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**Sent:** Wednesday, February 06, 2013 5:40 PM  
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**Cc:** Mirrormirrorinthebut Sudan@yahoo.com  
**Subject:** \*Submitted testimony for SB514 on Feb 7, 2013 14:00PM\*

**SB514**

Submitted on: 2/6/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Britany Edwards	Individual	Oppose	No

Comments:

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**To:** HMS Testimony  
**Cc:** Ohanamoniz@aol.com  
**Subject:** \*Submitted testimony for SB514 on Feb 7, 2013 14:00PM\*

**SB514**

Submitted on: 2/6/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa L Moniz	Individual	Oppose	No

Comments:

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**Sent:** Wednesday, February 06, 2013 10:38 PM  
**To:** HMS Testimony  
**Cc:** maesea@yahoo.com  
**Subject:** \*Submitted testimony for SB514 on Feb 7, 2013 14:00PM\*

**Categories:** Red Category

**SB514**

Submitted on: 2/6/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Mae	Individual	Oppose	No

Comments:

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LATE

February 7, 2013

**TO: Senate Committee on Human Services  
Senate Committee on Tourism and Hawaiian Affairs**

**FROM: Homelani Schaedel  
Kapolei, Hawai'i**

**RE: Testimony – Senate Bill No. 514**

Aloha Chair Chun Oakland, Chair Galuteria, Vice Chair Green, Vice Chair Keith-Agaran, and Members of the Committees:

First, I want to apologize for the tardiness of my testimony. I am writing in **strong opposition** to Senate Bill No. 514.

The purpose of Senate Bill No. 514 is to establish a three-year temporary housing pilot program on Hawaiian homestead lands to address the homeless population.

The policy of the Hawaiian Homes Commission Act of 1920, as amended (42 Stat 108), is to enable native Hawaiians to return to their lands in order to fully support self-sufficiency for native Hawaiians and the self-determination of native Hawaiians.

"Native Hawaiian" means any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778.<sup>1</sup>

As of December 31, 2011, there were approximately 42,278 applications on the Department of Hawaiian Home Lands waiting list.<sup>2</sup>

This figure includes 21,430 residential applications statewide. Many native Hawaiians have waited decades to receive a lease from the Department of Hawaiian Home Lands (DHHL).

Why would the Legislature mandate that DHHL lease and/or contract their lands contradicting the purpose and intent of the Hawaiian Homes Commission Act (HHCA) without consulting all beneficiaries of the Act?

This bill would authorize the Department of Human Services (DHS) and other designated "provider agencies" control over Hawaiian homestead lands further contradicting the purpose and intent of the HHCA.

Furthermore, this bill would allow non-native Hawaiians to reside on Hawaiian homestead lands specifically provided for native Hawaiians clearly violating the purpose and intent of the HHCA.

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<sup>1</sup> [http://www.capitol.hawaii.gov/hrscurrent/Vol01\\_Ch0001-0042F/06-HHCA/HHCA\\_0201.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/06-HHCA/HHCA_0201.htm)

<sup>2</sup> [http://dhhl.hawaii.gov/wp-content/uploads/2011/06/2011-12-31\\_01-Oahu\\_Waitlist\\_156pgs.pdf](http://dhhl.hawaii.gov/wp-content/uploads/2011/06/2011-12-31_01-Oahu_Waitlist_156pgs.pdf)

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Shirley Swinney	Individual	Oppose	No
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SB514 serves the public by accessing DHHL land and exemptions. The State should use its vast land inventory for public projects instead of reaching for limited Trust land as the solution and thereby infringing on DHHL's ability to fulfill its obligation to native Hawaiians. Although the bill suggests this is a temporary measure, these 'pilot projects' have a way of becoming permanent fixtures and in any case, would restrict the intended use for the land. While we are compassionate people, we need to safeguard the few assets meant to facilitate the rehabilitation of native Hawaiians.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 8:59 AM  
**To:** HMS Testimony  
**Cc:** kamakane73@gmail.com  
**Subject:** Submitted testimony for SB514 on Feb 7, 2013 14:00PM

**Categories:** Red Category

**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jeremy Kama Hopkins	Individual	Oppose	No

Comments: Aloha Chair Chun-Oakland, Chair Galuteria, Vice Chair Green, Vice Chair Keith-Agaran and members of the Committees, My name is Jeremy Kama Hopkins and I submit testimony in opposition to SB 514. I am a member of the Hawaiian Homes Commission. I believe the intent of this Bill is a good one in terms of trying to find solutions in assisting our "house less" population find suitable housing here in Hawaii. My two major reasons for opposition though are as follows. I believe that the Hawaiian Homes Commission still has kuleana over Hawaiian Home Lands and this Bill would attempt to circumvent this kuleana and possibly expose the State of Hawaii to litigation. Second, the DHHL has a process by which any outside entity (beneficiary or non-beneficiary) can apply for General Leasing possibilities, Licensing possibilities, or Revokable Permit possibilities and the DHS can apply to use land in the Hawaiian Home Lands Trust for non-homesteading purposes. These applications are reviewed by the DHHL and placed on the DHHL's website for a 30-day comment period. The applications then come before the Hawaiian Homes Commission for discussion and decision making. The Hawaiian Homes Commission Act, as amended, and HRS Ch. 171, would give further explanation regarding my reasons. I would suggest that if this is something that the DHS wishes to engage in then they should direct their request to the Director of the DHHL to see how this may be done. I respectfully ask that this Bill be held. Mahalo for the opportunity to testify. Aloha, Kama Hopkins

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**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Tamar deFries	Individual	Oppose	No

Comments: Bill #: SB 514 Hearing Date: Thursday Feb. 7th, 2013 Room: CR-016 Committee: Human Services / Tourism and Hawaiian Affairs Time: 2:00 PM TESTIMONY IN STRONG OPPOSITION – Tamar deFries Aloha Senators, I am strongly opposed to this measure. In 1921, with the enactment of the Hawaiian Homes Commission Act, the United States set aside approximately 200,000 acres of land to establish a permanent homeland for native Hawaiians, who were a landless and “dying” people. This federally created trust was established “for the betterment of conditions of native Hawaiians”. At the time of statehood, this trust as passed to the State as part of the compact between the State of Hawaii and the U.S., as specifically referred to in section 4 of the Hawaii Statehood Act. This measure is intended to violate the trust by putting public homeless housing on DHHL lands. This use would not benefit “native Hawaiians” but it would encumber lands for the “public”. There are thousands of native Hawaiian individuals and families on the waiting list for DHHL land distribution. This measure will ignore these beneficiaries and the State’s obligations under the Hawaii Statehood Act, instead put “public” homeless on these lands. Me ke aloha pumehana, -- Tamar deFries PO Box 23180 Honolulu, HI 96823-3180 (808) 478-9627 [tds@pgahi.com](mailto:tds@pgahi.com)

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**To:** HMS Testimony  
**Cc:** josephwlapilio3@gmail.com  
**Subject:** Submitted testimony for SB514 on Feb 7, 2013 14:00PM

**Categories:** Red Category

**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Lapilio	Individual	Comments Only	No

Comments: I am strongly opposed to this measure. The responsibility to house and care for homeless individuals in the general population belongs to the state of Hawaii. The Hawaiian Homes Commission Act was created to provide for the Native Hawaiian population, too of whom remain on waiting lists unable to secure the preparations and financing needed to leases from the DHHL There are already programs in the State of Hawaii created to care for the homeless. Do not dilute the Hawaiian Homes Commission Act for this purpose. Joseph Lapilio 87-151 Liliiana Street Waianae, HI 96792

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NEIL ABERCROMBIE  
GOVERNOR  
STATE OF HAWAII



JOBIE M. K. MASAGATANI  
CHAIRMAN DESIGNATE  
HAWAIIAN HOMES COMMISSION

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

COMMENTS OF JOBIE M. K. MASAGATANI, CHAIRMAN DESIGNATE  
HAWAIIAN HOMES COMMISSION  
TO THE SENATE COMMITTEES ON HUMAN SERVICES &  
TOURISM AND HAWAIIAN AFFAIRS

**SB 514, RELATING TO THE HOMELESS**

February 7, 2013

Chair Chun-Oakland, Chair Galuteria, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) provides the following comments and we express our concerns and reservations with the location of this proposed project on Hawaiian Home Lands.

As you know, the mission of our department is to return native Hawaiians to the land, and the fiduciary responsibility of the Hawaiian Homes Commission is to manage trust resources for native Hawaiian beneficiaries. That said, we need to ensure any land disposition to the Department of Human Services creates a direct benefit for the trust or its native Hawaiian beneficiaries.

Currently, a similar transitional housing pilot project is already located on our lands in Maili. This existing complex in Maili and the proposed project continue to raise serious questions among our beneficiaries as to whether this is an appropriate use of Hawaiian Home Lands. These questions are valid given that the units cannot be set aside for our beneficiaries and it is unclear how many native Hawaiians are actually tenants in these units.

While we recognize that Native Hawaiians make up a large proportion of the homeless population, we prefer to work in a collaborative manner with partners like the Department of Human Services and members of the Interagency Council on Homelessness at the staff level to address this critical problem programmatically, instead of placing additional projects on Hawaiian Home Lands.

