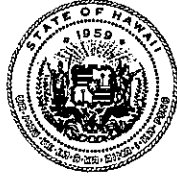


**SB 2639**

NEIL ABERCROMBIE  
GOVERNOR  
STATE OF HAWAII



ALBERT "ALAPAKI" NAHALE-A  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

MICHELLE K. KAUHANE  
DEPUTY TO THE CHAIRMAN

M. WAIALEALE SARSONA  
EXECUTIVE ASSISTANT

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

TESTIMONY OF ALAPAKI NAHALE-A, CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
BEFORE THE SENATE COMMITTEES ON HAWAIIAN AFFAIRS AND  
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
IN SUPPORT OF

SB 2639, RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

February 10, 2012

Chair Galuteria, Chair Espero, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) supports the intent of this bill that proposes the creation of an off-the-grid homestead program to expedite the award of homestead leases to native Hawaiians. DHHL welcomes state funding to provide all homesteaders with complete infrastructure, but programs like this can provide homesteads at a quicker pace, especially given the State's fiscal condition.

We appreciate that this legislation acknowledges the department's autonomy and exemption from building codes while creating a new program that may address the current needs of Hawaiian Home Lands applicants. Hawaii Administrative Rules, Title 10 already reflects our existing kuleana homestead program which is similar to the program proposed by this bill. The kuleana homestead program allows for the settlement of unimproved available lands, but to date, we have not made any residential lease awards under this program (the department awarded 75 pastoral leases at Kahikinui, Maui in 1999).

Department of Hawaiian Home Lands  
February 10, 2012  
SB 2639

Challenges associated with this kind of award include subsequent expectations from homesteaders for infrastructure after the award is made, liability to the department for allowing homesteading with no or substandard infrastructure, and concerns from the County and others on the difficulty of providing basic services to these areas. Regardless of these concerns, the department appreciates the flexibility to further pursue this type of program to get more Hawaiians onto the land.

We ask your committees to consider additional language that would protect the department from legal challenges based on the lack of infrastructure available at an off-the-grid homestead parcel. In addition, we ask your consideration of a provision to protect the department from other liabilities associated with structures not built to code. These additions would make it easier for DHHL to implement this kind of program with greater confidence.

Mahalo for your consideration and for the opportunity to testify on this measure.

**galuteria1 - Davis**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 09, 2012 1:43 PM  
**To:** HWN Testimony  
**Cc:** info@schha.com  
**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Kamaki Kanahale, Chairman  
Organization: SCHHA  
E-mail: [info@schha.com](mailto:info@schha.com)  
Submitted on: 2/9/2012

Comments:

**galuteria1 - Davis**

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**Sent:** Thursday, February 09, 2012 1:43 PM  
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**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Mike Kahikina, Legislation Chair  
Organization: SCHHA  
E-mail: [info@schha.com](mailto:info@schha.com)  
Submitted on: 2/9/2012

Comments:

**galuteria1 - Davis**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 09, 2012 1:45 PM  
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**Cc:** info@schha.com  
**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Beatrice Hew Len, Secretary  
Organization: Mokupuni O Oahu, SCHHA  
E-mail: [info@schha.com](mailto:info@schha.com)  
Submitted on: 2/9/2012

Comments:

**galuteria1 - Davis**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 09, 2012 1:45 PM  
**To:** HWN Testimony  
**Cc:** info@schha.com  
**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Kimo Kelii, VP  
Organization: Mokupuni O Oahu, SCHHA  
E-mail: [info@schha.com](mailto:info@schha.com)  
Submitted on: 2/9/2012

Comments:

**galuteria1 - Davis**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 09, 2012 1:46 PM  
**To:** HWN Testimony  
**Cc:** info@schha.com  
**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Herbert Hew Len, President  
Organization: Waianae Kai Homestead Community Assn, SCHHA  
E-mail: [info@schha.com](mailto:info@schha.com)  
Submitted on: 2/9/2012

Comments:



**galuteria1 - Davis**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 10, 2012 6:45 AM  
**To:** HWN Testimony  
**Cc:** dkapua@gmail.com  
**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Kapua Keliikoa-Kamai  
Organization: Individual  
E-mail: [dkapua@gmail.com](mailto:dkapua@gmail.com)  
Submitted on: 2/10/2012

**Comments:**

I stand in STRONG SUPPORT OF HB 2639 RELATING TO THE DHHL

Aloha kakou,

My name is Kapua Keliikoa-Kamai and I am a 19 year lessee of a Wai'anae Valley Homestead lot. I support this legislation because it will facilitate and expedite the process of getting more native Hawaiians onto Hawaiian Home Lands by exempting some infrastructure requirements.

In today's world, there are many innovative ways to reside on the aina. The Department of Hawaiian Homelands will work with those individuals that choose this path. I urge you to pass HB 2639.

Mahalo,  
Kapua Keliikoa-Kamai

**galuteria1 - Davis**

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**From:** Keliikoa-Pua, Kana-FICOH [Kana.Keliikoa-Pua@fcoh.com]  
**Sent:** Friday, February 10, 2012 7:11 AM  
**To:** HWN Testimony  
**Cc:** Lokana Keliikoa-Pua  
**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Lokana Keliikoa-Pua  
Organization: Individual  
E-mail: [jlokana@gmail.com](mailto:jlokana@gmail.com)  
Submitted on: 2/10/2012

**Comments:**

I stand in STRONG SUPPORT OF HB 2639 RELATING TO THE DHHL

Aloha kakou,

My name is Lokana Keliikoa-Pua and resident of Wai'anae Valley Homestead for 34 years and a lessee of 2 years. I along with my sister Kapua Keliikoa-Kamai support this legislation because it will facilitate and expedite the process of getting more native Hawaiians onto Hawaiian Home Lands by exempting some infrastructure requirements.

We are in agreement, there are many innovative ways to reside on the aina. The Department of Hawaiian Homelands will work with those individuals that choose this path. Please allow the people to make their choices as beneficiaries of this aina. I urge you to pass HB 2639.

Mahalo,  
Lokana Keliikoa-Pua

**galuteria1 - Davis**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 10, 2012 9:01 AM  
**To:** HWN Testimony  
**Cc:** punikekauoha@gmail.com  
**Subject:** Testimony for SB2639 on 2/10/2012 2:45:00 PM

**LATE**

Testimony for HWN/PGM 2/10/2012 2:45:00 PM SB2639

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Puni Kekauoha  
Organization: Individual  
E-mail: [punikekauoha@gmail.com](mailto:punikekauoha@gmail.com)  
Submitted on: 2/10/2012

Comments: