

HB 1741



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LATE

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Statement of
THEODORE E. LIU
Director

Department of Business, Economic Development, and Tourism
before the

SENATE COMMITTEE ON WAYS AND MEANS

Monday, April 6, 2009

9:30 a.m.

State Capitol, Conference Room 211

HB 984 HD 4 SD 1
RELATING TO TECHNOLOGY.

Chair Kim, Vice Chair Tsutsui and Members of the Senate Committees on Ways and Means.

DBEDT supports HB 984 HD 4 SD 1; however we defer to the Department of Commerce and Consumer Affairs as to the technical details of this measure.

High speed broadband service has become essential infrastructure for an idea-based innovation economy and a key source of competitive economic advantage. Improved broadband service will with this bill, also help Hawaii's economy and improve services from the public sector. Hawaii has an opportunity to deploy world class broadband service and re-establish itself as a key node in the worldwide telecommunication network.

Thank you for the opportunity to provide these comments.



SIERRA CLUB HAWAI'I CHAPTER

P.O. Box 2577, Honolulu, HI 96803
808.538.6616 / hawaii.chapter@sierraclub.org

SENATE COMMITTEE ON WAYS AND MEANS

April 6, 2009, 10:00 A.M.
(*Testimony is 2 pages long*)

TESTIMONY IN STRONG OPPOSITION TO HB 1741, HD1

Aloha Chair Kim and Members of the Committee:

The Sierra Club, Hawai'i Chapter, with over 5500 dues paying members statewide, strongly opposes HB 1741, HD1, which would drastically reduce or eliminate funding for most of the State's conservation efforts.

We understand the State's need to tighten the belt. Not all budget cuts are equal, however. As a result of the economic downturn, the Natural Area Reserve and Land Conservation Fund are already anticipating 50-60% cuts in State funding. This impact -- separate and apart from what is being considered today -- seriously reduces the effectiveness of ongoing programs, staff retention, and federal matching funds.

Hawai'i has always placed a high premium on protecting our natural areas. For example, Article XI of the Hawai'i State Constitution directs that "For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawai'i's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State"

In 2005, this legislature concluded that the coastal, cultural, and watershed lands were being impinged by continued population growth and development in Hawai'i. Wisely, this Legislature found a clear nexus between the conveyance tax and protecting natural areas. Some real estate transfers involve a loss of open space, or the construction of roads, or the expansion of visitor infrastructure. Funding for the acquisition and protection of wild areas offset those impacts—thus ensuring natural, undeveloped areas for future generations to experience in furtherance of our constitutional directive.

HB 1741 would take a tremendous step backwards in our protection of natural areas. Disconnecting the tie between development and wilderness protection -- particularly when the programs protecting our native habitat are already experiencing strong budgetary reductions -- would cripple conservation efforts. This adversely impacts efforts to protect federally endangered plants and animals and our long-term supply of drinking water.

HB 1741 will also have a significant, adverse economic impact. A majority of the money invested in the NAR program is matched with federal or private funds. Without the state funding, these matching funds will no longer enter the state. This will result in further termination of specialized employees, thus increasing the state unemployment level and creating the possibility these position will not be filled with qualified individuals in the future.

HB 1741 proposes to eliminate the proverbial "ounce of prevention." Please don't leave it to future legislators to pay for a pound of cure.

Please hold HB 1741. Thank you for the opportunity to testify.



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LATE

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**H.B. 1741 NAR Fund
Room 211, 10:00 am
April 6, 2009**

Aloha Chairwoman Kim and members of the Senate Ways and Means Committee,

KAHEA strongly opposes the passage of HB 1741 to reduce available funding in the Natural Area Reserve Fund and the Legacy Lands Conservation Fund. These special funds provide far greater, long-term benefits to the people of Hawaii than the short-term gain to the general fund, especially considering the Legislature has significant sources of new money that have not been collected, namely rent from the use of state lands on Mauna Kea by foreign-owned telescopes.

1) THE NAR FUND SHOULD NOT BE CUT BECAUSE IT PROVIDES CONSIDERABLE ECONOMIC BENEFIT

The NAR fund creates jobs: 200 people are directly employed by the programs funded through the NAR and Legacy Lands Conservation funds, which contribute over \$10 million to local businesses. These funds have already suffered significant budget cuts due to the dramatic decrease in conveyance tax revenue. The additional cuts proposed will mean people's jobs will be lost.

The NAR fund leverages significant matching funds: In fiscal year 2008, \$4.7 million in the Land Conservation Fund leveraged over \$14.3 million in ADDITIONAL matching private and federal funds. In addition, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in ADDITIONAL matching private and federal funds. And, the Rental Housing Trust Fund leverages additional non-state funds for affordable rental housing programs as well, stretching scarce funds to do even more good. It does not make good fiscal sense to cut state funds that leverage significant amounts of additional private and federal matching funds.

2) THE NAR FUND PROVIDES FOR BASIC ENVIRONMENTAL HEALTH PROTECTIONS

The NAR fund provides significant environmental services: It is estimated that the Ko'olau Mountains on Oahu provides at least \$14 billion in water production and filtering, culture, recreation, ecotourism, and educational opportunities, protection of native habitats and species, and other benefits. Over 220 billion gallons of clean water per year are produced in areas managed by the Watershed Partnerships Program.

The NAR fund helps to protect our environment. Our nearshore waters are protected from land-based erosion and pollution by the Natural Area Partnership Program. Agricultural lands are protected from harmful invasive species by the Hawai'i Invasive Species Council. Important recreational areas, used everyday for hiking, camping, and hunting, are managed by the State Forest Reserve System. Native forests, where maile and 'ōhi'a are picked for hula, are protected by all of these conservation programs. Important open spaces are protected from development

for the public to enjoy as cultural, recreational, agricultural, and watershed areas by the Legacy Lands Conservation Program.

3) FOREIGN-OWNED TELESCOPES ON MAUNA KEA ARE SIGNIFICANT, UNTAPPED SOURCE OF REVENUE

The entire summit of Mauna Kea is public land held in trust for the people of Hawai'i. HRS §171-17 and -18 requires leases for the use of any public lands be based on the market-value of the land and that proceeds be deposited in the general fund. Unfortunately, the foreign entities that currently own and operate the telescopes on the summit have leases with that require only \$1 a year for the use of these lands. The "public purpose" exemption to the market-based rent requirement does not apply foreign entities. While the actual appraised value of public lands used for telescopes is not known, based just on the recent deal between Caltech and Yale, it is clear that the market-value of these lands is far more than \$1 a year.

"Under the \$12 million deal with the California Institute of Technology, one of the Big Island observatory's partner institutions, Yale astronomers will get 15 nights of observing time annually over 10 years. ... Access to the telescopes is highly prized...." - Honolulu Advertiser, March 4, 2009.

The State should renegotiate these illegal lease-contracts to ensure the people of Hawaii are adequately compensated for the use of their public lands. In doing so, the Legislature can avoid drastic budget cuts and raiding special funds.

