coordinated efforts are needed for our recovery, we believe that SB3381, SD1 needs some changes to better reflect the needs and concerns of our community. We appreciate your attention to this matter and your commitment to helping us rebuild.

Mahalo for considering our concerns.

Sincerely,

Theresa

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 7:53:41 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Liza Kobayashi	Individual	Oppose	Written Testimony Only

Comments:

Testimony/comments on SB3381 SD1

To our Hawai'i State Legislature and to the Committee Members that are part of this hearing, I want to express my deep concern of the possible negative ramifications of this bill that would reach far beyond Lahaina if it became a law.

To create a new governing body that has legislative power over the people - not just from the town of Lahaina that was destroyed by fire, but extending it to all of Lahaina Moku that includes so much of West Maui - causes one to question the intentions of those writing and proposing this bill.

If I were suddenly notified that the home that I own - which wasn't destroyed by fire and wasn't part of a town that was burnt down - was no longer under the jurisdiction of the county I live in but instead; under the governance of a newly formed board made of 6 members that would function outside of my county, yet could impose new fees, rules, and other legislature upon me and my family, how would I feel?

I would feel unsafe. I would feel angry. I would be fearful of the implications of such a drastic change in power. I would be afraid of losing my home and a place for my ohana to live. I would be afraid of my children losing their rightful inheritance to own my home and continue living in Hawai'i once I pass on.

I do not believe most of us would agree to this situation if it were us being subjected to it, or at least, those of us who struggle to pay their monthly mortgages, provide food for our families, and pay off our bills.

The word "aloha" carries great meaning in the culture of Hawai'i. It is more than just a greeting, it is an expression of love and hospitality to one another - a way of life. To best express aloha, we must put ourselves in another person's shoes to see things from their perspective, in order to understand how we can be most hospitable to them. I don't live in West Maui. I live on another island. But my heart is angered by the possibilities of what this bill could do to the local families that live in West Maui. This is unjust. This is not treating our West Maui ohana with aloha.

This bill also poses a threat to more than just West Maui. This is because of the new precedents, new language ("land users?"), and a possible new method of governance in Hawai'i that is

outside the present accountability and checks and balances that currently exist. I am deeply concerned that if this bill is passed and made legal, it will negatively impact the fair and just governance of local landowners and local business owners throughout all of Hawai'i Nei.

Aloha includes “**Olu‘olu.**” It means “to be agreeable, to express with pleasantness.” The purpose of **Olu‘olu** is to listen earnestly to hear what is being shared and discussed so that we all understand where the other party is coming from and can agree, even if it's to disagree, with pleasantness. The manner in which this bill is being handled - the timing and process of trying to pass this bill forward so rapidly without allowing the local people of West Maui OR the people of all Hawaii to know and understand all the possible ramifications of the bill - is NOT **Olu‘olu. Not enough time and process has been spent communicating with and informing the local people before making this bill into law.** Thus this process taken - with how this bill was crafted, and with how it's being rapidly pushed through to become a law - does NOT reflect the essence of true aloha.

The writing and crafting of this bill's purpose are also questionably misleading. It includes the following: *“The legislature finds that the wildfire of August 8, 2023, devastated Lahaina's heritage, economy, and sense of place, and has deeply affected housing, businesses, jobs, and treasured resources. If the area is not rebuilt in a deliberate, coordinated, and expeditious manner, the area may languish in the long term and affect the well-being of the land, the people, and the economy.”* While this wording communicates the premise that the area destroyed by the fire needs to be rebuilt, there is just one problem. It doesn't make it clear that the area this bill will be affecting goes way beyond the areas destroyed by fire in Lahaina, as it includes parts of West Maui that weren't burnt down.

Most people probably don't know what the phrase, ”Lahaina Moku” means along with the understanding of what an ahupua`a is. Why wasn't this included in the definitions? Why wasn't it clearly spelled out and explained that the area covered by this bill includes land far beyond the fire zone in West Maui? Many could possibly read this bill and presume “Lahaina Moku” is the town of Lahaina that got burnt down - that's it. The lack of clear communication on this matter suggests that there is an intent to mislead the people - to make them believe this bill is just for the town of Lahaina that was destroyed by fire - and to abuse the noble empathy of the people of Hawai'i to help our fellow families and community of a hurting town in order to grant legislative power far beyond its supposed purpose to help in disaster recovery. Many throughout Hawai'i may not realize this bill will include areas of West Maui located beyond the burnt zones and would be led to support it without understanding this, let alone all the further-reaching possible ramifications of this bill. This would NOT be just. This would NOT be pono.

