

NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII



ALBERT "ALAPAKI" NAHALE-A
CHAIRMAN
HAWAIIAN HOMES COMMISSION

ROBERT J. HALL
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879
HONOLULU, HAWAII 96805

COMMENTS OF ALAPAKI NAHALE-A, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEE ON JUDICIARY ON

HB 1225, RELATING TO BINGO

February 17, 2011

Chair Keith-Agaran, Vice-Chair Rhoads and Members of the Committee:

HB 1225 amends the Hawaiian Homes Commission Act to allow for gaming as an authorized commercial activity on the Department of Hawaiian Home Lands non-homestead lands.

DHHL is eager to establish a consistent and sustainable cash flow to financially support our programs, and we are open to all possibilities. However, we are concerned about the potential disadvantages associated with bingo, and other gaming, like negative impacts to local businesses, difficulties with and cost of regulation, and social costs which may unintentionally cause a negative impact to our beneficiaries and the state. Additionally, the concept of gaming on Hawaiian home lands elicits mixed, yet strong reactions from our beneficiaries. And finally, this proposed amendment to the Hawaiian Homes Commission Act requires Congressional consent. These factors will delay implementation of this measure.

Thank you for the opportunity to provide these comments.



NEIL ABERCROMBIE
GOVERNOR

BRIAN SCHATZ
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
335 MERCHANT STREET, ROOM 310
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KEALI'S. LOPEZ
DIRECTOR

EVERETT KANESHIGE
DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

Thursday, February 17, 2011
3:00 p.m.

WRITTEN TESTIMONY ONLY

TESTIMONY ON HOUSE BILL NO. 1225, RELATING TO BINGO.

TO THE HONORABLE GILBERT S. C. KEITH-AGARAN, CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to submit testimony on House Bill No. 1225, Relating to Bingo.

House Bill No. 1225 creates a new chapter to regulate bingo on lands designated by the Hawaiian Homes Commission. Section 26H-6, Hawaii Revised Statutes, requires that new regulatory measures being considered for enactment be referred to the Auditor for a sunrise analysis before any measure is enacted. The statute further requires that the analysis shall set forth the probable effects of regulation, assess whether its enactment is consistent with the legislative policies of the Hawaii Regulatory Licensing Reform Act, and assess alternative forms of regulation.

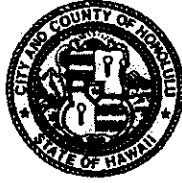
Testimony on House Bill No. 1225
Thursday, February 17, 2011
Page 2

With regard to the intent of the bill, the Department defers to the comments provided by the Department of Hawaiian Home Lands.

Thank you for the opportunity to testify on House Bill No. 1225.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



PETER B. CARLISLE
MAYOR

LOUIS M. KEALOHA
CHIEF

DELBERT T. TATSUYAMA
RANDAL K. MACADANGDANG
DEPUTY CHIEFS

OUR REFERENCE **JI-TA**

February 17, 2011

The Honorable Gilbert S. C. Keith-Agaran, Chair
and Members
Committee on Judiciary
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Keith-Agaran and Members:

Subject: House Bill No. 1225, Relating to Bingo

I am Jerry Inouye, Captain of the Narcotics/Vice Division of the Honolulu Police Department.

The Honolulu Police Department opposes House Bill No. 1225, Relating to Bingo.

The Honolulu Police Department recognizes the need for Hawaii and the Hawaiian Home Lands to seek out additional means of funding. However, even in these lean economic times, we believe that legalizing any form of gambling would have harmful long-term effects.

Hawaii should not see gaming as a solution to its economic issues as it causes more problems such as bankruptcy, theft, embezzlement, suicide, child abuse and neglect, domestic abuse, divorce, incarceration, work absences, and homelessness. Studies have also demonstrated that gambling schemes such as bingo are essentially a regressive tax on lower income people, those who can least afford to participate.

Furthermore, legalizing even one gambling scheme at one location would open the floodgates for additional gambling operations and the multitude of criminal and social problems that accompany them.

Serving and Protecting With Aloha

The Honorable Gilbert S.C. Keith-Agaran, Chair
and Members

Page 2

February 17, 2011

In keeping with our vision of making Honolulu the safest city in the nation in which to live, work, and play, we are strongly opposed to all forms of gambling. We are convinced that gambling undermines community values and strongly urge you to oppose House Bill No. 1225, Relating to Bingo.

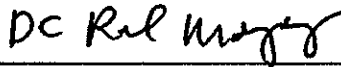
Thank you for the opportunity to testify.

Sincerely,



JERRY INOUE, Captain
Narcotics/Vice Division

APPROVED:



for _____
LOUIS M. KEALOHA
Chief of Police

Radcliffe & Associates, LLC

222 South Vineyard Street, Suite 401, Honolulu, HI 96813-2453 Phone (808) 524-4459 Fax (808) 599-4340

February 15, 2011

Representative Gilbert S.C. Keith-Agaran, Chair
Representative Karl Rhoads, Vice Chair
Committee on Judiciary
Hawaii State Capitol, Room 325

RE: HB1225 Relating to Bingo

Dear Chairman Keith-Agaran, Vice Chairman Rhoads and Members of the Committee:

Bingo is legal in 48 states.

Thank you for the opportunity to submit written testimony.

Respectfully Submitted,

John H. Radcliffe
President, Radcliffe & Associates, LLC

To: Legislative Committee addressing Gambling Bills, 2011 session
From: Rev. Bob Nakota, Chair 205-1316 2/9/11

Division of Church and Society
California-Pacific Annual Conference

The United Methodist Church

Re: The opposition of the worldwide United Methodist
Church to all forms of gambling.

Attached is a resolution repeatedly passed by the General Conference of the United Methodist. This body meets every 4 years, with well over 1,000 delegates from all over the world. It is the only body that can speak for the entire United Methodist Church.

The resolution expresses very strong opposition to all forms of gambling, or games of chance. Fundamental to its opposition is that gambling relies on chance, not the steady disciplined work ethic, to move ahead in life. It is especially detrimental to addictive personalities

We ask that the legislature reject all bills that promote gambling.

on both the general church and local church level in the following ways:

(1) We resolve to direct the appropriate agencies of the general church to lobby both our national government and multinational corporations, to do all they can to bring justice to the local producers, by lobbying for fair and equitable prices for goods and services produced.

(2) We resolve that the General, jurisdictional, annual conferences, and local churches encourage every pastor whose congregation is touched by these issues to invite caring laypersons to join her or him in making a personal visit to the home of every farm family in our parishes.

ADOPTED 2000

See Social Principles, ¶ 163H.

GAMBLING

203. Gambling

The Social Principles state that, "Gambling is a menace to society, deadly to the best interests of moral, social, economic, and spiritual life, and destructive of good government. As an act of faith and concern, Christians should abstain from gambling and should strive to minister to those victimized by the practice. Where gambling has become addictive, the church will encourage such individuals to receive therapeutic assistance so that the individual's energies may be redirected into positive and constructive ends. The church should promote standards and personal lifestyles that would make unnecessary and undesirable the resort to commercial gambling—including public lotteries—as a recreation, as an escape, or as a means of producing public revenue or funds for support of charities or government" (¶ 163G).

When asked which commandment is first of all, Jesus answered, "Hear, O Israel: the Lord our God, the Lord is one; you shall love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength" (Mark 12:29-30). Gambling feeds on human greed and invites persons to place their trust in pos-

sessions rather than in God. It represents a form of idolatry that contradicts the first commandment. Jesus continued: "The second is this, 'You shall love your neighbor as yourself'" (Mark 12:31). In relating with compassion to our sisters and brothers, we are called to resist those practices and systems that exploit them and leave them impoverished and demeaned. The apostle Paul wrote in 1 Timothy 6:9-10a: "People who want to get rich fall into temptation and a trap and into many foolish and harmful desires that plunge men into ruin and destruction. For the love of money is a root of all kinds of evil."