Mahalo,



Marti Townsend
Program Director

LATE



NATIONAL TROPICAL BOTANICAL GARDEN

Chartered by Congress to Create a National Resource in Conservation, Research, and Education

Testimony of : **CHIPPER WICHMAN**
 Director and CEO – National Tropical Botanical Garden

Before the Senate Committee on WAYS AND MEANS

Date: Monday, April 6, 2009

Time: 10:00 AM

Room: State Capitol, Conference Room 211

Subject: HOUSE BILL 1741, HOUSE DRAFT 1 - RELATING TO THE CONVEYANCE TAX

While we all acknowledge the dire state of our economy and the unprecedented actions that will have to be made the National Tropical Botanical Garden **strongly opposes HB 1741 HD-1**, which suspends temporarily the distribution of a portion of the conveyance tax to the land conservation fund, and reduces conveyance tax funding to the Natural Area Reserve Fund and Rental Housing Trust Fund. The Land Conservation Fund and Natural Area Reserve Fund are already anticipating 50-60% cuts in state funding due to the decline in property sales which will hurt essential conservation programs state-wide. If enacted, HB 1741 HD-1 will stop all funding for several crucial programs which will cause irreparable damage to critical conservation efforts.

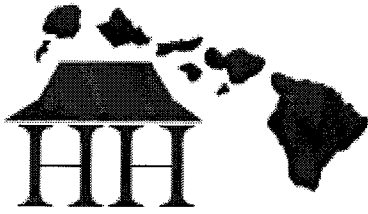
While examples are numerous, I will use only two programs to make my point. These are: 1) The **Invasive Species Council Programs (ISCs)** and 2) the **Plant Extinction Prevention (PEP)** program. Under HB 1741 HD-1 funding for both these programs will be reduced to ZERO. That will effectively kill these programs that are essential to the survival of many of our rarest native plant species. The successful eradication of incipient invasive species is the only way to effectively control them and without the ISCs our state will be left without an effective invasive species control program. Related to this, Hawaii has one of the most endangered floras anywhere in the world and the PEP program works with the rarest of these plants. These are species that are on the edge of extinction and elimination of funding for this program will send a strong message to the world conservation community – that our politicians do not care about the perpetuation of the Hawaii's unique biota.

In conclusion, do not pass HB 1741 HD-1 as written. In spite of the economic hardship we are facing we have to keep these critical conservation programs alive with funding. Our natural heritage is at stake.

Mahalo for the opportunity to testify.

Aloha,

Chipper Wichman
Director and CEO



Housing Hawaii

Advocating Creating Maintaining Affordable Housing

LATE

Board of Directors

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Kevin Carney, EAH
Housing

Vice-President

Rene Berthiaume,
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and Facilitated Home
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Director – Gregg

Robertson, Robertson
& Company, LLC

Director – Brian

Takahashi, Architects
Hawaii

Director – Kirk

Caldwell, City and
County of Honolulu

Director – Kamaile

Sombelon, Lokahi
Pacific

April 6, 2009

The Honorable Donna Mercado Kim, Chair
Senate Committee on Ways and Means
Hawaii State Capitol, Room 210
Honolulu, HI 96813

Dear Chair Kim and Members:

RE: HB 1741 HD1, RELATING TO THE CONVEYANCE TAX

I am Nani Medeiros, Executive Director of Housing Hawaii, testifying on House Bill 1741 House Draft 1, Relating to the Conveyance Tax. This bill reduces the amount of conveyance tax revenues deposited into the rental housing trust fund.

Housing Hawaii strongly opposes this bill.

In 2006, the Hawaii State Legislature increased the amount of conveyance tax proceeds deposited into the Rental Housing Trust Fund to 50 per cent of revenues collected. In July 2008, the law reverted back to the original language which sets aside only 30 per cent of revenues for deposit into the trust fund. The allocation of conveyance tax proceeds to the RHTF provides predictability for the State and developers when it comes to planned affordable housing projects. Dedicated funding for affordable housing is a critical element in our fight against homelessness. Other jurisdictions and states have used a number of dedicated funding sources include: GET revenue collections on residential rents, real estate and property taxes, or surcharges investor and speculative purchases. This bill moves Hawaii in the wrong direction and will drive down developer and investor interest in affordable housing.

Rather than reducing the only dedicated funding source for the state rental housing development program at a time when both the state and counties are looking to saturate the construction industry with projects, the legislature should be increasing funding for affordable rental housing. This provides jobs for our construction workers, and affordable rentals to the masses we have here in need.

Thank you for the opportunity to testify.

Nani Medeiros
Executive Director

Executive Director
Nani Medeiros

Housing Hawaii, 841 Bishop Street, Suite 2208, Honolulu, HI 96813

Phone: 808-469-7774

Email: housinghawaii@hawaii.rr.com

www.housinghawaii.org

kim4 - Elizabeth

From: Elizabeth McDermott [bmcd50@hawaiiintel.net]
Sent: Sunday, April 05, 2009 11:17 PM
To: WAM Testimony
Subject: Testimony opposed to HB 1741 HD1 Relating to the Conveyance Tax

Committee on Ways and Means
Monday April 6, 2009
Conference Room 211

Chair Kim and Members of the Committee,

I am writing to urge you to preserve funding derived from the conveyance tax for essential conservation and housing programs. **I am particularly concerned about plans to cut the 25% portion of the conveyance tax dedicated to the Natural Areas Reserve Fund by more than half.**

It was just a few days ago that our state again made national headlines for the shameful lack of funding devoted to addressing Hawaii's **internationally recognized extinction crisis**. With some of the most fragile and threatened ecosystems on earth, including a third of our entire country's endangered species, it is simply unconscionable that our legislators would consider stealing funds from these programs, not to mention robbing this fund for a boldly pessimistic and unnecessary full six years!

With these program funds already having taken a major hit on account of the slow down in real estate sales, this bill would in reality add but a few million dollars to our state's balance sheet, money that used as our citizen's intended **leverages 3 and 4 times that amount in matching private and federal funds that will be lost, perhaps indefinitely, after a 6 year hiatus.**

While it may seem fair to put all programs on the table as we address our state's fiscal crisis, **gutting these funds would do long term and irreversible damage** that will cost us far more in the end, sacrificing critical programs that protect our vital watershed areas, pay for invasive species control (for pests like the varroa mite that threaten our local bees and the farmers that depend on their pollination), not to mention risking the loss of a multitude of rare species hanging on by a thread to survival.

Our Natural Area Reserves comprise some of Hawaii's last wild places. They are oases where native plants and animals that evolved here over eons still persist, libraries holding the knowledge of our islands natural history, and the cultural touchstones of our kupuna. These are places that can be wiped out, FOREVER, in an instance, like the Laysan albatross colony that recently went missing up at Kuaokala.

Our economy will rebound, our essential watersheds, and fragile natural areas and species won't.

A broad coalition of citizens, nonprofit environmental and social service organizations, and legislators worked together to establish these funds. **Many of you joined in celebrating the successful passage of the Legacy Lands bill that finally made these programs possible. Show us you still stand behind them.**

Beth McDermott
Catalyst Communications LLC
PO Box 61566
Honolulu HI 96822
Ph. 808-988-6004
Cell 808-782-7502

LATE

PO Box 369
Hanalei, HI 96714
808 826-9370
robessonb999@hawaii.rr.com

April 4, 2009

RE: **TESTIMONY IN OPPOSITION TO HB 1741 HD 1 RELATING TO
CONVEYANCE TAX**

Dear Senate Ways and Means Committee Members,

I'm writing in strong opposition to this bill and urge a "NO" vote on House Bill 1741 HD1 which would severely reduce the distribution of conveyance tax monies to the Legacy Land and Natural Areas Reserves funds.

The public has greatly benefited from these programs: purchasing properties for the public benefit, and protecting our natural areas. The Legacy Lands funds are especially important during these economic times as many properties may become available for public use at greatly reduced prices.

