

TESTIMONY
SB 1085
LATE



KAMEHAMEHA SCHOOLS

LATE TESTIMONY

Tuesday, February 03, 2009

WRITTEN TESTIMONY TO THE SENATE COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

BY

Nainoa Thompson, Chair
Diane J. Plotts, Vice Chair
Corbett A.K. Kalama Secretary/Treasurer
J. Douglas Keauhou Ing
Robert K.U. Kihune
Dee Jay A. Mailer, Chief Executive Officer

Re: SB 1085 – Relating to Ceded Lands.
~~SB 475 – Relating to Land Controlled by the State.~~

T: Senator Clayton Hee, Chair
Senator Jill N. Tokuda, Vice Chair
Members of the Committee

Mahalo nui for the opportunity to testify regarding an issue of great importance to all of the people of Hawai`i and to our Native Hawaiian people in particular.

Kamehameha Schools supports this measure, which places a moratorium on the sale or transfer of ceded lands until the issues and claims surrounding these lands between Native Hawaiians and the state are resolved. Ceded lands tie directly to Native Hawaiian well being and identity, as former Crown and Government lands that were taken from the Kingdom of Hawaii after the overthrow of Queen Lili`uokalani in 1893 and later placed in trust to be used for five public purposes, including the benefit of Native Hawaiians, the indigenous people of these islands.

The Native Hawaiian people carry claims to those lands which have not yet been reconciled, and this is an obligation that must be resolved here at home. We stand with many others in our community in support of legislation that will keep intact Hawai`i's ceded lands trust until the claims can be resolved. As an Ali`i Trust founded to improve the capability and well-being of Native Hawaiians, we urge the state of Hawai`i to continue its long-standing support for Hawaiian rights and its commitment to the Hawaiian community by working with OHA, the Native Hawaiian people and the state Legislature to resolve the dispute over ceded lands without involvement by the U.S. Supreme Court.

LATE TESTIMONY

YOU MUST PASS BILL sb1085!!

I am a native Hawaiian and this is my home. I have no place else. My ancestors lived here, my family lives here, and I want my children to continue to have the same opportunity to do so. It is the sovereign right of every native Hawaiian to have that opportunity. If the state is allowed to sell ceded lands (that is not and never was, theirs in the first place) that opportunity becomes all the more slim. Who and what are we as a people if we have no longer have the legal right to a place to call home?

Me ka mahalo piha, Kanoë D. Enos

Graduate Student

Myron B. Thompson School of Social Work

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 03, 2009 4:33 PM
To: WTLTestimony
Cc: haakeamakaiwiroy@hotmail.com
Subject: Testimony for SB1085 on 2/4/2009 2:45:00 PM

LATE TESTIMONY

Testimony for WTL 2/4/2009 2:45:00 PM SB1085

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Charles Haakea Roy
Organization: Individual
Address: 94-572 Kupuohi St. #17a Waipahu, HI 96797
Phone: 8087448242
E-mail: haakeamakaiwiroy@hotmail.com
Submitted on: 2/3/2009

Comments:
PLEASE SUPPORT SB 1085

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 03, 2009 4:33 PM
To: WTLTestimony
Cc: haakeamakaiwiroy@hotmail.com
Subject: Testimony for SB1085 on 2/4/2009 2:45:00 PM

LATE TESTIMONY

Testimony for WTL 2/4/2009 2:45:00 PM SB1085

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Taresa Mapuana Roy
Organization: Individual
Address: 94-572 Kupuohi St. #17a Waipahu, HI 96797
Phone: 8087448242
E-mail: haakeamakaiwiroy@hotmail.com
Submitted on: 2/3/2009

Comments:
PLEASE SUPPORT SB 1085

From: Alan Murakami [almurak67@gmail.com]
Sent: Tuesday, February 03, 2009 5:00 PM
To: WTLTestimony
Subject: SB 1085, SB 475, SB 476

LATE TESTIMONY

REGULAR SESSION OF 2009

SENATE COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS
Room 229

February 4, 2009
2:45 PM

RE: Testimony of Alan T. Murakami Related to SB 1085, ~~475, 476~~

I testify in support of some form of interim moratorium on the dispositions of ceded lands pending the outcome of any resolution of Hawaiian land claims related to the illegal overthrow of the Hawaiian Kingdom in 1893.

