

House of Representatives  
Committee on Judiciary Hearing  
Tuesday, 9 February 2010  
2:30 p.m. Conference Room 325  
State Capitol

Delthia J. K. Akiu, Citizen; Testifying against H.B. 2759 H.D. 1  
Rep. Jon Rikki Karamatsu, Chair and Rep. Ken Ito, V. Chair;  
Legalized gambling brings with it:

Loss of integrity and honesty: foundational building blocks necessary to develop a strong people, who will build strong homes and families and communities.

Addiction: destroys individual's ability to choose... free agency.

Destruction of the family: Communities struggle to thrive.

Crime: affects all citizens and can destroy communities; even the protectors of those citizens.

I am against H.B. 2759 H.D. 1 and H.B. 146.

# LATE TESTIMONY

February 9, 2010

To: Representative Jon Riki Karamatsu, Chair, House Committee on Judiciary & Members

From: David "Kawika" Kamai of Haiku, Maui

RE: **TESTIMONY IN SUPPORT OF HB 2759 HD1 Relating to Gaming**

Dear Chair Carroll and Members:

Thank you for this opportunity to provide testimony in support of HB 2759 HD1 Relating to Gaming. This measure authorizes the Hawaiian Homes Commission to allow gaming on Hawaiian Home Lands and to designate specific Hawaiian Home Lands for the purposes of establishing gaming operations. It further creates a gaming commission to regulate all gaming on Hawaiian Home Lands. Imposes a wagering tax on gross receipts of casino gaming operations and provides for distribution to the general fund and Hawaiian Home Lands Trust Fund.

Like the native American Indians in America, there are tribes that have been successful in their efforts of gaming and reinvest their revenues to take care of their affordable housing shortages, health and human services programs, education, management of natural resource and native business entrepreneur programs.

With the AKAKA bill on the horizon and hopefully Hawaiians receiving federal recognition, it would be advantageous for Hawaiians to create a economic base streamline revenue that would address the following:

1. It will allow for the Department of Hawaiian Home Lands to put more native Hawaiians on our lands instead of leasing commercial leases to non-native Hawaiians for purposes of raising revenue streams to DHHL to fulfill its mandate. Just look at the lawsuit Kalima vs. State of Hawaii, DHHL which points out that the State DHHL haven't met their mandates to ensure that native Hawaiians are appropriately put on their lands in a time manner.
2. It will provide an economic engine where jobs would be created for native Hawaiians on their land. As well as provide funds for our health, human services, education, housing and economic development programs that will improve the lives of native Hawaiians.
3. The Hawaii State Constitution clearly states that the State has a fiduciary responsibility to DHHL to put Hawaiians on the land. Gaming will assist the state in fulfilling this constitution mandate and will generate revenues for the state general fund.

I urge you please support and pass HB 2759 HD1. Your favorable consideration is greatly appreciated.

Mahalo Nui,

David "Kawika" Kamai  
Haiku, Maui  
(808) 870-9759



# PHOCUSED

PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

February 9, 2010

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Ruthann Quitiquit  
Jerry Rauckhorst*

*Executive Director*

*Alex Santiago*

TO: Representative Jon Riki Karamatsu, Chair

FROM: Alex Santiago  
PHOCUSED (Protecting Hawai'i's Ohana, Children, UnderServed,  
Elderly and Disabled)

RE: HB 2759, HD1 Relating to Gaming

Chair Karamatsu and members of the House Judiciary Committee. I am Alex Santiago, the Executive Director of PHOCUSED, a coalition of health, housing, human service agencies and individual advocates voicing the needs of the marginalized and underserved in Hawaii. PHOCUSED is opposed to this measure.

As advocates for the Health and Human Services sector we believe that gaming is not the solution to our budget problems. We are concerned about the long-term negative social impacts gaming will have on our state and the people for whom we advocate. While we recognize the need to raise revenues, we feel strongly that this is not the best way to go about doing that.

PHOCUSED respectfully requests that this measure be held in committee.

Mahalo for the opportunity to testify.

Mahalo for the opportunity to testify.

Mele Carroll and members of the Hawaiian Affairs Committee

HB2759 HD1

Tuesday, February 9

2:30 P.M. House Conference Room 325

Greetings Chair Carroll and members of the Hawaiian Affairs Committee. My name is Sheena Gandeza and I am a student at Honolulu Community College. I am writing this testimony in opposition to the measure titled, RELATED TO GAMING.

There are several reasons why the legalization of casino gaming operations in Hawaii would prove to be problematic. One main concern would be the increase of crime that goes on which include illegal drug use. Growing up with family members that were involved in illegal gambling such as cockfighting I saw first hand the correlation between the two as those family members dabbled in both at the same time. Since it seems these two vices go hand in hand so well, legalizing gambling would weaken what fight the state already has on illegal drug use.