Moreover, to form a new type of governance over local people in Hawai'i that is separate from Maui County is dangerous. To give a Board so much power; the power to form new laws, fees, penalties and governance over some of the people of Maui - especially over those that are legal landowners and homeowners in West Maui - this is equivalent to opening Pandora's box. We presently have checks and balances in our state/county governance, with the county working alongside our state government to help keep each other from attaining disproportionate power. Right now, this bill doesn't provide this. What happens if this board begins to make decisions based on greed, even if it's just from one person? Who will keep their power in

check? How will this security be enforced? What if these elected board members have greed, don't understand or value true ALOHA, and are willing to create a form of governance that could possibly favor private donors, large corporations, and powerful business owners that aren't from Hawai'i or who don't understand and value the culture and true spirit of our islands? What if they desire to make West Maui according to their own plans and vision, without considering Hawai'i's past history, or the values and culture of the true stewards of this land: those of Hawaiian ancestry? This bill, if made into law, opens the door for people who don't care about our state to warp it, to harm our local people and to strip our islands for the sake of a foreigner's wealth.

A Hawai'i that is built and founded on true aloha has no guile, no deceit, no greed for personal gain, no desire to promote self or build one's own kingdom at the expense of others, including those who don't have much both financially and socially. We must understand how dangerous this bill, if turned into law, could be to Hawaii's identity. According to Aunty Pilahi Pakī: **“The world will turn to Hawai'i as they search for world peace because Hawai'i has the key...and that key is Aloha!”** Aloha is **NOT** tourism. To take West Maui and promote it to the world as the place of Aloha and the place of the future - founded on this bill (with its crafting, process and pushing of this bill to become law so quickly without giving time for the people of Hawai'i to understand the possible impact on them in many facets) is truly falsehood at its core and has entirely missed the mark on what true aloha really is.

I strongly encourage you to put brakes on this bill. Take the time for open, clear discussion, and open clear communication - to define all vague terms, to discuss repercussions of each facet of this bill and possible impacts on West Maui at all levels (between state lawmakers, Maui County, local families and local landowners, big businesses, private donors, the local community of West Maui/Maui/Hawaii, outside investors, etc); and to discuss how this bill could set new ways of governance. What the steps are for accountability, and also for enforcement if greed comes in especially with private donors or money from large companies? What are the checks and balances for this?

We already have the **Law of Aloha** in Hawai'i. In it, it states: *In exercising their power on behalf of the people and in fulfillment of their responsibilities, obligations and service to the people, the legislature, governor, lieutenant governor, executive officers of each department, the chief justice, associate justices, and judges of the appellate, circuit, and district courts may contemplate and reside with the life force and give consideration to the "Aloha Spirit".* **Let's truly practice and abide by our Law of Aloha that is already law in our land of Hawai'i.** May each of you that are legislators in Hawai'i take the time to contemplate and reside with the life force and give consideration to the true "Aloha Spirit."

Finally, as we consider this and all SB bills at this time, let's remember our Hawai'i State Motto:

Ua Mau ke Ea o ka 'Āina i ka Pono - “The life of the land is perpetuated in righteousness.” From all that I have seen overall with this bill, from the crafting of it, to the process, timing and evidences of trying to rush and push this bill through, to the implications of how this could negatively affect and impact the people of Hawai'i - let us choose to have our perspectives and heart motives be grounded in true ALOHA and choose to be pono in how we

carry ourselves, in how we do business, and in how we interact with one another. If this bill is pushed through, as it is right now, into law; the life of Hawai'i will **not** be perpetuated in righteousness and this will negatively impact all keiki and future generations of Hawai'i.

Let's be pono in this process. Let's keep true aloha as the foundation of our heart motives in our governance in Hawai'i. **Let's put the brakes on this bill.** Let's take the time to listen for clear understanding to come forth and let's be Ha'a ha'a - humble and civil with a desire to bless the people of Hawai'i with peace and righteousness as we walk through this together.

Thank you for your time.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:12:09 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Chuck Lee	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this bill..it is a big overreach by government.

The people in West Maui will be without a voice and subject to a fascist dictatorship which they do not deserve!