If not an unqualified ban on the sale or exchange of ceded lands, the Legislature should impose: (1) strict limits on any disposition of this public trust resource to preserve the corpus of what was the most valuable asset base of the Kingdom, (2) a reasonable period of consultation with the Office of Hawaiian Affairs (3) an opportunity for Hawaiian beneficiary input before any disposition, and (4) a requirement for approval of any such disposition by a 2/3 majority of both chambers of the Legislature.

The State government has yet to demonstrate why any such restriction would hobble the sovereign functioning of state government. As for providing affordable housing, I note that the state has for 50 years provided such housing to beneficiaries of the Hawaiian home lands trust program. I would be astonished if the State can urge the need for fee simple sales of affordable housing to members of the general public, when it never pleaded that case for Hawai'i's first citizens under the Hawaiian Homes Commission Act.

As a first step toward reconciling the land claims acknowledged by the Hawai'i Supreme Court in *OHA v HHFDC*, this branch of government should preserve the integrity of the ceded lands trust corpus. It is the prudent and pono thing to do, especially in light of the cultural value attached to land by Hawaiian culture. No prudent trustee, operating under like circumstances would do otherwise. Indeed, the Legislature has repeatedly been on record supporting the sovereignty of its indigenous people on several occasions during that 1993 Legislative Session. Act 340; Act 354; Act 359; 1993 Haw. H.R. Con. Res. No. 179 (1993 Haw. Sess. Laws). A measure to preserve the corpus of the land claims would be a natural extension of this record of support.

I urge you to pass some form of moratorium on ceded lands disposition IMMEDIATELY, ahead of any schedule for passing legislation this session. Such timing can avert what might be an unfavorable result before the U.S. Supreme Court in the pending appeal of the *OHA v HHFDC* case.

Thank you for this opportunity to testify.

Alan T. Murakami, Litigation Director

Native Hawaiian Legal Corporation
1164 Bishop Street, Suite 1205
Ph: (808)-521-2302
Email: almurak@nhlchi.org

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 03, 2009 8:21 PM
To: WTLTestimony
Cc: paglinawr002@hawaii.rr.com
Subject: Testimony for SB1085 on 2/4/2009 2:45:00 PM

Testimony for WTL 2/4/2009 2:45:00 PM SB1085

Conference room: 229
Testifier position: oppose
Testifier will be present: No
Submitted by: Lynette K. Paglinawan
Organization: Individual
Address:
Phone:
E-mail: paglinawr002@hawaii.rr.com
Submitted on: 2/3/2009

LATE TESTIMONY

Comments:

I am opposed to the State being able to sell any ceded lands. It should be held in moritorium until the ceded lands claims and monies derived from the use of ceded lands as filed by OHA is settled with the State.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 03, 2009 10:30 PM
To: WTLTestimony
Cc: ailaw001@hawaii.rr.com
Subject: Testimony for SB1085 on 2/4/2009 2:45:00 PM

Testimony for WTL 2/4/2009 2:45:00 PM SB1085

LATE TESTIMONY

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: William J. Aila Jr. & Melva Aila
Organization: Individual
Address:
Phone:
E-mail: ailaw001@hawaii.rr.com
Submitted on: 2/3/2009

Comments:

We support the passage of SB 1085. The Hawaii State Supreme Court made the right decision regarding an injunction prohibiting the sale of ceded lands until the State of Hawaii completes reconciliation with Native Hawaiians. This bill would send a strong message to the U.S. Supreme Court that we can manage our issues back home in our state. Mahalo for introducing this bill.