Another concern that would arise is the accessibility of these casinos for those who cannot afford to gamble. It is known that half of Hawaii residents fly to Vegas every year. With that statistic, one can assume these residents make enough income for such trips not including business. If casinos were built on the island, those who do not make enough to spend in such frivolous ways would have access to them and in turn might spend what money they do have on gambling rather than necessities such as food or clothing. Welfare checks would get rotated back into the system leaving the gambler nothing to show for it.

One final concern is the image casinos would give to Hawaii. What Hawaii is known for besides the people are the breathtaking surroundings that we all know and love dearly, and is slowly being etched into background nothingness with every new building or landmark we build. Casinos would be an eye sore to the island, giving in to the commercialization and giving up what ever authenticity of the island we have left.

For these reasons I oppose this bill and respectfully ask you to not pass it.

Sheena Gandeza  
874 Dillingham Boulevard  
Honolulu, HI 96817

## **karamatsu1-Kenji**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 09, 2010 10:33 AM  
**To:** JUDtestimony  
**Cc:** kawehi11@yahoo.com  
**Subject:** Testimony for HB2759 on 2/9/2010 2:30:00 PM

Testimony for JUD 2/9/2010 2:30:00 PM HB2759

Conference room: 325  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Rita Kawehi Kanui  
Organization: Hewahewanui 'Ohana Council  
Address: 41-169 Poliala Street Waimanalo, Hi.  
Phone: 692-2611  
E-mail: [kawehi11@yahoo.com](mailto:kawehi11@yahoo.com)  
Submitted on: 2/9/2010

Comments:  
Aloha,

We are in opposition to HB 2759 in attempts to by pass the waiting lists; Residential, Agriculture and Pastoral applications.

Although the DHHL has done very little to encourage usages to these lands in these three categories to all the Hawaiians who come into their office to apply, granted some don't care or understand their rights short change themselves, that's their kuleana. People like myself however, want what our King Kamehameha III gave to us from his Royal Domain.

After reviewing and reading again all the information that came across our table I have to apologize to DHHL for making statements that were not true especially to Robert Hall. But, to Kale Gumapac, we have our doubts that what he is saying that this bill will kill the Akaka Bill and that's why we in the independent movement must oppose it, is an oxymoron since it's been the ninth time that the Akaka bill has failed (although nothing has been said about failing) granted after February 15, 2010, when nothing is said about the bill, it is dead again.

Building a casino in Hawai'i right now, is not a good time until the economics pick up and if the people of Hawai'i are the one's pushing it have done their homework and are clear about the division of the monies as to how it would help all the people of Hawai'i. Right now, it's very unclear for economic, political, environmental, cultural and spiritual purposes all these issues need to be addressed BEFORE a bill is written because it leaves too many loop holes for RATS to run around in and more infighting. Already, the State is going to veto it just the way it is, so what is the sense? Is this just an excise of futility? Ego? or base building? MORE research is needed in each areas of concern.

We do support people to have jobs for example, for companies whose roots are in Hawai'i, for those who live in Hawai'i also with roots, not cheap labor that comes with cheap companies who are exploiters of the working class, we also support people from Hawai'i to work in these casinos from A-Z and that they are paid according to the cost of living, that they are protected from further exploitation while on the job, that quality services, food and events are done as to promote our culture with the true history to promote, that the infrastructure is researched and found to be NOT weighing on the already fragile infrastructure, that the companies pay interested pay triple the amount in fees, that there is a system on how many

from our Hawai'i schools who graduate would be working there and the list goes on and on. This is why there needs to be a developing gaming think tank of people who are willing to work for free and come up with a plan that would be a good plan for all the people of Hawai'i or don't do it at all,

In summation, we are protected persons under Article 4, 1949, Geneva Convention, IV and, as the occupied, the occupier must follow the laws of the occupied...the Independent Nation of Hawai'i as stated in Article 43, 1907 Hague Convention, IV, whereby it states: "occupant must administer the laws of the occupied State" which is Hawaiian Law, as Cleveland-Liliuokalani Executive Agreement and Kamehameha III's Royal Domain explains. (GOOGLE all of these titles and educate yourselves as these issues will be discussed in the context of independence as the ONLY option for the people of Hawai'i in the Hawaiian movement meetings).

Mahalo,  
RKKanui, Po'o  
Hewahewanui 'Ohana Council



# Kānaka Council Moku o Keawe

HC2 Box 9607  
KEA'AU, HI 96749  
(808) – 982 – 9020  
KANAKACOUNCIL@GMAIL.COM

## COMMITTEE ON JUDICIARY

DATE: Tuesday, February 9, 2010

TIME: 2:30 pm.

### **TESTIMONY ON HB 2759 (HSCR 135-10) Relating to Gaming on DHHL**

My name is Kale Gumapac, Alaka'i for Kanaka Council Moku O Keawe and we strongly support HB 2759. I am a beneficiary on DHHL's waiting list since 1982 and born and raised on DHHL Lands in Waimanalo since 1951. I live in Puna on the Island of Hawai'i and I believe that I have life long experience to speak on this matter.

