

LINDA LINGLE  
GOVERNOR  
STATE OF HAWAII



MICHAEL KANE  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
KALANA H. PARK  
DEPUTY TO THE CHAIRMAN  
ROBERT J. HALL  
EXECUTIVE ASSISTANT

**STATE OF HAWAII**  
**DEPARTMENT OF HAWAIIAN HOME LANDS**

P.O. BOX 1879  
HONOLULU, HAWAII 96805

TESTIMONY OF MICHAEL A. KANE, CHAIRMAN  
HAWAIIAN HOMES COMMISSION

BEFORE THE HOUSE COMMITTEE ON WATER, LAND, OCEAN RESOURCES &  
HAWAIIAN AFFAIRS

ON SB 3048, PROPOSED HD1,  
RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED

April 2, 2008

Chair Ito, Vice Chair Karamatsu and Members of the Committee:

Thank you for this opportunity to testify in strong support of SB 3048, proposed HD1, pertaining to the maximum commercial lease term under the Hawaiian Homes Commission Act. The proposed HD1 would authorize the Department of Hawaiian Home Lands (DHHL) to enter into 99-year project developer agreements, including commercial leases, and extend the cap on existing agreements from 65 years to 99 years, when such terms would provide better and greater opportunities to the Hawaiian Home Lands trust and its beneficiaries.

As you know, DHHL's ability to carry out its mission to provide homeownership opportunities to native Hawaiians is directly tied to the Hawaiian Homes Commission's ability to obtain the necessary resources through federal, state and county

funds, private and public grants, and income-generating opportunities. Over the past 5 years, income generated by DHHL through commercial leases has supported DHHL's homesteading program.

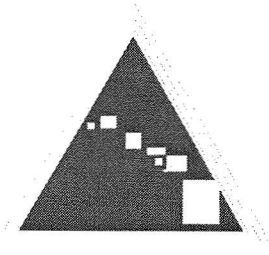
In today's economy, the current 65-year term has limited DHHL's ability to attract substantial investment in the proposed commercial lease properties. The proposed amendment significantly increases the value of DHHL's property and provides an improved tool which DHHL can use to ultimately better serve its beneficiaries.

Furthermore, as DHHL designates income-generating properties to its respective homestead community-based organizations, the authority would also be passed to them. Homestead organizations would realize the opportunity to directly generate the same economic benefit as DHHL as they strive to carry out their respective community development plans and better serve their communities themselves.

For the above reasons, we believe that the proposed amendment will provide significant benefits to the beneficiaries of the Hawaiian Homes Commission Act.

We respectfully request your favorable recommendations and action on SB 3048, proposed HD1. Thank you for the opportunity to testify on this measure.

Sovereign Councils  
of the



Hawaiian Homelands  
Assembly

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89-188 Farrington Highway  
Wai'anae, Hawai'i 96792  
Phone & Fax: (808) 668-0441

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Kamaki Kanahale  
Chair  
O'ahu

Leah K. Pereira  
Vice-Chair  
Kaua'i

M. Kammy Purdy  
Secretary  
Moloka'i

M. Kanani Kapuniai  
Treasurer  
Hawai'i

G. Pikake Pelekai  
Executive Director

April 1, 2008

To: **Representative Ken Ito, Chair**  
**Representative Riki Karamatsu, Vice Chair & Members of the**  
**Committee on Water, Land, Ocean Resources & Hawaiian**  
**Affairs**

From: **Kali Watson**  
**Chairman of Statewide Economic Development Committee**  
**SCHHA**  
**Honolulu, Hawaii 96792**

Re: **Hearing on SB -3048 SD1, Proposed HD1 Relating to Cap on**  
**Development Leases (DHHL)**  
April 2, 2008 at 8:30am  
Conference Room 312, State Capitol

**TESTIMONY IN SUPPORT**

Dear Chair Ito, Vice Chair Karamatsu and Members:

Thank you for the opportunity to provide testimony in support to HB 3048 SD1, Proposed HD1-relating to extending the cap on leases under a Developer Agreement with the Department of Hawaiian Home Lands. This bill increases the lease term cap to 99 years from 65 years. The SCHHA supports the expanded flexibility and marketability that this statutory change would create. To do so would make the lands more attractive to potential developers and tenants, which will generate more revenue for DHHL programs which directly benefit native Hawaiians.

