

Senate Committee on Agriculture and Hawaiian Affairs**S.B. 3150
Relating To The Hawaiian Homes Commission Act,
1920, As Amended**

Testimony of Kaipo Kincaid, Executive Director,
on behalf of Hui Kako'o 'Aina Ho'opulapula,
a Beneficiary-Organization for Applicants of the Hawaiian Home Lands Trust

Thursday, February 7, 2008, at 2:45 pm, Conference Room 224

Chair Jill N. Tokuda and Members of the Committee:

Hui Kako'o 'Aina Ho'opulapula (Hui Kako'o) supports S.B.3150 with amendments.

Hui Kako'o is a membership based non-profit organization incorporated in 1994 whose purpose is to support and advocate for the interest of Applicants and eligible Applicants of the Hawaiian Home Lands Trust. They are the beneficiaries of the trust who have not yet received homestead leases or who are not in occupancy of a homestead lease.

This bill establishes a community development fund with revenue-sharing from commercial development projects in order to fund community and cultural programming for beneficiaries of the trust in the Hawaiian homestead communities. We believe this is a far-reaching and long overdue concept that will immensely assist the beneficiaries in their efforts to improve the quality of their lives and communities through programs which this fund would ensure.

We offer the following comments for consideration:

- The bill as written excludes that class of beneficiaries who are still on the waitlist for a homestead lease – the Applicants. This language (pg. 1, ln. 13 – 14) states, “. . . shall be used for community and cultural programming in Hawaiian homestead communities . . .” {Emphasis added.] Because Applicants do not have homestead leases they are not a part of “Hawaiian homestead communities”, thus programs funded through this revenue stream would not benefit them. We believe the language should be broadened so that Applicants on the waitlist, who

are not lessees in homestead communities, can also reap the benefits of the *Hawaiian home lands community development fund* and develop programs for their needs as beneficiaries. There are 20,000 people on the Waitlist as compared with 7,000 +/- homestead lessees in Hawaiian homestead communities. We believe this disparate treatment should be addressed and equal footing given to both classes of beneficiaries of the trust.

- o Second, the bill states that moneys from the funds could be used for “community and cultural programming” [pg. 1, ln.13]. This language should be amended to allow for program uses that meet Applicants’ needs and not just those of the homestead communities. The primary DHHL activity which concerns most Applicants is residential developments. Over the years Hui Kako'o has proposed several projects to DHHL in an attempt bring the Applicant-beneficiaries in this planning process. The use of this fund should also include programs for community development activities including residential development planning, as well as community and cultural programming. This amendment would provide Applicants an opportunity to obtain funding for projects that affect their wellbeing and their future homes and communities.
- o Third, we believe the bill should be amended to state specifically the percentage of revenue from each commercial development that would be deposited into the fund. If this is not specified it appears to be at the discretion of the Hawaiian Homes Commission to determine what percentage is appropriate. That could be a negligible amount so as to frustrate the purpose of the bill and render the funds inadequate to finance any beneficiary programs. We propose the percentage of “not less than one-half of one percent” of the revenue from each commercial development.

Mahalo for the opportunity to submit testimony on this measure.