Our first home in Waimanalo was a 2 bedroom 600 sq ft Hicks Homes that housed 7 of us along with the various members of the Hopeau ohana. We were poor but nobody ever told me because I was a happy kid and my ohana just rolled with the punches. My bedroom was the parlor floor until my parents got a used pune'e. I was lucky enough to get accepted at Kamehameha School and boarded. That is when I experienced my first bed, closet, clothes drawers and desk to study at the age of 12.

My dad worked hard at Pearl Harbor starting out as a machinist helper working his way up to Ship's Estimator on a 7<sup>th</sup> grade education to support a family of 7. My dad owned a Chevy Woody that he used to pickup other Navy Yard workers that lived in Waimanalo to earn a little extra money. He was given a choice to either take early retirement or be relegated back to a machinist because they needed to make room for the college educated kids that were being hired to replace him. My dad opted for retirement after 35 yrs at Pearl Harbor.

Tourist were warned to stay out of Waimanalo because robbery, car break ins, Sherwood Forest and Waimanalo's reputation of gangs and drugs with Maka and his Merryman (our next door neighbors). We all knew the crooks on the reservation but no one said anything for fear of retaliation. But that was commonplace in almost every Hawaiian Homes community, Waianae, Papakolea, Panaewa and Keaukaha.

After almost 60 yrs there are still 25,000 beneficiaries and counting on the waiting list and the light is getting dimmer and dimmer for them to get onto the Reservation!



A few weeks ago I had the opportunity to tour the Tulalip Reservation in Washington State with Rep. Mele Carroll on Jan. 7-10th. It was an eye opener...We met with the tribal leaders and I asked a lot of questions. My primary purpose was to find out what federal recognition meant to the Tulalip Nation. The answer: **GAMING**. Although the tribe gets some federal dollars 80-90% of their programs are covered by gaming.

The Health, Dental and Substance Abuse facilities are free and second to none. They bought back 90% of their lands that were lost and have only 2 more large parcels to buy back. We always knew we were in Indian Country. Their artwork and carvings were on the roads, buildings and in every facility. Housing projects were providing homes for their tribal members. Their unemployment rate went from 50% down to 2%. They are presently restoring salmon runs in rivers and streams throughout the reservation with a high tech hatchery facility.

Their casino entrance looks like a tribal art center that is beautiful until you get in the gaming facility. They are partnering with the local dairyman's association in financing and owning a renewal energy methane power plant generating 4-6 mega watts of power and selling it to the utility company. Their waste treatment plant has the latest technology that will convert the waste to drinkable water. I never saw a tribal member in the casino but I did see haole, filipino, japanese and chinese people always gambling. All these benefits and more were made possible due to gaming.

Why should the legislature support this bill? The Akaka Bill has gutted gaming from the bill. This DHHL Gaming Bill is being proposed to provide the economic engine for our people with 80% of the gaming revenues going into the DHHL Trust and 20% to the State of Hawaii. We are located in the best place to have gaming.....people from East and West will come. Gaming will provide the economic thrust for the Kanaka without ever having federal recognition or the Akaka Bill. Those who are pushing for the Akaka Bill know that if gaming succeeds the need for the Akaka Bill. Most importantly, the financial burden placed upon the State of Hawaii will not be necessary.

I support this legislation because it will help everyone in Hawaii but most importantly the po'e kanaka. We have the worst health, highest numbers in prisons, homelessness, welfare, housing, education and social issues. I believe this bill will help to fix these problems as well as reduce the financial responsibility of the State. Pass HB 2759.

Malama o ke kai,  
Kale Gumapac, Alaka'i

POLICE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



MUFI HANNEMANN  
MAYOR

LOUIS M. KEALOHA  
CHIEF

DELBERT T. TATSUYAMA  
RANDAL K. MACADANGDANG  
DEPUTY CHIEFS

OUR REFERENCE SD-TA

February 9, 2010

The Honorable Jon Riki Karamatsu, Chair  
and Members  
Committee on Judiciary  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Karamatsu and Members:

Subject: House Bill No. 2759, H.D. 1, Relating to Gaming

I am Susan Dowsett, Major of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department opposes House Bill No. 2759, H.D. 1, Relating to Gaming. In keeping with our conviction of sustaining and enriching communities, we are strongly opposed to all forms of gambling.

We are convinced that gambling exploits those who can least afford it and undermines community values. Socioeconomic costs include unemployment benefits, welfare benefits, physical and mental health problems, theft, embezzlement, bankruptcy, suicide, child abuse and neglect, domestic abuse, divorce, incarceration, work absences, and homelessness.


By holding steadfast against legalized gambling, the Honolulu Police Department keeps its pledge to work in partnership to enhance and strengthen our communities through the enforcement of state and county statutes and newly enacted laws.

The Honolulu Police Department urges you to oppose House Bill No. 2759, H.D. 1, Relating to Gaming.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,

*for*   
\_\_\_\_\_  
LOUIS M. KEALOHA  
Chief of Police

  
SUSAN DOWSETT, Major  
Narcotics/Vice Division

*Serving and Protecting With Aloha*