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

February 4, 2009

LATE TESTIMONY

TO: SEN. CLAYTON HEE, Chair
& Members
Committees on Water, Land, Agriculture & Hawaiian Affairs

FROM: MAHEALANI CYPHER, President
Ko'olaupoko Hawaiian Civic Club

SUBJECT: TESTIMONY IN SUPPORT OF S.B. 1085,
RELATING TO CEDED LANDS

Aloha mai kakou. The Ko'olaupoko Hawaiian Civic Club works with the people of nine ahupua'a surrounding Kane'ohē bay. Our membership is open to native Hawaiians and others who are "Hawaiian at heart". We strongly support Senate Bill 1085, and urge the Hawai'i State Legislature to pass this measure into law.

We find it almost unbelievable that anyone with any self-respect could stand up and tell us this bill should not become law. Anyone who loves these islands, who cares about our people and the future of Hawai'i should join us in urging passage of this bill. Anyone who loves justice and honors the tenets of the State and U.S. constitutions should be in support of this bill.

A grave injustice was done, 116 years ago. A peaceful island kingdom was overrun by commercial interests, with the help of the U.S. military. Its queen urged her people not to take up arms, believing that the treaty which existed then between Hawai'i and the United States would be honored with justice and integrity. Because of this, she ceded the islands into the care and trust of the U.S. government, fully expecting those lands to be returned and the sovereignty of the Hawaiian kingdom to be restored by an honorable American government.

Instead, unscrupulous commercial interests took the politically expedient route and persuaded the U.S. Congress to annex the Hawaiian Islands, allowing their falsely instituted "republic" to maintain control of the lands and resources of the Hawaiian kingdom.

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Ko`olaupoko HCC – S.B. 1085

We all know that the Blount report exposed all of these pono`ole actions, and that Queen Lili`uokalani was fully entitled to expect that the United States would “do the right thing” and reinstate both her throne and the lands of the Hawaiian kingdom.

Regrettably, we also know that “the right thing”, the pono thing, was not done. And these ceded lands have been held in trust for over a hundred years, awaiting the fulfillment of justice.

America has always prided itself on its foundation of justice and constitutional righteousness. This bill provides an ideal vehicle for continuing that promise of justice, by preventing the sale or transfer of these trust lands before the wrongs committed in 1893 can be rectified.

The Ko`olaupoko Hawaiian Civic Club salutes you for supporting this measure, and urges you and all of the people of Hawai`i – all of you who love Hawai`i nei – to put your minds and your hearts and your voices into advocating for justice for the Hawaiian people.

E mahalo nui loa for this opportunity to share our mana`o.

P. O. Box 664
Kaneohe, HI 96744
Ph. (808) 235-8111
koolaupokohcc.org

KO`OLAU FOUNDATION

February 4, 2009

To: Sen. Clayton Hee, Chair
And Members
House Committee on Hawaiian Affairs

From: Leialoha "Rocky" Kaluhiwa

Subject: **Support for S.B. 1085, Relating to Ceded Lands**

LIVE TESTIMONY

Aloha kakahiaka kakou!

My name is Leialoha "Rocky" Kaluhiwa, and I am a life-long resident and kupa`aina of the ahupua`a of He`eia, moku Ko`olaupoko, O`ahu. I wish to offer this testimony on behalf of myself, my family, and the Ko`olau Foundation.

We strongly support passage of this bill, and urge all members of the Legislature to pass it into law. We call upon Governor Lingle to sign it into law.

I feel that Governor Lingle should reconsider going against her own Supreme Court justices by taking this issue before the United States Supreme Court.

All of her constituents who voted for her trusted that when she took the oath to uphold the constitution and laws of Hawai`i, she would continue to protect the ceded lands for future generations.

The Hawaiians always planned and prepared for seven generations; I think that was and is the best policy to keep.

To sell the ceded lands now at these low economic prices is the worst thing to happen to the `aina, especially since there was never an accurate inventory of these lands to begin with. And, until an appropriate inventory of these lands is made, it is premature to think of selling it.

To me, this is a justice issue that really needs to be addressed.

Mahalo for this opportunity to testify.