Mahalo

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:19:24 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Carla Tarantola	Individual	Oppose	Written Testimony Only

Comments:

Sounds like mega corporations are exploiting the people

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:23:38 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Zachary Cappelletti	Individual	Oppose	Written Testimony Only

Comments:

This bill makes it obvious that the public servants are actually working for Blackrock and the corporate conglomerate.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:29:35 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheri Perkins	Individual	Oppose	Written Testimony Only

Comments:

I have watched in horror since Aug 8 as my hometown burned. Our two daughters graduated from Lahainaluna and from UH. They are Maui residents again. I'm on mainland for health reasons but hope to return to Maui. I do not think that this bill will help my friends and former neighbors to reclaim their lives in Lahaina! Many have been there for generations and the aina is important! Please do the right thing! They've suffered enough.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:37:09 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nora Stone	Individual	Oppose	Written Testimony Only

Comments:

Here is why Bill SB3381 should die immediately:

Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?

- Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?
- Page 4, line 6 states: The board shall have sole jurisdiction over the district.

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?

- Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?
- Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?
- Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?
- Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated,"The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No, that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does "cater" mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.

- Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.
- Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!
- Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.
- Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!
- Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!
- Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.

- Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.
- Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.
- Page 19, line 3: There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment of nine full-time equivalent (9.0 FTE) positions within the Hawaii community development authority. Why are they assessing fees for land users if they’re getting millions from other sources?
- Line 10: SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$6,000,000.
- Page 20, line 15: Provided that no funds shall be made available under this section unless the Lele community district board obtains \$100,000,000 in matching funds from the private sector for the purpose for which this sum is appropriated. Who are these people who are going to match 100 million dollars and why?
- Page 21, line 1: There is appropriated out of the Lele community special fund the sum of \$200,000,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the purposes of the Lele community district; provided that funds are available pursuant to section 8 of this Act. This “special funds” seems to have a deep pocket. Where exactly is the special funds coming from?

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 8:41:01 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Amelia	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

This bill should be put to a full proper vote by all Hawaii citizens. This bill should be revised so those who lost property are allowed to file insurance claims; rushing this process makes it near impossible and suspect. All barriers to filing insurance claims need to be eliminated by the state who has the power to regulate insurers. Insurers should be held accountable to honor claims for all premiums paid in good faith, with no arbitrary time constraints applied.

The language of the bill must be revised to eliminate insensitive phrases such as “land users” that further distances residents from ever claiming their rightful property. Moreover, the word “supersedes” needs to be stricken from the bill because it implies all claims of ownership before the fire including ancestral claims are no longer valid. This language cannot be used in this and any future bills . Anyone involved in crafting and proposing this bill who hold property would expect the same for themselves which is reasonable.

Conducting an environmental clean up of this geoengineered disaster should be thorough and not expeditious since all cultural artifacts need to be properly recovered in a thoughtful manner.

Finally, any bill pertaining to the recovery efforts for Lahaina and its property owners must be considered separately in single subject bills and never be attached to any other bill related to development plans for the West Maui coastline.

Mahalo

Respectfully submitted

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:31:08 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Karri Teshima	Individual	Oppose	Written Testimony Only

Comments:

I opposed to this bill because the language is egregious and goes directly against the people of Lahaina, and the island of Maui. It is not in their best interest in any way. It gives way too much power to people who want to take the land and develop it into a smart town or city. This bill allows bribery, fraud corruption. It puts too much power in people who are not even elected officials. It goes against the people in every way, It is a bill of pure corruption put an end to this bill throw it out

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:55:14 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa Harden	Individual	Oppose	Written Testimony Only

Comments:

This bill is an absolute overreach of government. You want a board to govern over the entire West Coast of Maui! They'll be able to take money, gifts from anyone. They'll comply with anything to get federal funding. They'll assess fees to land users and interest and other fees. What is this? They'll be able to create rules on health and safety! That is beyond the scope of rebuilding Lahaina. It is fascism! You're overstepping the Constitution!

Here is why Bill SB3381 should die immediately:

- **Page 2, line 1 says: the purpose of this part is to establish the Lele community district to facilitate the rebuilding of Lahaina. Yet, the district map shows most of the area that would be under the control of the Lele community isn't burned and is outside the historic city of Lahaina. This bill would put most of the people in West Maui under the control of this committee. Why are they going outside the burn zone?**
- **Page 3, line 11 state: The district shall be governed by the board. Why is this district going outside the governance of the County?**
- **Page 4, line 6 states: The board shall have sole jurisdiction over the district.**

It seems to be creating a completely new government for this area. That is not in compliance with the Constitution. You can't create a new government.