Please consider how this bill will affect the future of Hawai'i's people and vote NO.

Sincerely yours,
Barbara Robeson
Via email

kim4 - Elizabeth

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 05, 2009 7:35 PM
To: WAM Testimony
Cc: dduffy@hawaii.edu
Subject: Testimony for HB1741 on 4/6/2009 10:00:00 AM

Testimony for WAM 4/6/2009 10:00:00 AM HB1741

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: David Duffy
Organization: Individual
Address: 3190 Maile Way Honolulu, HI
Phone: 808-956-8218
E-mail: dduffy@hawaii.edu
Submitted on: 4/5/2009

Comments:
HB 1741
In opposition

Dear Members of the Committee

I am writing in opposition to HB 1741 as a private individual. My opinions do not represent those of the University of Hawaii but they are the result of ten years of experience in the conservation of Hawaii's natural resources.

I realize times are hard, but this bill will do damage that will likely linger past the return of better times. This bill will cut off funding essential for the watershed partnerships that safeguard our water supplies on all our islands and work to reduce the threats of flooding by improving the forests that soak up the heavy rains that cause inundations. The bill will also cut funding for the invasive species committees that serve as the first line of defense when new invasive species reach our islands. If species such as red imported fire ants or tree snakes reach Hawai'i, those trained to respond will be few in number. In addition, personnel that have helped to preserve the Natural Areas Reserve System of Hawaii, our islands' natural heritage, will be let go, and a decade or more of progress will be lost.

Worst of all, once we lose the staff who know the islands, their problems and the programs that were the solutions, they will move on to other things. Rebuilding will take a long time during which our watersheds will deteriorate and noxious species will continue to storm ashore.

I know there are no easy answers this year, but think of Hawai'i as a house. The invasive species committees are how we protect it from termites and the watershed committees are part of the unseen process that ensures fresh clean water comes out of the faucet. The Rental Housing Trust Fund is the couch in the living room for the friend in need of a place to stay.

We need them all if we are to have a home. Neglect them for any length of time and we won't even have a house.

Thank you for your consideration.

David Duffy
Professor of Botany
Director
Pacific Cooperative Studies Unit

LATE

LATE

kim4 - Elizabeth

From: Chris Yuen [chrisyuenz@hotmail.com]
Sent: Sunday, April 05, 2009 11:01 PM
To: WAM Testimony; All Senators
Subject: HB1741HD1

SENATE WAYS AND MEANS COMMITTEE

HEARING DATE: April 6, 2009

Please do not pass HB1741HD1. This bill would severely cut funding for the Natural Area Reserves and other important conservation programs by taking away their share of the conveyance tax. These programs are already being cut because of the decline in the conveyance tax. We need to continue to protect these precious areas!

Chris Yuen
P.O. Box 5
Ninole, HI 96773

kim4 - Elizabeth

From: Noelie Rodriguez [noelie@hawaii.edu]
Sent: Sunday, April 05, 2009 11:14 PM
To: WAM Testimony; All Senators
Subject: HB1741HD1

TO: Senate Ways and Means Committee
Date of Hearing: April 6, 2009

From: Noelie M. Rodriguez, P.O. Box 5, Ninole, HI 96773

Dear Members of the Senate Ways and Means Committee:

I am writing to state my strong opposition to HB1741HD1. This bill takes away the dedicated funding for the Natural Area Reserves Program and for other important environmental programs, and funds for rental housing.

We need to continue funding these crucial environmental programs. The Natural Area Reserves are a legacy that we have in trust for future generations. While the members of this committee certainly face a lot of difficult choices, let's not be short-sighted by failing to protect our most important ecosystems.

kim2 - Arline

From: Alyce Dodge [alycecd@earthlink.net]
Sent: Monday, April 06, 2009 11:04 AM
To: WAM Testimony
Subject: NAR fund means millions in new money -- don't raid it!

Follow Up Flag: Follow up
Flag Status: Completed

Please do not support HB 1741/SB 884 or any proposal to raid special funds that provide for conservation in Hawaii because it will mean Hawaii's lose much more than just balance in the fund.

In fiscal year 2008, \$4.7 million in the Land Conservation Fund leveraged over \$14.3 million in ADDITIONAL matching private and federal funds. In addition, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in ADDITIONAL matching private and federal funds. And, the Rental Housing Trust Fund leverages additional non-state funds for affordable rental housing programs as well, stretching scarce funds to do even more good.

It does not make good fiscal sense to cut state funds that leverage significant amounts of additional private and federal matching funds.

Especially considering the state could earn as least \$50 million a year just by collecting the rent legally owed on the use of state conservation lands by foreign telescope owners. We could balance the budget and even support new conservation programs, if the state just negotiated a legitimate lease with the telescopes.

Alyce Dodge
1463 kalanikai Place
Honolulu, HI 96821

kim4 - Elizabeth

From: James Lopez [jlopez@topeka.org]
Sent: Monday, April 06, 2009 2:47 AM
To: WAM Testimony
Subject: NAR fund means millions in new money -- don't raid it!

Please do not support HB 1741/SB 884 or any proposal to raid special funds that provide for conservation in Hawaii because it will mean Hawaii's lose much more than just balance in the fund.

In fiscal year 2008, \$4.7 million in the Land Conservation Fund leveraged over \$14.3 million in ADDITIONAL matching private and federal funds. In addition, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in ADDITIONAL matching private and federal funds. And, the Rental Housing Trust Fund leverages additional non-state funds for affordable rental housing programs as well, stretching scarce funds to do even more good.

It does not make good fiscal sense to cut state funds that leverage significant amounts of additional private and federal matching funds.

Especially considering the state could earn as least \$50 million a year just by collecting the rent legally owed on the use of state conservation lands by foreign telescope owners. We could balance the budget and even support new conservation programs, if the state just negotiated a legitimate lease with the telescopes.

James Lopez
8525 SW 29th St.
Topeka, KS 66614

kim4 - Elizabeth

From: Bryan Milne [bryan_cmilne@hotmail.com]
Sent: Monday, April 06, 2009 2:56 AM
To: WAM Testimony
Subject: Please Don't Raid NAR Fund! Oppose HB 1741/SB 884. Collect rent on Mauna Kea, instead.

I support the NAR Fund and Legacy Lands Fund because I know conservation cannot wait. Important open spaces are protected from development for the public to enjoy as cultural, recreational, agricultural, and watershed areas by the Legacy Lands Conservation Program. Critical native habitats and species, many found no where else on earth but in Hawai'i, are protected for future generations by the Natural Area Reserves System.

Instead, the State should balance the budget by requiring the foreign telescopes on Mauna Kea to start paying some rent, before you take away money from these important and effective programs.

Bryan Milne
486 Rodney St.
Apt. #2
Brooklyn, NY 11211

kim4 - Elizabeth

From: Karen Affonso
Sent: Monday, April 06, 2009 6:16 AM
To: WAM Testimony
Subject: NAR fund means millions in new money -- don't raid it!

Please do not support HB 1741/SB 884 or any proposal to raid special funds that provide for conservation in Hawaii because it will mean Hawaii's lose much more than just balance in the fund.

In fiscal year 2008, \$4.7 million in the Land Conservation Fund leveraged over \$14.3 million in ADDITIONAL matching private and federal funds. In addition, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in ADDITIONAL matching private and federal funds. And, the Rental Housing Trust Fund leverages additional non-state funds for affordable rental housing programs as well, stretching scarce funds to do even more good.