P. O. Box 4749
Kane`ohe, HI 96744
Ph. 286-7955
Email: rockyfromheeia@aol.com

Kako`o O`iwi

P. O. Box 4870

Kane`ohe, HI 96744

Ph. 754-4862

Email: unclejerry77@aol.com

LATE TESTIMONY

Testimony on S.B. 1085

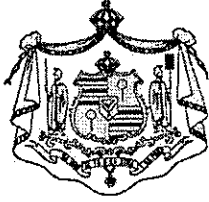
To Chair Clayton Hee and the members of the Senate Water, Land, Agriculture and Hawaiian Affairs Committee, aloha from Kako`o O`iwi and the kupa`aina of Ko`olaupoko.

Kako`o O`iwi supports the passage of Senate Bill 1085 to protect Hawaiian ceded lands from being sold or transferred by the State DLNR.

It's not right that they give away land that is supposed to be held "in trust". We have been waiting for over 100 years to have this matter resolved, and it would be a grave injustice for the U.S. Supreme Court to rule in favor of the state administration.

This is an important bill, and should be signed into law by Governor Lingle.

Mahalo for this bill, and for allowing me to offer my testimony.



Association of Hawaiian Civic Clubs
P. O. Box 1135
Honolulu, Hawai`i 96807

TESTIMONY OF LEIMOMI KHAN, PRESIDENT
IN SUPPORT OF

LATE TESTIMONY

SB 1085 - RELATING TO CEDED LANDS

**SENATE COMMITTEE ON WATER, LAND, AGRICULTURE, AND
HAWAIIAN AFFAIRS**

Hearing date and time: February 04, 2009 2:45 p.m.

Aloha Chairperson Hee, Vice-Chair Tokuda and Members of the Senate Committee on Water, Land, Agriculture, and Hawaiian Affairs..

Thank you for this opportunity to testify in strong support of Senate Bill 1085, which prohibits the board of land and natural resources from selling, exchanging, or otherwise alienating ceded lands in the public land trust.

At its 42nd annual convention held November 9, 2001, Association delegates passed a resolution opposing the sale or transfer of ceded lands.

Other expressions of support for a moratorium on the sale, exchange or other alienation of the public lands trust by the Native Hawaiian community include:

- (1) The 1988 five-point action plan drawn up by attendees at a three-day Native Hawaiian Rights Conference which called for the state and federal governments to protect and preserve the ceded lands as the future land base for the sovereign Hawaiian government;
- (2) The 1989 Office of Hawaiian Affairs' Blueprint for Native Hawaiian entitlements, which states, "The United States must recognize the claims of Native Hawaiians to ceded lands that have been transferred to the State of Hawai`i. Because of the illegal action of its agents . . . and because of the enormous benefits it has obtained from the uncompensated use of illegally obtained lands, the United States is obligated to restore to Native Hawaiians a substantial portion of the lands it received in 1898. Further, the United States must recognize the claims of Native Hawaiians to ceded lands that have been transferred to the State of Hawai`i. Legislation must be adopted by the Congress and the state transferring control of a substantial portion of the ceded lands now controlled by the state to a Native Hawaiian entity developed pursuant to a process for Self-Determination and Self-Governance.
- (3) Native Hawaiians who attended 50 community gatherings throughout the state convened by the Hawaiian Sovereignty Elections Council also called for a moratorium on ceded lands sales, exchanges, or any other disposition which would

amount to permanent alienation from the public lands trust. HSEC member attorney William Meheula filed a lawsuit challenging the state's attempt to sell ceded lands.

There are numerous other examples wherein the Native Hawaiian people have reaffirmed their support for a moratorium on the sale, exchange or other permanent alienation of ceded lands, which they seek as a land base for a restored Native Hawaiian government.

As a point of information, the Association is a growing national confederation of fifty-three Hawaiian Civic Clubs, located throughout the State of Hawai'i and in the States of Alaska, California, Colorado, Illinois, Nevada, Utah, Virginia and Washington State. It initiates and works to support actions that enhance the civic, economic, educational, health and social welfare of our communities, and in particular, the culture and welfare of the Native Hawaiian community.

The Association is in strong support of Senate Bill 1085, and urges its passage out of this Committee.

Thank you for this opportunity to testify in support of Senate Bill 1085.