- **Page 5, line 4 states: The board shall create and implement, as expeditiously as possible, a community plan for the rebuilding within the district, in coordination with all stakeholders, etc. Who are these stakeholders and why will this community be coordinating with them first and foremost and not the fire victims? What have these stakeholders invested in? Do they own Maui?**
- **Page 5, line 14 states: Guidance policies. Shall reflect the values, aspirations and goals of residents. What are the values and goals? Are the residents going to be given a say about what they want? Who decides what the values and aspirations are?**
- **Page 6, line 8 states: The provision of new housing, replacing the approximately three thousand units destroyed in the wildfire, shall be a priority, and include the participation of other government agencies, nonprofit organizations, and builders of housing. Why doesn't this part include homeowners? What government agencies, and organizations are going to be a part of these decisions?**
- **Page 6, line 13 states: The design of all neighborhoods shall include alternative means of mobility, including pathways, bikeways, public transportation, and other strategies that reduce the dependence on private vehicles and provide redundant travel routes. When was this decided and by whom? Public testimony was not given for this decision. The Hawaii Constitution Article I states: Political Power rests with the people. The Government is the people so why are the people able to decided what the neighborhoods will include?**
- **Page 6, line 18 states: The threat of sea level rise and other climate change impacts shall be addressed through appropriate mitigation strategies. 1609 scientists from around the world have signed a declaration stating there is no climate emergency. John Coleman, a 60 year meteorologist and founder of the weather channel stated,"The Antarctic polar ice cap is at an all time high and actually increasing". Mr. Coleman says, sea levels are not rising. There are numerous other scientists that share these same insights. 60 year meteorologist for the US Navy, Dr. David Dilley, says the earth was closer to the sun 8K years ago and is going into its cooling phase.**

Have any of the sea levels risen on any of our islands or anywhere around the world? Are home insurance companies not insuring homes on the coast due to sea levels rising? No,

that is not happening. These mitigation strategies will take away people's right to travel and live freely and that is against the Constitution and unlawful!

- **Pag 7, line 7 states: Building in residential areas shall cater to the needs of residents. What does “cater” mean exactly? It would be better stated, Building in residential areas shall be at the sole discretion of the homeowner.**
- **Page 8, line 16 states: The board may acquire, reacquire, or contract to acquire or reacquire, by grant or purchase, real, personal, or mixed property, or any interest therein, and own, hold, clear, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same. The Government cannot “acquire” people’s real, personal or mixed property without due process of law! They cannot do what is stated here! It is unconstitutional and unlawful! You took an oath to defend and support the Constitution. This Bill must die.**
- **Page 9, line 1 states: The board may acquire or reacquire by condemnation real, personal, or mixed property, or any interest therein, for purposes of this part. Again, the government CANNOT acquire property without due process. This bill MUST DIE!**
- **Page 10, line 13 states: The board may contract for and accept gifts or grants in any form from any public agency or from any other source. This is very disturbing! It looks like they can allow bribery and fraud.**
- **Pag 11, line 4 states: The board shall have the power to assess all land users, except the federal government, for their fair share of the costs. Yet, on pages 19-21, shows millions of dollars will be allocated to this committee. What are these fees that will be assessed to unknowing land users? This again goes against the Constitution and is unlawful and looks like fraud!**
- **Page 11, line 19 states: The board may charge interest or other fees on assessment amounts not paid on a timely basis, and may withhold services or approval of governmental permits for land users delinquent in payments. This is an overreach of government, and fraud! This bill is against the people and must die!**

- **Page 12, line 12 states: Financial aid from the federal government; contracts with the federal government. Then on page 13, line 12 it states: The board will comply with terms and conditions required by the federal government in any contract or grant for federal assistance. It looks like this board will comply with anything. That is very dangerous! It will give Maui to the Federal Government. This is not okay.**
- **Page 13, line 15 states: It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government. They will do “all things necessary”? That is not the will of the people and again VERY DANGEROUS! It is an overreach of government.**
- **Page 15, line 6: The board has the power to adopt rules pursuant to chapter 91 relating to health, safety. Why does this bill give power to create rules for health and safety to this committee? That is yet another unlawful act that goes against the Constitution and is a complete overreach of government.**
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Rebuilding Lahaina does not need a committee that is in complete control of West Maui. This goes beyond rebuilding Lahaina. Bill SB3381 is an absolute overreach of the government and must die immediately. Please do not schedule a hearing for this bill.

LATE

SB-3381-SD-1

Submitted on: 2/28/2024 9:58:39 PM

Testimony for WAM on 2/28/2024 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee Dieperink	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB 3381 SD1