It does not make good fiscal sense to cut state funds that leverage significant amounts of additional private and federal matching funds.

Especially considering the state could earn as least \$50 million a year just by collecting the rent legally owed on the use of state conservation lands by foreign telescope owners. We could balance the budget and even support new conservation programs, if the state just negotiated a legitimate lease with the telescopes.

Karen Affonso

San Jose, CA 95130

kim4 - Elizabeth

From: jennifer beck [jennifer@pchi.com]
Sent: Monday, April 06, 2009 5:29 AM
To: WAM Testimony
Subject: Please Save the NAR Fund, Oppose HB 1741

The NAR fund and Legacy Lands Fund does so much for protect what we all love about Hawaii nei. Our nearshore waters are protected from land-based erosion and pollution by the Natural Area Partnership Program. Important recreational areas where we hike, camp, and hunt are managed by the State Forest Reserve System. Clean air, water, and climate change mitigation is provided by the Forest Stewardship Program. Agricultural lands are protected from harmful invasive species by the Hawai'i Invasive Species Council. Native ecosystems, like the areas the areas where maile and ??hi?a are picked for hula, are protected by all of these conservation programs.

Please do not undermine these important and effective programs by taking money away from the NAR fund to balance the budget.

To make up the budget shortfall, instead please consider charging rent for the use of state land on Mauna Kea. As much as \$50 million a year could be earned, if only the state did what the law required and charged the market-value for using these important conservation lands for telescope activities.

jennifer beck
727 Birch Ave
San Mateo, CA 94402

kim4 - Elizabeth

From: Carolyn Moore
Sent: Monday, April 06, 2009 4:28 AM
To: WAM Testimony
Subject: Please Save the NAR Fund, Oppose HB 1741

The NAR fund and Legacy Lands Fund does so much to protect what we all love about Hawaii nei. Our nearshore waters are protected from land-based erosion and pollution by the Natural Area Partnership Program. Important recreational areas where we hike, camp, and hunt are managed by the State Forest Reserve System. Clean air, water, and climate change mitigation is provided by the Forest Stewardship Program. Agricultural lands are protected from harmful invasive species by the Hawai'i Invasive Species Council. Native ecosystems, like the areas where maile and ?Ohi?a are picked for hula, are protected by all of these conservation programs.

Please do not undermine these important and effective programs by taking money away from the NAR fund to balance the budget.

To make up the budget shortfall, instead please consider charging rent for the use of state land on Mauna Kea. As much as \$50 million a year could be earned, if only the state did what the law required and charged the market-value for using these important conservation lands for telescope activities.

Carolyn Moore

Mesa, AZ 85215

LATE

Testimony of
Chelsea Arnott
3490-C Kalihi St
Honolulu, HI 96819

Senate Ways and Means Committee
Room 211
April 6, 2009, 10:00 am

Opposition to HB 1741

Aloha Chair and Members of the Committee,

I am opposed to HB 1741 Relating to the Conveyance Tax. Reducing the percentage that goes into the Natural Areas Reserve fund would be devastating for many conservation organizations and Hawaii's natural resources.

Due to the drop in home sales many organizations are already prepared to take a 50-60% budget cut. This would cause the loss of many qualified personnel and increase the threat of high-risk species like miconia and the coqui frog becoming established. Further reduction in the NAR fund would make many organizations obsolete and any progress achieved lost.

As a Hawaiian resident and active member of the environmental community, I have watched many accomplishments in conservation mostly due to the organizations that receive funding from the NAR fund. Thanks to these organizations combating invasive species, reintroducing endangered/ extinct species, and protecting our watersheds, I am able to see pristine native forest. I feel safe saying that my children will one day be able to see the same. This will not be the case if HB 1741 passes, so please vote no on HB 1741.

Thank you,
Chelsea Arnott

Senator Donna Mercado Kim, Chair, Committee on Ways and Means

Monday, April 06, 2009
10:00 a.m., Conference Room 211

Testimony in **Opposition** to HB 1741 HD1

Aloha Chair Kim and members of the committee:

My name is Cynthia K.L. Rezentes and I am a concerned resident of the Wai`anae Coast, currently the chair of the Housing Committee of our local Neighborhood Board, and current president of the O`ahu Land Trust. I am speaking as an individual who has gained intimate knowledge of the benefits of the conveyance tax being targeted for reduction.

I urge you and the committee to **oppose** passing this bill forward.

Over the very short life of the program allowing for the purchase of open space, agricultural land, forests, habitat, recreation areas, etc. via the Legacy Lands Conservation Fund (LLCF), the monies garnered have required matching funds (over \$14.3 million versus the \$4.7 million made available in 2008) from other sources that enhance the portions provided by the State via this conveyance tax.

It has also allowed for the State to continue to support the HI2050 program by procuring lands for agricultural purposes that promote the training of our youth to provide for the future of our own food security (i.e. Ma`o Farms). The acquisition of other lands via the program has also enhanced the State's own coastal holdings for the Lapakahi State Historical Park on Kohala, Hawai`i Island. The program also is providing for protection of an important watershed that feeds the island of O`ahu's main drinking water aquifer, the Honouliuli Preserve project.

In this time of falling real estate values, the funds from the program become ever more precious as we seek to continue a long-term view of what our State should be striving for by 2050 and the path to get there. The LLCF assists in that vision even though, it too will be affected by the falling conveyance tax revenue through the natural declines being experienced in real estate transactions.

In addition to the LLCF portion of the conveyance tax, the threat of reducing the Rental Housing Trust Fund (RHTF) is also a very serious impact on our future housing plans. Today, along the Wai`anae Coast we are slowly attempting to provide the support services to get people off the beach and into shelters which will eventually lead them into affordable rentals and housing. With the threat of reducing the funds available for the RHTF, we face the prospect of, perhaps, not being able to fulfill the requirements to help provide the resources for people to continue their journey out of the state of homelessness/houselessness, into being productive citizens in their own right.

If we do not soon provide for the housing that will be needed in the near future, we face a worsening problem of homelessness by needing to force those in "the system" back out into the cold thereby creating a tremendous setback for the people affected but also requiring greater resources of both people and money, in the future to re-approach this pinnacle in the process.

Therefore, I encourage you to **HOLD** this bill and allow the foresight that you had in the past serve us well in the future.

kim4 - Elizabeth

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 06, 2009 7:43 AM
To: WAM Testimony
Cc: annmarie@hawaii.rr.com
Subject: Testimony for HB1741 on 4/6/2009 10:00:00 AM

Testimony for WAM 4/6/2009 10:00:00 AM HB1741

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Ann Marie Kirk
Organization: Individual
Address: PO Box 25342 Honolulu, HI
Phone:
E-mail: annmarie@hawaii.rr.com
Submitted on: 4/6/2009

Comments:
TESTIMONY IN STRONG OPPOSITION TO HB 1741

HB 1741

Monday, April 6, 2009 @ 10 am Ways and Means Committee

Aloha,

I'm writing to humbly ask that HB 1741 be stopped.

HB 1741 is not at all in the best interest of the public. It will take away funds which are crucial to conservation efforts state wide which benefit all island communities in the present and the future.

To take away money means crucial funding will not be available to purchase open lands which benefit all our island people in perpetuity. Once these open lands are gone, they are gone forever from all of us.

I humbly ask for you to not support HB 1741.