Gambling, as a means of acquiring material gain by chance and at the neighbor's expense, is a menace to personal character and social morality. Gambling fosters greed and stimulates the fatalistic faith in chance. Organized and commercial gambling is a threat to business, breeds crime and poverty, and is destructive to the interests of good government. It encourages the belief that work is unimportant, that money can solve all our problems, and that greed is the norm for achievement. It serves as a "regressive tax" on those with lower income. In summary, gambling is bad economics; gambling is bad public policy; and gambling does not improve the quality of life.

We oppose the growing legalization and state promotion of gambling.

Dependence on gambling revenue has led many states to exploit the weakness of their own citizens, neglect the development of more equitable forms of taxation, and thereby further erode the citizens' confidence in government.

We oppose the legalization of pari-mutuel betting, for it has been the opening wedge in the legalization of other forms of gambling within the states and has stimulated illegal bookmaking. We deplore the establishment of state lotteries and their use as a means of raising public revenues. The constant promotion and the wide advertising of lotteries have encouraged large numbers of persons to gamble for the first time.

We express an even more serious concern for the increasing development of the casino enterprise in the United States, for it has taken captive entire communities and has infiltrated many levels of government with its fiscal and political power.

Public apathy and a lack of awareness that petty gambling feeds organized crime have opened the door to the spread of numerous forms of legal and illegal gambling.

support the strong enforcement of antigambling laws, the repeal of all laws that give gambling an acceptable and even advantageous place in our society, and the rehabilitation of compulsive gamblers.

The church has a key role in fostering responsible government and in developing health and moral maturity that free persons from dependence on damaging social customs. We urge national, tribal, state and local governments to read, analyze and implement the recommendations of the National Gambling Impact Study report released by the United States in 1999. It is expected that United Methodist churches abstain from the use of raffles, lotteries, bingo, door prizes, other drawing schemes, and games of chance for the purpose of gambling or fundraising. United Methodists should refrain from all forms of gambling practices carried on in our communities and should work to influence community organizations to develop forms of funding that do not depend upon gambling.

The General Board of Church and Society shall provide materials to local churches and annual conferences for study and action to combat gambling and to aid persons addicted to gambling. The General Board of Church and Society, annual conferences, and local churches shall work with the National Coalition Against Legalized Gambling and grassroots organizations opposing gambling to stop and reverse legalized gambling. The General Board of Church and Society shall report to the 2008 General Conference which stock market and securities practices might be considered forms of gambling. The Board shall consult with the General Board of Pensions and Health Benefits and other agencies with investment portfolios in developing this report.

ADOPTED 1980
 AMENDED AND READOPTED 1996
 AMENDED AND READOPTED 2004

Social Principles, ¶ 163G.

204. Gambling Impact Report

WHEREAS, Congress charged nine persons to serve in the task of a broad and difficult-to-conduct comprehensive legal and factual

study of the social and economic implications of gambling in the U.S.; and

WHEREAS, these commissioners, in dedicated service to the truest demonstration of democracy, did present for our good use an executive summary of their conclusions and recommendations, strongly suggested that the public follow as guidelines in evaluating the impact on which this phenomena—gambling—is sweeping the nation; and

WHEREAS, the recommendations are in place for all to see on the Web site www.ngisc.gov and in the hands of every congressperson,

Therefore, be it resolved, that every delegate of the 2000 General Conference be persuaded to obtain a copy from each one's respective representative, read it completely, and make the contents known to those they, in turn, represent at this conference so as to make their states more knowledgeable of the dangers of addiction, the precludes, and consequences and pledge leadership in using their knowledge, duly received as soon as possible.