LATE TESTIMONY

WAIMEA HAWAIIAN HOMESTEADERS' ASSOCIATION, INC.
P. O. Box 6753
Kamuela, Hawaii 96743
February 4, 2009

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

BERNARD ALANI, JR
Puukapu-fARM>'85
Director

BETTY LAU
Kuhio Village
Director

JOSEPH KEALOHA
Pu'ukapu-Agricultural'85+
Director

FRED LAU
Kuhio Village
Director

HENRY "SOLI" NIHEU"
Pu'ukapu-Farm '85+
Director

DERRICK HONDA
Pu'ukapu-Pastoral <90
Director

TO: Senator Clayton Hee, Chair
Senator Jill N Tokuda, Vice Chair

FROM: M Kapuniai, President

RE: **SB1085**
Relating to "Ceded Lands"

Date/Time: Wednesday, February 4, 2009 2:45 p.m.
Place: Conference Room 229
State Capital, 415 So Beretania St

LATE TESTIMONY

We write in **SUPPORT OF SB1085.**

The corpus of the Public Land Trust is to remain whole and in tact for the intended purposes as stated in the Admissions Act, for perpetuity.

The corpus of the Public Land Trust is to be managed prudently, and is not to be used as a bargaining tool from time to time.

We **ALL** know that **ALL** the land which was "ceded" did not have **TITLE. The State of Hawaii is the "steward" and, does not have legal title to convey, period!**

Though, the Hawaiian Home Lands Trust is not part of the "Public Land Trust", we the lessees, families of the lessees, applicants, and others who qualify to be a beneficiary of this Hawaiian Home Lands Trust, are also beneficiaries of the Public Land Trust.

The "Public Land Trust" is to be kept whole for perpetuity, for all, for the five purposes as stated in the Admissions Act.

Phone: (808) 890-2311 (Res) 936-0157(Cell)
Email: duke@sandwichisles.net

The Senate

Committee on Land, Agriculture and Hawaiian Affairs

Senator Clayton Hee, Chair

Senator Jill N. Tokuda, Vice Chair

Date: February 3, 2008.
Time: 2:45 p.m.
Place: Conference Rm, 229
State Capitol
415 S. Beretania Street

LIVE TESTIMONY

Aloha Mr. Chairman and distinguished committee members.

I am Keoni Kealoha Agard of the Royal Order of Kamehameha I, which has participating chapters on the islands of Kauai, Maui, Oahu and Hawaii. We speak in support of SB 1085.

The former Crown and Government lands of the Kingdom of Hawaii were unlawfully transferred without proper authority from the Republic of Hawaii government (traitors to the then legitimate government of the Hawaiian Kingdom) and "ceded" to the United States government in 1898 by way of a joint resolution. That joint resolution was utilized, after proponents had tried not once but two times in a failed attempt to annex the Kingdom of Hawaii and acquire its lands by way of a treaty of annexation. There is no authority under U.S. Constitution that allows annexation without securing a treaty between the parties. It is an uncontroverted historical fact and also part of the Congressional record that the U.S. never passed a treaty of annexation. The lands that were stolen ("ceded lands") by the U.S. in 1898 were later transferred to the State of Hawaii in 1959.

Further, the Apology resolution passed by U.S. Congress in 1993, Public Law 103-150 says in relevant part that "Native Hawaiians never relinquished control of their sovereignty or claims over their national lands".

Let us take an example: If you get your car stolen, and the thief decides to return the same car (61) years later to you, Daniel, and Sam, we must ask: What is wrong with that picture? Logic and common sense dictates that the car should be returned to the original owner, you. It should NOT be returned to Daniel and Sam, but to you. However, the State of Hawaii, through its Attorney General, is arguing that when the Statehood Act was passed in 1959 making Hawaii the 50th State in the Union, the "ceded" lands were given by the U.S. to the State of Hawaii, and that it was the intent to give such lands to ALL of the people of Hawaii. In response, this argument has absolutely no merit. First, the U.S. did not have authority to transfer the "ceded lands" because it had not properly

LATE TESTIMONY

acquired these lands by use of a treaty, nor had it paid just compensation for the unlawful taking. It was a unilateral act without the consent of the Hawaiian Kingdom and/or Native Hawaiians.