Mahalo,
Ann Marie Kirk

PO BOX 25342
Honolulu, Hawai'i
96825

LATE

kim4 - Elizabeth

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 06, 2009 7:20 AM
To: WAM Testimony
Cc: mclane@mauimapping.com
Subject: Testimony for HB1741 on 4/6/2009 10:00:00 AM

Testimony for WAM 4/6/2009 10:00:00 AM HB1741

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Sarah E McLane
Organization: Maui Mapping Consultants
Address:
Phone: 808-268-6680
E-mail: mclane@mauimapping.com
Submitted on: 4/6/2009

Comments:

I am writing in strong opposition to HB1741. As a private consulting firm, much of my business relies on local environmental organizations that have mapping needs. These organizations protect our aina and the natural resources that sustain us, but they also use local contractors and workers to do this. With the proposed cuts to funding, many jobs will be lost, even outside the direct organizations, such as in my enterprise. Please oppose this measure and continue supporting the NARF fund.

Sarah E McLane
Maui Mapping Consultants

kim4 - Elizabeth

From: Teri Skillman-Kashyap [Hautree77@aol.com]
Sent: Monday, April 06, 2009 8:21 AM
To: WAM Testimony
Subject: Please Don't Raid NAR Fund! Oppose HB 1741/SB 884. Collect rent on Mauna Kea, instead.

I support the NAR Fund and Legacy Lands Fund because I know conservation cannot wait. Important open spaces are protected from development for the public to enjoy as cultural, recreational, agricultural, and watershed areas by the Legacy Lands Conservation Program. Critical native habitats and species, many found no where else on earth but in Hawai'i, are protected for future generations by the Natural Area Reserves System.

Instead, the State should balance the budget by requiring the foreign telescopes on Mauna Kea to start paying some rent, before you take away money from these important and effective programs.

Teri Skillman-Kashyap
1720 Perry St
HONOLULU, HI 96819

kim2 - Arline

From: Cathy Robinson [cathiding@gmail.com]
Sent: Monday, April 06, 2009 9:38 AM
To: WAM Testimony
Subject: Protect our drinking water, do not raid NAR fund (SB 884/HB 1741)

I urge you not to take needed funding away from the NAR fund to balance the budget through SB 884/HB 1174 or the budget bill. This fund helps to protect important watersheds. Over 220 billion gallons of clean water per year are produced in areas managed by the Watershed Partnerships Program, which is funded by the NAR fund.

Instead, I encourage you to find new money to cover the state's budget shortfall. In the Honolulu Advertiser a few weeks ago, a front page story explained that academic institutions pay several million dollars a year to use telescopes owned by non-Hawaii-based corporations and institutions for just a few days. Though these telescopes are on state land, no money is paid to the state in these transactions. Why not? How many millions could the state earn without cutting any programs, if it did collect a tax or reasonable rent from these institutions?

Cathy Robinson
774 Willow Springs Drive
Mobile, AL 36695

kim2 - Arline

From: Annjulie Vai [annjulie@hawaii.edu]
Sent: Monday, April 06, 2009 9:54 AM
To: WAM Testimony
Subject: Please Oppose HB 1741/SB 884 and HB 1174

The Land Conservation Fund, Natural Area Reserve Fund, and Rental Housing Trust Fund are supported by and for the people. They were established because the legislature could not be counted on to adequately fund these programs in the budget on a regular basis. Now, after a broad coalition of concerned citizens, organizations, and elected officials worked so hard to establish these funds and increase support for these programs, some legislators want to eliminate or raid these funds. Auwe!

Would be better if all the foreign telescopes on Mauna Kea paid their fair share to use our state lands. Why not force the State Land Board to renegotiate those illegal leases? Hawaii could easily make \$50 million a year from collecting fair rent payments.

Please do not raid these important special funds to balance the budget. Oppose HB 1741... and HB 1174 to transfer authority for Mauna Kea to the University of Hawaii. Neither of these bills make sense for the long-term benefit of Hawaii's people and public trust resources.

Annjulie Vai
2833 Kekaulike Ave.
Kula, HI 96790

LATE

kim2 - Arline

From: Dean Otsuki [dolive2surf@yahoo.com]
Sent: Monday, April 06, 2009 9:05 AM
To: WAM Testimony
Subject: Please Don't Raid NAR Fund! Oppose HB 1741/SB 884. Collect rent on Mauna Kea, instead.

I support the NAR Fund and Legacy Lands Fund because I know conservation cannot wait. Important open spaces are protected from development for the public to enjoy as cultural, recreational, agricultural, and watershed areas by the Legacy Lands Conservation Program. Critical native habitats and species, many found no where else on earth but in Hawai'i, are protected for future generations by the Natural Area Reserves System.

Instead, the State should balance the budget by requiring the foreign telescopes on Mauna Kea to start paying some rent, before you take away money from these important and effective programs.

Dean Otsuki
p.o. box 25284
Honolulu, HI 96825

LATE

kim2 - Arline

From: Angel Prince [amprince2000@yahoo.com]
Sent: Monday, April 06, 2009 9:01 AM
To: WAM Testimony
Subject: Please Oppose HB 1741/SB 884 and HB 1174

The Land Conservation Fund, Natural Area Reserve Fund, and Rental Housing Trust Fund are supported by and for the people. They were established because the legislature could not be counted on to adequately fund these programs in the budget on a regular basis. Now, after a broad coalition of concerned citizens, organizations, and elected officials worked so hard to establish these funds and increase support for these programs, some legislators want to eliminate or raid these funds. Auwe!

Would be better if all the foreign telescopes on Mauna Kea paid their fair share to use our state lands. Why not force the State Land Board to renegotiate those illegal leases? Hawaii could easily make \$50 million a year from collecting fair rent payments.

Please do not raid these important special funds to balance the budget. Oppose HB 1741... and HB 1174 to transfer authority for Mauna Kea to the University of Hawaii. Neither of these bills make sense for the long-term benefit of Hawaii's people and public trust resources.

Angel Prince
PO Box 1991
Honokaa, HI 96727

LATE

kim4 - Elizabeth

From: Garid Faria [garid@hawaii.edu]
Sent: Monday, April 06, 2009 8:46 AM
To: WAM Testimony
Subject: Saving the NAR fund saves us money. Make the telescopes pay instead

The NAR fund helps protect our environment, create affordable housing, and save us all money. Did you know that the Koolau Mountains on Oahu provides at least \$14 billion in water production and filtering, culture, recreation, ecotourism, and educational opportunities, protection of native habitats and species, and other benefits, according to a UH study. Could we afford to pay \$14 billion to replace the services provided by this one watershed?

And why would we, when there is at least \$50 million a year owed to the state for the use of state lands on Mauna Kea? The Legislature should make sure the state collects a fair rent for the use of state conservation lands on Mauna Kea before cutting programs that protect our long-term health.

Please do not take money away from the NAR fund or the Legacy Lands Fund to balance the budget. Oppose HB 1741/SB 884!

Garid Faria
2605 La'au St.#101
2605 La'au St., Apt 101
Honolulu, HI 96826

LATE

kim4 - Elizabeth

From: Sharon Fairclo [rsfairclo@earthlink.net]
Sent: Monday, April 06, 2009 8:41 AM
To: WAM Testimony
Subject: Please Don't Raid NAR Fund! Oppose HB 1741/SB 884. Collect rent on Mauna Kea, instead.

I support the NAR Fund and Legacy Lands Fund because I know conservation cannot wait. Important open spaces are protected from development for the public to enjoy as cultural, recreational, agricultural, and watershed areas by the Legacy Lands Conservation Program. Critical native habitats and species, many found no where else on earth but in Hawai'i, are protected for future generations by the Natural Area Reserves System.