ADOPTED 2000

See Social Principles, ¶ 163G.

GLOBAL ECONOMIC JUSTICE

205. The United Methodist Church, Justice, and World Hunger

Is not this the fast that I choose: to loose the bonds of injustice, to undo the thongs of the yoke, to let the oppressed go free, and to break every yoke? Is it not to share your bread with the hungry, and bring the homeless poor into your house; when you see the naked, to cover them, and not to hide yourself from your own kin? Then your light shall break forth like the dawn, and your healing shall spring up quickly; your vindicator shall go before you, the glory of the LORD shall be your rear guard (Isaiah 58:6-8, NRSV).

I. Introduction

In 1996, the World Food Summit held in Rome, Italy, reaffirmed "the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 17, 2011 8:37 AM
To: JUDtestimony
Cc: info@schha.org
Subject: Testimony for HB1225 on 2/17/2011 3:00:00 PM

Testimony for JUD 2/17/2011 3:00:00 PM HB1225

Conference room: 325
Testifier position:
Testifier will be present: No
Submitted by: Michael Kahikina
Organization: Sovereign Councils of the Hawaiian Homelands Assembly
Address:
Phone:
E-mail: info@schha.org
Submitted on: 2/17/2011

Comments:

I support the intent of this bill. Please contact Annie Auhoon at #529-1627 if there are any questions or comments.

February 17, 2011

My Testimonial on Gambling in Hawaii...

My name is Gertrude Hara and I'm represent the Hawaii Coalition.

Last week Friday, the Hawaii Coalition had a session on Gambling in Hawaii. Was present in this and was very interesting to learn more about our gambling...if, we ever needed one. For me, would agree on Bingo type activity but against gambling casino.

The true meaning and a downfall would be on gambling are the following aspects economics gathered:

- < **would be a corruption in Hawai'i**
- < **costly**
- < **crime**
- < **business employment services**
- < **social activities**
- < **political**
- < **influences**
- < **lobbyists and**
- < **casino visitors causes crime**

But along with this information would really like to have it on cruise ships and by having of course...some of our local visitors to travel and enjoy in Las Vegas.

Thank you very much!

Hawai'i Coalition Against Legalized Gambling

1124 Fort Street Mall, Suite 209
Honolulu, HI 96813

COMMITTEE ON JUDICIARY
Rep. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair
Thursday, February 17, 2011
3:00 p.m., Conference Room 325

Member Organizations

Advocates for Consumer Rights
Animal Rights Hawaii
Buddhist Peace Fellowship
Christian Voice of Hawaii
Church of Jesus Christ of Latter-day Saints
Church of Perfect Liberty
Common Cause
Disciples of Christ
Honolulu
Hale Kipa
Hawaii Assemblies of God
Hawaii Association of International Buddhists
Hawaii Christian Coalition
Hawaii Conference of Seventh-day Adventists
Hawaii Conference of the United Church of Christ (UCC)
Hawaii District United Methodist Church
Hawaii Family Forum
Hawaii Pacific Baptist Convention
Hawaii Rainbow Coalition
Hawaii Religions for Peace
Hawaii Youth Services Network
Honolulu Friends Meeting (Quakers)
Honolulu Police Department
Institute for Religion and Social Change
Interfaith Alliance Hawaii
Kokua Council
League of Women Voters of Hawaii
Life of the Land (Hawaii)
Dr. Martin Luther King, Jr. Coalition Hawaii
Mestizo Association
Muslim Association & Islamic Center of Hawaii
Pacific Gateway Center
Presbytery of the Pacific
Saints Constantine & Helen Greek Orthodox Church
Small Business Hawaii
Soto Zen Mission of Hawaii
Temple Emanu-El
Windward Coalition of Churches
The Woman's Board of Missions for the Pacific Islands (UCC)

Cooperating Organizations

Chamber of Commerce of Hawaii
Catholic Diocese of Honolulu
Hawaii Bankers Association
Hawaii Business Roundtable
Hawaii State PTSA
Hawaiian Humane Society

OPPOSED TO HB1225 RELATING TO GAMING

My name is Dianne Kay and I am President of the Hawaii Coalition Against Legalized Gambling. Our coalition is opposed to adding a new section to the Hawaiian Homes Commission Act which would authorize Bingo to be allowed on Hawaiian home lands. In order to do so the definition of gambling in Section 712 of the Hawaii Revised statutes would have to be revised. Our member organizations do not want this to happen. We do not want any form of legalized gambling to be authorized anywhere in Hawaii. We believe the detrimental effects of introducing gambling would include social and economic costs that would be borne by our entire community such as crime, addiction, abuse, divorce, suicide, work absences, welfare, homelessness, incarceration, and bankruptcy, which would far exceed any monetary benefits.

To amend the Hawaiian Homes Commission Act (1920) by allowing gambling on Hawaiian home lands would seem to violate the Purpose of the Act as found in Section 101 (b) (5) which states that **financial support will be provided "to native Hawaiian beneficiaries of this Act so that by pursuing strategies to enhance economic self-sufficiency . . . the traditions, culture and quality of life of native Hawaiians shall be forever self-sustaining."** Authorizing Bingo on Hawaiian home lands would do exactly the opposite of enhancing economic self sufficiency and would certainly not allow the culture and quality of life to be forever self-sustaining. Instead this action would harm native Hawaiians, and their culture and quality of life would diminish.

Surely, the Hawaii State Legislature can find a better way of increasing revenues for Hawaiian home lands than opening a bingo parlor on the land bequeathed to native Hawaiians. We respectfully request that the Judiciary Committee hold HB1225.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 16, 2011 12:43 PM
To: JUDtestimony
Cc: kaiwohi@yahoo.com
Subject: Testimony for HB1225 on 2/17/2011 3:00:00 PM

Testimony for JUD 2/17/2011 3:00:00 PM HB1225

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Kanoelani Medeiros
Organization: Individual
Address:
Phone:
E-mail: kaiwohi@yahoo.com
Submitted on: 2/16/2011

Comments:

Aloha,
I strongly oppose this bill. Gaming is not needed in Hawaii.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 16, 2011 1:20 AM
To: JUDtestimony
Cc: web@cartoonistforchrist.org
Subject: Testimony for HB1225 on 2/17/2011 3:00:00 PM

Testimony for JUD 2/17/2011 3:00:00 PM HB1225

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Lee McIntosh
Organization: Individual
Address:
Phone:
E-mail: web@cartoonistforchrist.org
Submitted on: 2/16/2011

Comments:

Mr. Chair and Members of the Judiciary Committee:

Aloha, my name is Lee McIntosh. I live in Kau on the Big Island. I am not in favor of HB 1225, which would legalize bingo. Traditionally, Hawaii has resisted legalizing gambling in the past because of its ill effects on both our economy and families. The simple fact that this bill includes a provision to create a compulsive gambler program should be proof enough that gambling is not good for Hawaii's well-being. We should not turn a blind eye in hope that legalizing gambling will address the deficit, or provide additional revenue for the Hawaiian home lands trust fund. Consider the states that have already legalized gambling. They are facing deficits as well. Gambling is not the answer, but fiscal accountability. I believe that legalizing gambling will increase the deficit, due to the costs involved in regulating the industry. Gambling should not be considered as a solution to our deficit. I encourage the committee to thoroughly investigate the effects of legalizing gambling in Hawaii before making a decision. Thank you for the opportunity to testify on HB 1225.

Opposition without written testimony has been noted from the following:

Todd Hairgrov

Kaleialii Baldwin

Donald Baldwin Jr

Doralynn L. Baldwin

Kainea Aiwohi

Katherine Book

Michell Fuller

Cesar Book

Ashton Saifaloi

Dara Saifaloi

Winona Fuller