Thank you for the opportunity to provide these comments.



## Indigenous Consultants, LLC

Mililani B. Trask, Principal

P.O.Box 6377 ❖ Hilo, HI 96720

[Mililani.trask@gmail.com](mailto:Mililani.trask@gmail.com)

LATE



Senate Bill 514  
Hearing Date: Thursday Feb. 7<sup>th</sup>, 2013  
Time: 2:00 PM  
Room: CR-016  
Committee: Tourism & Hawaiian Affairs

Aloha Senators,

### TESTIMONY IN STRONG OPPOSITION

The Indigenous Consultants (IC) is a Hawaii based, indigenous LLC owned and operated by Native Hawaiians. It was created to assist indigenous peoples in developing their renewable energy resources in ways that are: Culturally appropriate, environmentally green and sustainable, socially responsible and economically equitable and affordable. For several years the IC has worked with Innovations Development Group in New Zealand and indigenous Maori developing geothermal resources, which are trust assets of Maori Land Trusts. In addition, the IC has acted as a consultant to other indigenous people in Hawaii and Asia who are addressing development of their trust renewable energy resources in ways that; directly benefit their people, bring in revenues, create small business opportunities and ensure fair & affordable rates to consumers, including themselves and their communities.

I am strongly opposed to this measure. The Hawaiian Homes Trust is a federally created trust that was established... "for the betterment of conditions of native Hawaiians." At the time of statehood, this trust was passed to the State as part of the compact between the State of Hawaii and the U.S. and as specifically referred to in section 4 of the Hawaii Statehood Act.

This measure is intended to violate the trust by putting public homeless housing on DHHL lands. This use would not benefit "native Hawaiians" but it would encumber lands for the 'public'. There are thousands of native Hawaiian families on waiting lists for DSHHL land distribution, this measure will ignore these beneficiaries & instead put "public" homeless on these lands.

The introduction of this measure demonstrates a racist bias operating within the State that favors funding of 'public' needs & programs to the detriment of 'native' needs & programs. It is common knowledge that our State is on the verge of a fiscal crisis, there is not enough money to meet our state obligations given the level of tax revenue available. Why is there no funding available to settle those on the DHHL waiting list, but adequate funding for the 'public' who are homeless?

For several months there has been a problem brewing in Nanakuli. The HCDC & Robin Danner (CNHA) had proposed a community development on Homestead land, as part of this development, Danner & her group promised that land would be set aside for a DHHL Kupuna Housing project within the development. In reality, the Danner project had no funds for Kupuna Housing, It was always their intention to put in public housing (section 8) or a public homeless housing project. Because the beneficiaries have objected, this measure was introduced to circumvent the ACT and facilitate a public housing need on Homestead Trust Lands.

This measure should be killed & Hawaiian Homelands reserved & developed for the purposes set forth in the Admissions Act & Homestead Act of 1920, as amended.

Regards,

A handwritten signature in black ink, appearing to read 'Mililani B. Trask', with a horizontal line extending to the right.

Mililani B. Trask – Indigenous Consultants LLC

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 12:41 PM  
**To:** HMS Testimony  
**Cc:** animo74@gmail.com  
**Subject:** Submitted testimony for SB514 on Feb 7, 2013 14:00PM

**Categories:** Red Category

**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Margaret Ani	Individual	Oppose	No

Comments: I am opposing this bill. How is it that we as hawaiians have to give up our land to ease the homeless situation? We have a long list of hawaiians rightfully waiting for land and we want to help those who dont help themselves? Do you that there are many homeless people that are also drug addicts? My family has been waiting for their chance at homestead who have all that is necessary for a loan but cant yet because the land is not ready. Again I oppose this bill.

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**To:** HMS Testimony  
**Cc:** dkapua@gmail.com  
**Subject:** Submitted testimony for SB514 on Feb 7, 2013 14:00PM

**Categories:** Red Category

**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kapua Keliikoa-Kamai	Individual	Oppose	No

Comments: Aloha Chairs, Vice Chairs and Committee Members, Mahalo for this opportunity to STRONGLY OPPOSE this measure and whole idea of using HAWAIIAN HOMELANDS for the homeless. Homelessness is a statewide issue, that should use STATE lands to house and resolve this problem. Especially since there are many non-Hawaiians, non-locals (born and raised) and other foreigners that fall into this unfortunate situation. The HHLs was created thru the HAWAIIAN HOME COMMISSION ACT that designated these lands for the rehabilitation of native Hawaiians - Not all of Hawaii's residents. However, DHS and other Homeless organizations should continue to work together to address and resolve Hawaii's homelessness issues. mahalo, Kapua Keliikoa-Kamai