Instead, the State should balance the budget by requiring the foreign telescopes on Mauna Kea to start paying some rent, before you take away money from these important and effective programs.

Sharon Fairclo
33 Lokelau Place
Haiku, HI 96708

kim4 - Elizabeth

From: Meghan Au [mallihauzer@yahoo.com]
Sent: Monday, April 06, 2009 10:53 AM
To: WAM Testimony
Subject: Please Save the NAR Fund, Oppose HB 1741

The NAR fund and Legacy Lands Fund does so much for protect what we all love about Hawaii nei. Our nearshore waters are protected from land-based erosion and pollution by the Natural Area Partnership Program. Important recreational areas where we hike, camp, and hunt are managed by the State Forest Reserve System. Clean air, water, and climate change mitigation is provided by the Forest Stewardship Program. Agricultural lands are protected from harmful invasive species by the Hawai'i Invasive Species Council. Native ecosystems, like the areas the areas where maile and ??hi?a are picked for hula, are protected by all of these conservation programs.

Please do not undermine these important and effective programs by taking money away from the NAR fund to balance the budget.

To make up the budget shortfall, instead please consider charging rent for the use of state land on Mauna Kea. As much as \$50 million a year could be earned, if only the state did what the law required and charged the market-value for using these important conservation lands for telescope activities.

Meghan Au
41-582 Inoa'ole St.
Waimanalo, HI 96795

kim4 - Elizabeth

LATE

From: Shary Crocker [grantcrocker@aol.com]
Sent: Monday, April 06, 2009 11:24 AM
To: WAM Testimony
Subject: Protect our drinking water, do not raid NAR fund (SB 884/HB 1741)

Follow Up Flag: Follow up
Flag Status: Completed

I urge you not to take needed funding away from the NAR fund to balance the budget through SB 884/HB 1174 or the budget bill. This fund helps to protect important watersheds. Over 220 billion gallons of clean water per year are produced in areas managed by the Watershed Partnerships Program, which is funded by the NAR fund.

Instead, I encourage you to find new money to cover the state's budget shortfall. In the Honolulu Advertiser a few weeks ago, a front page story explained that academic institutions pay several million dollars a year to use telescopes owned by non-Hawaii-based corporations and institutions for just a few days. Though these telescopes are on state land, no money is paid to the state in these transactions. Why not? How many millions could the state earn without cutting any programs, if it did collect a tax or reasonable rent from these institutions?

Shary Crocker
94-1888 Amepela Rd
Naalehu, HI 96772

kim2 - Arline

From: Penny Rawlins-Martin [eteruth@yahoo.com]
Sent: Monday, April 06, 2009 10:38 AM
To: WAM Testimony
Subject: Please Oppose HB 1741/SB 884 and HB 1174

The Land Conservation Fund, Natural Area Reserve Fund, and Rental Housing Trust Fund are supported by and for the people. They were established because the legislature could not be counted on to adequately fund these programs in the budget on a regular basis. Now, after a broad coalition of concerned citizens, organizations, and elected officials worked so hard to establish these funds and increase support for these programs, some legislators want to eliminate or raid these funds. Auwe!

Would be better if all the foreign telescopes on Mauna Kea paid their fair share to use our state lands. Why not force the State Land Board to renegotiate those illegal leases? Hawaii could easily make \$50 million a year from collecting fair rent payments.

Please do not raid these important special funds to balance the budget. Oppose HB 1741... and HB 1174 to transfer authority for Mauna Kea to the University of Hawaii. Neither of these bills make sense for the long-term benefit of Hawaii's people and public trust resources.

Penny Rawlins-Martin
Lo#28 Kalamaula Hmstd.
P.O.Box 341
Kaunakakai, HI 96748

LATE

kim2 - Arline

From: Alyce Dodge [alycecd@earthlink.net]
Sent: Monday, April 06, 2009 11:04 AM
To: WAM Testimony
Subject: NAR fund means millions in new money -- don't raid it!

Please do not support HB 1741/SB 884 or any proposal to raid special funds that provide for conservation in Hawaii because it will mean Hawaii's lose much more than just balance in the fund.

In fiscal year 2008, \$4.7 million in the Land Conservation Fund leveraged over \$14.3 million in ADDITIONAL matching private and federal funds. In addition, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in ADDITIONAL matching private and federal funds. And, the Rental Housing Trust Fund leverages additional non-state funds for affordable rental housing programs as well, stretching scarce funds to do even more good.

It does not make good fiscal sense to cut state funds that leverage significant amounts of additional private and federal matching funds.

Especially considering the state could earn as least \$50 million a year just by collecting the rent legally owed on the use of state conservation lands by foreign telescope owners. We could balance the budget and even support new conservation programs, if the state just negotiated a legitimate lease with the telescopes.

Alyce Dodge
1463 kalanikai Place
Honolulu, HI 96821

kim4 - Elizabeth

From: Jane Rubey [honua-aloha@earthlink.net]
Sent: Monday, April 06, 2009 8:08 AM
To: WAM Testimony
Subject: Save the NAR Fund, Save Jobs

Please do not support HB 1741/SB 884 or any attempt to raid the NAR Fund. Close to 200 people are directly employed by these programs, which contribute over \$10 million to local businesses. Many of these programs leverage state dollars 1:1 and bring in additional federal, county, and private funds into the state.

There is no need to take away these existing jobs and additional funds they bring to state, when there is "new" money that the state is legally entitled to available from the use of state lands on Mauna Kea. Make the foreign telescopes pay rent before cutting essential programs.

Mahalo!

Jane Rubey
75-5719B Old Mamalahoa Hwy
Holualoa, HI 96725

kim2 - Arline

From: Elin Sand [onesand@yahoo.com]
Sent: Monday, April 06, 2009 9:28 AM
To: WAM Testimony
Subject: Save the NAR Fund, Save Jobs

Please do not support HB 1741/SB 884 or any attempt to take money from the NAR Fund. Our waters and our lands are essential to our lives. To jeopardize them because of economic ups and downs is indefensibly shortsighted.

In addition close to 200 people are directly employed by these programs, which contribute over \$10 million to local businesses. Many of these programs leverage state dollars 1:1 and bring in additional federal, county, and private funds into the state.

There is no need to take away these existing jobs and additional funds they bring to state, when there is "new" money that the state is legally entitled to available from the use of state lands on Mauna Kea. Make the foreign telescopes pay rent before cutting essential programs.

Mahalo!

Elin Sand
HCR 3 Box 10056
Kea''au, HI 96749

kim2 - Arline

LATE

From: ka russell [ammas2feet@hawaiiantel.net]
Sent: Monday, April 06, 2009 11:48 AM
To: WAM Testimony
Subject: Saving the NAR fund saves us money. Make the telescopes pay instead

The NAR fund helps protect our environment, create affordable housing, and save us all money. Did you know that the Koolau Mountains on Oahu provides at least \$14 billion in water production and filtering, culture, recreation, ecotourism, and educational opportunities, protection of native habitats and species, and other benefits, according to a UH study. Could we afford to pay \$14 billion to replace the services provided by this one watershed?

And why would we, when there is at least \$50 million a year owed to the state for the use of state lands on Mauna Kea? The Legislature should make sure the state collects a fair rent for the use of state conservation lands on Mauna Kea before cutting programs that protect our long-term health.