The SCHHA, through its various homestead associations, is undertaking an aggressive effort to develop commercial, industrial, and community centers, along with low-income housing projects on Department lands throughout the state. In Nanakuli, the Homestead Community Association is already developing the Nanakuli Village Center. It has a 65 year lease from DHHL that allows a commercial center, the Agnes K. Cope Hawaiian Cultural Center, and the 48-unit low-income rental Hale Makana O Nanakuli housing Project. The Association has already received significant funding along with commitments from various tenants. This bill, which would allow the Department to extend the lease to 99 years, would clearly enhance the project. With a longer lease term, the Association and tenants may qualify for longer and larger mortgages. The Association's revenue stream would also be greatly expanded. I urge you to please pass this measure, SB 3048.

Sincerely,

*Kali Watson*

Kali Watson

Hui Kako`o Aina Ho`opulapula  
P.O. Box 37958  
Honolulu, Hawaii 96814  
808-262-5299  
[www.hawaiianlands.org](http://www.hawaiianlands.org)

Testimony of  
Blossom Feiteira  
SB 3048 SD1, HD1 (proposed)

Aloha Chairperson Ito and members of the committee on Land, Water, Ocean Resources and Hawaiian Affairs Committee.

My name is Blossom Feiteira, President of Hui Kako`o Aina Ho`opulapula, an organization created to serve the interests of native Hawaiian Beneficiaries who are currently waiting for an award of Hawaiian Home Lands, and I thank you for the opportunity to submit testimony in opposition of SB 3048 SD1 HD1 in its current draft form.

Your committee is hearing SB 3048, SD1, and is recommending a draft that essentially changes the purpose of the bill from increasing the loan amount for agricultural, pastoral and aquaculture activities to extending the general lease option from 65 years to 99 years.

Revising the current statute to allow for a longer term general lease for developers will have a significant impact on the beneficiaries of the trust. Land under a longer term lease agreement for commercial use puts our beneficiaries at great risk of not seeing an award in their lifetime and further diminishes the trust assets for those it was meant to serve. Too many of our beneficiaries have already died on the list waiting for an award of land. To pass this bill in its current draft form will only sustain this heinous situation, and perpetuate this egregious action against our people.

There is no reason for this bill to pass in its draft form. We see no benefit in this draft for the beneficiaries of the Hawaiian Home Lands trust, and recommend that this draft be denied and the former version of this bill be passed.

Thank you once again for this opportunity.

Blossom Feiteira  
President

TESTIMONY OF ANTHONY "UNCLE TONY" SANG, SR., DIRECTOR  
WAIMANALO HAWAIIAN HOMES ASSOCIATION  
ON SB 3048  
BEFORE THE HOUSE COMMITTEE ON WATER, LAND, OCEAN RESOURCES &  
HAWAIIAN AFFAIRS

Wednesday, April 2, 2008

Chair Ito, Vice Chair Karamatsu and Members of the Committee:

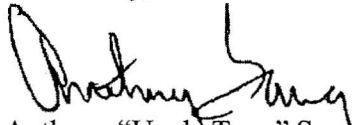
Mahalo for this opportunity to testify in support of this bill that enables the Department of Hawaiian Home Lands to extend the terms of its non-homestead land use agreements from 65 years to 99 years.

As a leader of a Hawaiian homestead community association, I respectfully urge that you pass this bill. Through its various non-homestead land dispositions, the department generates revenue that supports programs that reach all the beneficiaries of the Hawaiian Home Lands trust, including all the lessee families in Waimanalo and in the other Hawaiian homestead communities. Being able to extend the terms of the lease to 99 years, the department can attract the best lessees, commercial and others, to maximize the revenue generated on these lands supporting the goals and objectives of the department.