Second, the U.S. Congress has already acknowledged the historical wrong by passing the Apology Resolution, and has also confirmed that Native Hawaiians never relinquished control of their sovereignty or claims over their national lands. Accordingly, the way to reconcile this particular situation is to allow negotiations to occur to permit both sides to reach a reasoned settlement on the ceded lands issue.

SB 1085 prohibits the State of Hawaii, through its, Dept of Land and Natural Resources branch, "DLNR" from selling, exchanging or otherwise alienating "ceded" lands. This legislation is consistent with the position that we take above. It is a common sense approach to allow a fair resolution to be reached on the claims of Native Hawaiians to the "ceded" lands between the appropriate parties.

On the other hand, if this legislation is not passed, the State can sell, exchange or alienate ceded lands leaving little or no chance of that portion of ceded lands inventory to ever be returned. We are in the process of negotiations and to take portions of the ceded lands inventory off the table and to transfer to third parties, even before we reach any resolution is not only premature, but simply unjust.

Such an action dismisses and makes meaningless the American principles of justice and fair play. Such an action ignores the facts discussed above.

Again, we, as members of the Royal Order of Kamehameha I, strongly support SB 1085.

We thank you for this opportunity to testify.

Sincerely,



Keoni K. Agard
Mamo Ali'i Nui

Ka Lei Maile Alii Hawaiian Civic Club
45-659 Lohiehu St. • Kaneohe, Hawaii 96744
Email: Palolo@hawaii.rr.com

LATE TESTIMONY

February 4, 2009

COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Sen. Clayton Hee, Chair

Sen. Jill Tokuda, Vice Chair

RE: STRONG SUPPORT FOR SB 1085 RELATING TO CEDED LANDS

Aloha Sen. Hee, Sen. Tokuda, and members of the Committee on Water, Land, Agriculture, and Hawaiian Affairs,

Members of Ka Lei Maile Alii Hawaiian Civic Club voted at its regular quarterly meeting to strongly support SB 1085, prohibiting selling, exchanging, or otherwise alienating ceded lands in the public land trust. We assert that those lands belong to the Hawaiian nation, even though they are controlled by the state of Hawaii. We support a total moratorium until such time as the Hawaiian people have opportunity to determine their own future and the future of those lands.

Lynette Cruz, President
Ka Lei Maile Alii Hawaiian Civic Club

From: Laulani@aol.com
Sent: Wednesday, February 04, 2009 5:53 AM
To: HAWtestimony; WTLTestimony
Subject: Moratorium on the Sale of Ceded Lands

LATE TESTIMONY

Aloha mai kakou,

I am writing on behalf of the members of the 'Ewa - Pu'uloa Hawaiian Civic Club to request your support in placing a moratorium on the sale of the ceded lands until the unrelinquished claims of Native Hawaiians have been resolved.

A ruling on the State of Hawaii's pending appeal before the U.S. Supreme Court could extend well beyond the issue of the State's right to sell or transfer ceded lands. The conservative bent of this court and the prevailing legal view of Native Hawaiians as a racial category as opposed to a political entity could result in a ruling detrimental to existing Native Hawaiian programs.

Governor Lingle's concern that the current Hawaii Supreme Court ruling clouds the State's title to these lands pales in comparison to the potential harm that could be done to the many programs currently supporting Native Hawaiians. We need to do what's right, and your support is much needed and requested.

Sincerely,

Lawrence A. Woode, Jr.
President, 'Ewa - Pu'uloa Hawaiian Civic Club

Who's never won? [Biggest Grammy Award surprises of all time on AOL Music.](#)

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 04, 2009 12:08 PM
To: WTLTestimony
Cc: reelcom1@earthlink.net
Subject: Testimony for SB1085 on 2/4/2009 2:45:00 PM

LATE TESTIMONY

Testimony for WTL 2/4/2009 2:45:00 PM SB1085

Conference room: 229
Testifier position: oppose
Testifier will be present: No
Submitted by: Tom McAuliffe
Organization: Individual
Address: 45738 Apuakea Kaneohe, Hawaii
Phone: 808.282.8478
E-mail: reelcom1@earthlink.net
Submitted on: 2/4/2009

Comments:

The public lands belong to EVERYONE in Hawaii and not only native hawaiians. The state owns clear title and must have the ability to manage the (ceded) public lands for the benefit for all its citizens.