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**Sent:** Thursday, February 07, 2013 8:24 PM  
**To:** HMS Testimony  
**Cc:** keona.kalani@gmail.com  
**Subject:** \*Submitted testimony for SB514 on Feb 7, 2013 14:00PM\*

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**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Christol	Individual	Oppose	No

**Comments:**

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**Sent:** Thursday, February 07, 2013 11:00 PM  
**To:** HMS Testimony  
**Cc:** alexkauhi@yahoo.com  
**Subject:** Submitted testimony for SB514 on Feb 7, 2013 14:00PM

**Categories:** Red Category

**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Kauhi	Individual	Oppose	No

Comments: I BELIEVE THE FAMILYS ON THE HAWAIIAN HOMESTEAD WAITING LIST WILL BE AFFECTED BY THIS, CAUSE THIS BILL IS OPEN TO ALL NATIONALITYS,AND THE HOMESTEAD COMMITTEE AND DEVELOPERS SAID WE CAN NOT CRITICIZE THE FUNDING, SO WHY HAVE NEIGHBORHOOD BOARD AND HAWAIIAN HOMESTEAD MEETING TO FIGHT THIS AND WE ALL KNOW THAT THEY WILL FAVORED ON THIS BILL, NEXT TIME BUILD RESIDENCE HOMES.

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**Sent:** Friday, February 08, 2013 5:26 PM  
**To:** HMS Testimony  
**Cc:** charlitamahoe@aol.com  
**Subject:** Submitted testimony for SB514 on Feb 13, 2013 14:45PM  
**Attachments:** SB 514.pages

**Categories:** Red Category

**SB514**

Submitted on: 2/8/2013

Testimony for HMS/THA on Feb 13, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Charlita Mahoe	Individual	Oppose	Yes

**Comments:**

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**Sent:** Saturday, February 09, 2013 4:34 AM  
**To:** HMS Testimony  
**Cc:** ianleeloy@hotmail.com  
**Subject:** Submitted testimony for SB514 on Feb 13, 2013 14:45PM

**Categories:** Red Category

**SB514**

Submitted on: 2/9/2013

Testimony for HMS/THA on Feb 13, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ian B. Lee Loy	Individual	Oppose	No

Comments: Aloha Chair and Committee members, The introduction of Senate Bill 514 highlights a very complicated social and economic issue in the State of Hawaii: Homelessness. SB514 is a resourceful and innovative approach to the homeless challenge and encourages collaborative efforts to address the issue through temporary housing involving multiple state and county agencies. Yet the suggestion to use Department of Hawaiian Homes Lands (DHHL) to address the homeless issue is, in the opinion of some native Hawaiians, illegal and in direct conflict with the purposes of the Hawaiian Homes Commission Act of 1920 (HHCA). On behalf of native Hawaiian lessees and wait-list applicants in Ka'u, Puna and Hilo districts of Hawaii island, I submit this testimony in opposition of SB514. Though the composition of homeless individuals and families include native Hawaiians, the intent to use DHHL lands for this social issue strays too far from the mission of the HHCA. We object and oppose the use of homestead lands for general public welfare purposes when qualified homestead applicants continue to wait for lease awards. Department of Land and Natural Resources land assets are more readily adaptable and best suited to serve the need for temporary housing for the general public homeless. Testimony from the Department of Human Services highlights legitimate legal concerns regarding this proposed legislation. Mahalo nui loa for the opportunity to submit this testimony. P.S. A previously submitted written testimony directed to the THA committee may not have reached this lead HMS committee in time for the initial hearing on 02/07/13. Ian B. Lee Loy Hawaiian Homes beneficiary & Hawaiian Homes Commissioner East Hawaii District

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Aloha Hawaii State Legislature,

I am the current President of Ka`u Hawaiian Home Lands Association. I am a 75% Hawaiian who have been on the DHHL waiting list for over 25 years. Our association was formed to help the beneficiaries of Ka`u to be placed on Hawaiian Home Lands and to be taken off of the current waiting list. I **oppose** SB514 to allow homeless families/person to live on Hawaiian Home Lands. The Hawaiian trust lands are for 50% blood quantum Hawaiians. This is supported by the Hawaiian Homes Commission Act of 1920.

Jeffrey Kekoa,  
President  
Ka`u Hawaiian Home Lands Association

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 10:54 AM  
**To:** HMS Testimony  
**Cc:** tabraham08@gmail.com  
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**SB514**

Submitted on: 2/11/2013

Testimony for HMS/THA on Feb 13, 2013 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Troy Abraham	Individual	Support	No

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**SB514**

Submitted on: 2/7/2013

Testimony for HMS/THA on Feb 7, 2013 14:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Curtis McNicoll	Individual	Oppose	No

**Comments:**

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