Please do not take money away from the NAR fund or the Legacy Lands Fund to balance the budget. Oppose HB 1741/SB 884!

ka russell
40 waiahiwi
makawao, HI 96768

kim2 - Arline

WAM

From: daniel greider [buddha_stalin@verizon.net]
Sent: Monday, April 06, 2009 11:32 AM
To: WAM Testimony
Subject: Please Save the NAR Fund, Oppose HB 1741

The NAR fund and Legacy Lands Fund does so much for protect what we all love about Hawaii nei. Our nearshore waters are protected from land-based erosion and pollution by the Natural Area Partnership Program. Important recreational areas where we hike, camp, and hunt are managed by the State Forest Reserve System. Clean air, water, and climate change mitigation is provided by the Forest Stewardship Program. Agricultural lands are protected from harmful invasive species by the Hawai'i Invasive Species Council. Native ecosystems, like the areas the areas where maile and ?hi?a are picked for hula, are protected by all of these conservation programs.

Please do not undermine these important and effective programs by taking money away from the NAR fund to balance the budget.

To make up the budget shortfall, instead please consider charging rent for the use of state land on Mauna Kea. As much as \$50 million a year could be earned, if only the state did what the law required and charged the market-value for using these important conservation lands for telescope activities.

daniel greider
1747 billview dr
lancaster, PA 17601

LATE

kim2 - Arline

From: leilea satori [leilea@lalasun.com]
Sent: Monday, April 06, 2009 11:13 AM
To: WAM Testimony
Subject: Please Oppose HB 1741/SB 884 and HB 1174

The Land Conservation Fund, Natural Area Reserve Fund, and Rental Housing Trust Fund are supported by and for the people. They were established because the legislature could not be counted on to adequately fund these programs in the budget on a regular basis. Now, after a broad coalition of concerned citizens, organizations, and elected officials worked so hard to establish these funds and increase support for these programs, some legislators want to eliminate or raid these funds. Auwe!

Would be better if all the foreign telescopes on Mauna Kea paid their fair share to use our state lands. Why not force the State Land Board to renegotiate those illegal leases? Hawaii could easily make \$50 million a year from collecting fair rent payments.

Please do not raid these important special funds to balance the budget. Oppose HB 1741... and HB 1174 to transfer authority for Mauna Kea to the University of Hawaii. Neither of these bills make sense for the long-term benefit of Hawaii's people and public trust resources.

leilea satori
po box 1200
honoka''a, HI 96727

LATE

Testimony in opposition to HB 1741

Natural area reserve management needs a stable continuous source of funding. Forests, like gardens, can't be managed in pulses. They need ongoing care to be productive, to keep the weeds from taking over, and prevent pests from killing our plants.

HB 1741 does not make fiscal sense. It would provide only a small amount of money towards balancing the state budget, but would eliminate more money in matching non-state funds than it contains. In fiscal year 2008, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in matching private and federal funds.

As an outreach specialist on invasive species issues, I am touched by the stories of people who can no longer care for and eat from their gardens because of the painful stings of little fire ants. People want and need invasive species information and assistance. Our watersheds need to remain functional, recharging groundwater and providing sediment free water to our coastal areas.

Without funds for watershed partnerships and combating invasive species, native forests will be taken over by exotic species and become lifeless and erosion prone due to shallow rooted shade-tolerant trees like Miconia and strawberry guava.

Hawaii is losing its place as a tourism destination because our coral reefs are degraded by sediment and our natural areas choked by impenetrable thickets. Tourists are disappointed when they don't see the thriving fish-laden reefs they expect from videos.

Think how much money we will need if we must control snakes, fire ants, noisy coquis, invasive smothering algae, and other undesirable species in tourist resorts. It is vital to dedicate money now to protection our resources, because the costs of trying to fix problems will be far greater.

Page Else

LATE

kim2 - Arline

From: nancy ravelo [kynolive@yahoo.com]
Sent: Monday, April 06, 2009 12:28 PM
To: WAM Testimony
Subject: NAR fund means millions in new money -- don't raid it!

Please do not support HB 1741/SB 884 or any proposal to raid special funds that provide for conservation in Hawaii because it will mean Hawaii's lose much more than just balance in the fund.

In fiscal year 2008, \$4.7 million in the Land Conservation Fund leveraged over \$14.3 million in ADDITIONAL matching private and federal funds. In addition, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in ADDITIONAL matching private and federal funds. And, the Rental Housing Trust Fund leverages additional non-state funds for affordable rental housing programs as well, stretching scarce funds to do even more good.

It does not make good fiscal sense to cut state funds that leverage significant amounts of additional private and federal matching funds.

Especially considering the state could earn as least \$50 million a year just by collecting the rent legally owed on the use of state conservation lands by foreign telescope owners. We could balance the budget and even support new conservation programs, if the state just negotiated a legitimate lease with the telescopes.

nancy ravelo
2190 analu place
k
kualapuu, HI 96757

kim2 - Arline

From: Charles Lawson [Lawsoncyn@aol.com]
Sent: Monday, April 06, 2009 12:39 PM
To: WAM Testimony
Subject: NAR fund means millions in new money -- don't raid it!

Please do not support HB 1741/SB 884 or any proposal to raid special funds that provide for conservation in Hawaii because it will mean Hawaii's lose much more than just balance in the fund.

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Especially considering the state could earn as least \$50 million a year just by collecting the rent legally owed on the use of state conservation lands by foreign telescope owners. We could balance the budget and even support new conservation programs, if the state just negotiated a legitimate lease with the telescopes.

Charles Lawson
27400 132nd ave se #F302
Kent, WA 98042

LATE

kim2 - Arline

From: Paulette Kaleikini [pkaleikini@hawaii.rr.com]
Sent: Monday, April 06, 2009 12:26 PM
To: WAM Testimony
Subject: Protect our drinking water, do not raid NAR fund (SB 884/HB 1741)

I urge you not to take needed funding away from the NAR fund to balance the budget through SB 884/HB 1174 or the budget bill. This fund helps to protect important watersheds. Over 220 billion gallons of clean water per year are produced in areas managed by the Watershed Partnerships Program, which is funded by the NAR fund.

Instead, I encourage you to find new money to cover the state's budget shortfall. In the Honolulu Advertiser a few weeks ago, a front page story explained that academic institutions pay several million dollars a year to use telescopes owned by non-Hawaii-based corporations and institutions for just a few days. Though these telescopes are on state land, no money is paid to the state in these transactions. Why not? How many millions could the state earn without cutting any programs, if it did collect a tax or reasonable rent from these institutions?

Paulette Kaleikini
89-107 Nanaikala Ave
89-107 Nanaikala Ave
Nanakuli, HI 96792

kim2 - Arline

LATE

From: Paulette Kaleikini [pkaleikini@hawaii.rr.com]
Sent: Monday, April 06, 2009 12:24 PM
To: WAM Testimony
Subject: Please Oppose HB 1741/SB 884 and HB 1174

The Land Conservation Fund, Natural Area Reserve Fund, and Rental Housing Trust Fund are supported by and for the people. They were established because the legislature could not be counted on to adequately fund these programs in the budget on a regular basis. Now, after a broad coalition of concerned citizens, organizations, and elected officials worked so hard to establish these funds and increase support for these programs, some legislators want to eliminate or raid these funds. Auwe!

Would be better if all the foreign telescopes on Mauna Kea paid their fair share to use our state lands. Why not force the State Land Board to renegotiate those illegal leases? Hawaii could easily make \$50 million a year from collecting fair rent payments.