This change in policy will greatly benefit the homestead applicants and brings these applicants a step closer to the opportunity of homeownership on Hawaiian Home Lands. For existing lessees, like the residents of Waimanalo, your approval of this bill means community centers and facilities which build stronger and healthier Hawaiian communities.

Thank you for this opportunity to testify in support of SB3048.

Yours truly,



Anthony "Uncle Tony" Sang, Sr., Director  
Waimanalo Hawaiian Homes Association

**WAIMEA HAWAIIAN HOMESTEADERS' ASSOCIATION, INC.**

**P. O. Box 6753**

**Kamuela, Hawaii 96743**

April 1, 2008

**M KANANI KAPUNIAI**  
*Pu'ukapu-Pastoral '90+*  
Director- **President**

**N DUKE KAPUNIAI**  
*Honokaia*  
Director - **Vice-President**

**SHARON MEDEIROS**  
*Puu Pulehu*  
Director - **Secretary**

**A HOPPY BROWN**  
*Puukapu Pastoral '90+*  
Director - **Treasurer**

**DOROTHY/BRUCE NISHIE**  
*Kamoku/Nienie/Waikoloa*  
Director

**KENNETH/LAVERNE KANIHO**  
*Pauahi*  
Director

**DERRICK HONDA**  
*Puukapu-Agricultural>'85*  
Director

**BETTY LAU**  
*Kuhio Village*  
Director

**JOSEPH KEALOHA**  
*Pu'ukapu-Agricultural'85+*  
Director

**FRED LAU**  
*Kuhio Village*  
Director

TO: Representative Ken Ito, Chair  
Representative Jon Riki Karamtasu, Vice Chair  
*Committee on Water, Land, Ocean Resources  
& Hawaiian Affairs*

FROM: M Kapuniai, President

RE: **SB 3048, SD1, Proposed HD 1**  
**RELATING TO THE HAWAIIAN HOMES COMMISSION**  
**ACT** Proposed HD1: Extends the cap on commercial leases  
with DHHL from 65 years to 99 years

Date/Time: Wednesday, April 2, 2008 @ 11:30 a.m.  
Place: Conference Room 312  
State Capital, 415 So Beretania St

We provide testimony to **OPPOSE THE PROPOSED HD1.**

The proposed HD1 changes the entire original SB3048, SD1 which addressed Section 215 of the Hawaiian Homes Commission Act, the object of which was to "increase the loan ceiling for farm and ranch operations on Hawaiian home lands from \$50,000 to \$200,000", to an entirely unrelated subject as stated, Section 220.5.

Only three testimonies are listed for SB3048,SDS1 and none of them even mention Section 220.5.

**WHAT IS GOING ON????**

The recommended change is not documented, has no relation to the original SB3048, nor to SB3048 SD1, and **is to be deferred**. The recommended change is a subject for a new bill and is to be introduced in a timely manner. In addition, the recommended change is a consultation topic for the beneficiaries and managers of the trust, the Hawaiian Homes Commission, prior to any legislative discussion.

Our recommendation is to **resurrect the original SB3048, SD1** with its original description and intent, this legislative session.

We appreciate the opportunity to participate! Thank you!

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Fax (808) 890-2311  
Email: [duke@sandwichisles.net](mailto:duke@sandwichisles.net)

TESTIMONY OF SHIRLEY SWINNEY, PRESIDENT  
MALU'OHAI RESIDENTS' ASSOCIATION  
ON **SB 3048**  
BEFORE THE HOUSE COMMITTEE ON WATER, LAND, OCEAN RESOURCES &  
HAWAIIAN AFFAIRS

April 2, 2008

Chair Ito, Vice Chair Karamatsu and Members of the Committee:

Mahalo for this opportunity to testify in support of this bill that enables the Department of Hawaiian Home Lands to extend the terms of its non-homestead land use agreements from 65 years to 99 years.