Mahalo nui loa

Tom McAuliffe
Kaneohe, Hawaii

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Lihu'e, Kahanu, Paoa, Kea, Lono `Ohana
Donna Ann Kameha`iku Camvel

Committee on Water, Land, Agriculture, and Hawaiian Affairs
Senator Clayton Hee, Chair
Senator Jill N. Tokuda, Vice Chair

**Senate Bill 1085
Relating to Ceded Lands**

Aloha Chair Hee, Vice Chair Tokuda, and Committee Members:

My name is Donna Ann Kameha`iku Camvel. I come from the `ili of `Ioleka`a, in the ahupua`a of He`eia, located in the moku of Ko`olaupoko. Our `ohana remains on ancestral kuleana land today, a vital and contiguous landscape which represents our genealogical and ancestral ties to that `āina from the time before the māhele.

I am here to give testimony that supports the intent of Senate Bill 1085 prohibiting the State of Hawai`i from selling, exchanging, or otherwise alienating lands that were ceded to the United States Government, to be held in trust for purposes benefiting the people of Hawai`i, in particular Kanaka `Oiwī.

The history of Hawai`i, its illegal annexation to the United States, followed by territorial and state proclamation, are historic reasons for the continuing grief and disparities affronting many Native Hawaiian people today. Dispossession of Native Hawaiians from the `āina continues today, manifested in the appeal of Governor Lingle to the United State's Supreme Court to overturn the Hawai`i Supreme Court's decision, prohibiting the selling of ceded lands.

The reasons for supporting H.B. 1667 are many, not the least being unsettled claims of Native Hawaiians and the lack of a complete ceded land inventory. Much more important is the implication of a government's lack of respect for native people, in the continuing disenfranchisement of those people through dispossession from and of the land, as symbolized in the actions of the Governor's appeal to the U.S. Supreme Court.

Thank you for providing the opportunity with which to state my mana`o.

A Hui Hou, E Malama Pono

Donna Ann Kameha`iku camvel
Lihu'e, Kahanu, Paoa, Kea, Lono `Ohana

Lihu`e, Kahanu, Paoa, Kea, Lono `Ohana
Donna Ann Kameha`iku Camvel

LATE TESTIMONY

Committee on Water, Land, Agriculture, and Hawaiian Affairs
Senator Clayton Hee, Chair
Senator Jill N. Tokuda, Vice Chair

Senate Bill 1085
Relating to Ceded Lands

Aloha Chair Hee, Vice Chair Tokuda, and Committee Members:

My name is Donna Ann Kameha`iku Camvel. I come from the `ili of `Ioleka`a, in the ahupua`a of He`eia, located in the moku of Ko`olaupoko. Our `ohana remains on ancestral kuleana land today, a vital and contiguous landscape which represents our genealogical and ancestral ties to that `āina from the time before the māhele.

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The history of Hawai`i, it's illegal annexation to the United States, followed by territorial and state proclamation, are historic reasons for the continuing grief and disparities affronting many Native Hawaiian people today. Dispossession of Native Hawaiians from the `āina continues today, manifested in the appeal of Governor Lingle to the United State's Supreme Court to overturn the Hawai`i Supreme Court's decision, prohibiting the selling of ceded lands.

The reasons for supporting H.B. 1667 are many, not the least being unsettled claims of Native Hawaiians and the lack of a complete ceded land inventory. Much more important is the implication of a government's lack of respect for native people, in the continuing disenfranchisement of those people through dispossession from and of the land, as symbolized in the actions of the Governor's appeal to the U.S. Supreme Court.

Thank you for providing the opportunity with which to state my mana`o.

A Hui Hou, E Malama Pono

Donna Ann Kameha`iku camvel
Lihu`e, Kahanu, Paoa, Kea, Lono `Ohana

TESTIMONY
SB 1085
LATE
(END)