Please do not raid these important special funds to balance the budget. Oppose HB 1741... and HB 1174 to transfer authority for Mauna Kea to the University of Hawaii. Neither of these bills make sense for the long-term benefit of Hawaii's people and public trust resources.

Paulette Kaleikini
89-107 Nanaikala Ave
89-107 Nanaikala Ave
Nanakuli, HI 96792

LATE

kim3 - Frances

From: Dana Remy [danaremy@hotmail.com]
Sent: Sunday, April 05, 2009 10:51 AM
To: All Senators
Subject: HB 1741 Testimony

Aloha,

- HB 1741 is an ill-conceived bill, it is not in the public interest, and it is bad fiscal policy. It will result in lost opportunities and will cost us even more money in the future to try and make up for the loss of funding and damage done now.
- The Land Conservation Fund, Natural Area Reserve Fund, and Rental Housing Trust Fund have already decreased by 50-60% because of the economy and reduction in conveyance tax that supports these funds. (The total conveyance tax collected is expected to decrease from \$38.4 million in fiscal year 2008 to approx. \$19.2 million a year in the near future – a loss of as much as \$23 million.)
- HB 1741 will provide only \$9.6 million or so a year to help balance the budget, but it will result in irreversible harm, **setting back critical programs and protections.**
- It does not make good fiscal sense to cut state funds that leverage significant amounts of additional private and federal matching funds.
- In fiscal year 2008, \$4.7 million in the Land Conservation Fund leveraged over \$14.3 million in ADDITIONAL matching private and federal funds.
- In fiscal year 2008, \$9.6 million in the Natural Area Reserve Fund leveraged an additional \$19.2 million in ADDITIONAL matching private and federal funds.
- The Rental Housing Trust Fund leverages additional non-state funds for affordable rental housing programs as well, stretching scarce funds to do even more good.
- Once legislators get a hold of these funds, they will never restore them completely, or give them back. Why are the cuts proposed for 6 years when federal stimulus money is on the way? There are better ways to help balance the budget.
- The Land Conservation Fund, Natural Area Reserve Fund, and Rental Housing Trust Fund are supported by and for the people. They were established because the legislature could not be counted on to adequately fund these programs in the budget on a regular basis. Now, after a broad coalition of concerned citizens, organizations, and elected officials worked so hard to establish these funds and increase support for these programs, some legislators want to eliminate or raid these funds. Auwè!

I appreciate your consideration of my concerns and I hope you understand the need to keep this funding in place so we can protect our sacred Aina. Aloha!

Dana Remy
Kona Kai Ea Surfrider Member
Kona, Hawaii

Windows Live™: Keep your life in sync. [Check it out.](#)

LATE

kim3 - Frances

From: Karen Shishido [karensishido@yahoo.com]
Sent: Sunday, April 05, 2009 9:25 AM
To: WAM Testimony
Cc: All Senators
Subject: Testimony for HB 1741 HD1

Senate Ways and Means Committee
HB 1741, HD 1
Relating To The Conveyance Tax
Monday, April 6, 2009
10:00 am
Room 211

Dear Senator Kim and Members of the Senate Ways and Means Committee:

I am writing to express my strong opposition to HB 1741. Relating to the Conveyance Tax, and request that you not schedule this bill for a hearing.

I believe it is an ill-conceived approach to solving our budget crisis. The Land Conservation Fund leverages millions in additional funding from federal and private sources. DLNR is already one of the most underfunded state agencies in proportion to the acreage of lands that are under its stewardship. DLNR employees are stretched thin but are passionate and highly educated natural resource managers. Please do not cut these positions. To cut these positions would decimate key programs and undo many years of difficult work and successful partnership building. \$10 million a year is not worth the harm it will cause.

The Youth Conservation Corps, one of the most innovative and effective programs in the state to encourage the next generation of conservationists, would also stand to be decimated if this bill progresses. I am also deeply concerned that the Rental Housing Trust Fund will be depleted at a time when the most vulnerable members of our community need more sources of support.

Passage of the Legacy Lands Act was one of the most inspiring acts of grassroots citizen engagement that I have seen, bringing together a movement of people - faith groups, environmentalists, affordable housing advocates, and members of the public who simply recognize that it was a simple and highly effective way to protect lands and watersheds and help people. I personally would rather see the government cut my benefits (I too am a public servant) or have me help bridge the budget gap by other means, than lose the best of what we value and cherish here – our lands, our irreplaceable natural environment.

Thank you for the opportunity to testify.

Sincerely,
Karen Shishido

1044 14th Avenue
Honolulu HI 96816

LATE

kim3 - Frances

From: Barbara Robeson [robesonb999@hawaii.rr.com]
Sent: Sunday, April 05, 2009 5:20 PM
To: All Senators
Subject: HB 1741 HD1 Vote NO!

April 4, 2009

RE: TESTIMONY IN OPPOSITION TO HB 1741 HD 1 RELATING TO CONVEYANCE TAX

Dear Senate Ways and Means Committee Members,

I'm writing in strong opposition to this bill and urge a "NO" vote on House Bill 1741 HD1 which would severely reduce the distribution of conveyance tax monies to the Legacy Land and Natural Areas Reserves funds.

The public has greatly benefited from these programs: purchasing properties for the public benefit, and protecting our natural areas. The Legacy Lands funds are especially important during these economic times as many properties may become available for public use at greatly reduced prices.

Please consider how this bill will affect the future of Hawai'i's people and vote NO.

Sincerely yours,
Barbara Robeson
Via email

~~~~~  
Barbara Robeson  
808 826-9370  
PO Box 369  
Hanalei, HI 96714

**kim3 - Frances**

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**From:** Cwhite808@cs.com  
**Sent:** Friday, April 03, 2009 7:10 PM  
**To:** Sen. Brian Taniguchi; Sen. Dwight Takamine; Sen. Donna Mercado Kim; Sen. Shan Tsutsui; JGO Testimony  
**Subject:** TESTIMONY IN SUPPORT OF AN AMENDED SD1 TO HB1260, HD1

TESTIMONY IN SUPPORT OF AN AMENDED SD1 TO HB1260, HD1

Committee on Judiciary and Government Operations

Room 211 at 1030 on Monday, 6 April 2009

Chair Taniguchi and respected members of the Committee;

This bill is an important piece of legislation to streamline governmental functions and control wasted energy. I support SD1 if you will just amend it as a Part XIV of the bill to remove HCDA and place all the land in Kakaako and Kalaeloa under DLNR and return Kewalo Basin Harbor with its immediately surrounding fast lands to DOT. HCDA is a disaster for Kewalo Basin and Kakaako Makai! Please support this change to the proposed SD1 and then support the bill as an SD1.

Respectfully,

Connie White  
1540 S. King Street  
Honolulu, HI. 96826

**kim3 - Frances**

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**From:** rawcohi@cs.com  
**Sent:** Friday, April 03, 2009 5:32 PM  
**To:** JGO Testimony  
**Subject:** HB1260, HD1 Proposed SD1

TESTIMONY IN SUPPORT OF AN AMENDED SD1 TO HB1260, HD1

Committee on Judiciary and Government Operations

Room 211 at 1030 on Monday, 6 April 2009

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Respectfully,

Reg White  
1540 S. King St.  
Honolulu, Hawaii 96826-1919  
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[RawcoHI@cs.com](mailto:RawcoHI@cs.com)

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