As a leader of a Hawaiian homestead community association, I respectfully urge that you pass this bill. Through its various non-homestead land dispositions, the department generates revenue that supports programs that reach all the beneficiaries of the Hawaiian Home Lands trust, including all the lessee families in Malu'ohai in Kapolei. By being able to extend the terms of the lease to 99 years, the department can attract the best lessees, commercial and others, to maximize the revenue generated on these lands.

This change in policy will greatly benefit the homestead applicants and brings these applicants a step closer to the opportunity of homeownership on Hawaiian Home Lands. For existing lessees, like the residents of Malu'ohai, your approval of this bill means community centers and facilities which build stronger and healthier Hawaiian communities.

Thank you for this opportunity to testify.

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**From:** Paul Richards [mailto:paul\_28827@msn.com]

**Sent:** Tuesday, April 01, 2008 6:41 PM

**To:** WLHtestimony

**Cc:** godscountrywaimanalo@gmail.com; unclتونysang@yahoo.com; kawehilani\_n@yahoo.com; roxy\_96795@yahoo.com; rosalee@hawaiiancouncil.org; volcanoconstruction@gmail.com; ilimz1@yahoo.com; maile\_villarin@msn.com; j\_sang74@hotmail.com

**Subject:** TESTIMONY IN SUPPORT OF SB 3048

Honorable Chairman Ito, Vice Chair Karamatsu and Committee Members,

Please accept the attached testimony in support of SB 3048 which extends the terms of a lease on DHHL for non-homestead leases from 65 to 99 years.

Paul P. Richards



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**From:** KipuKai Kualii [mailto:[kipukai.kualii@gmail.com](mailto:kipukai.kualii@gmail.com)]

**Sent:** Monday, March 31, 2008 10:57 PM

**To:** WLHtestimony

**Subject:** Testimony

SB 3048, SD1 (SSCR2685)

Status RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.

Proposed HD1: Extends the cap on commercial leases with DHHL from 65 years to 99 years.

As an actively engaged beneficiary leader with Hui Kako`o `Aina Ho`opulapula, the Anahola Hawaiian Homes Association and the Pi`ilani Mai Ke Kai Task Force, I am only now hearing of this proposed extension for the first time. Because of that, I have to conclude that this is being done without "beneficiary consultation".

I AM OPPOSED to any changes being made to any matters relating to the Hawaiian Homes Commission Act without "beneficiary consultation". Also, I don't believe the majority of beneficiaries would be in support of any kind of extension - but, instead would probably want this cap to be lowered to at the most 50 years; perhaps even 25 years. Beneficiaries don't want to see the best of our lands being tied up in longterm commercial leases.

MAHALO!!!

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Me ka ha`aha`a,  
KipuKai

KipuKai Kualii  
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**From:** Kahukama@aol.com [mailto:Kahukama@aol.com]  
**Sent:** Tuesday, April 01, 2008 8:23 AM  
**To:** WLHtestimony  
**Subject:** OPPOSE SB 3048 SD1

Tasha Kama  
P. O. Box 503  
Wailuku, HI 96793

April 1, 2008

SB 3048, SD1 (SCR 2685)  
Status RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.  
Proposed HD1: Extends the cap on commercial leases with DHHL from 65 years to 99 years

I am a beneficiary of the Hawaiian Home Lands Trust. For 87 years the beneficiaries have been treated like orphans by those who control and manage the lands that have been set aside for the native Hawaiians as defined as those with 50% of more Hawaiian blood. These lands were for the purpose of rehabilitating (to restore to the former rank, privilege or rights of) the native Hawaiians. Representatives, can you honestly say that native Hawaiians have been restored to where they once were?

Extending commercial leases from 65 years to 99 years does not offer rehabilitation opportunities for native Hawaiians if our lands are tied up in commercial leases. Off site of Hawaiian Home Lands is a good indication of what happens when lands are not controlled by local people. There is no land for affordable housing, people from away move here, locals move out.

Please vote NO on SB 3048 SD1.

Mahalo

Tasha Kama

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