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GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
FINANCE**

**Wednesday, February 26, 2014
11:15 AM
Hawai'i State Capitol, Room 308**

**In consideration of
HOUSE BILL 2101
RELATING TO THE KAHO'OLAWE ISLAND RESERVE**

House Bill 2101 proposes that 10% of conveyance tax revenue shall be paid each year into the Kaho'olawe Rehabilitation Trust Fund, up to a maximum of \$3.5 million, and provides for repeal on June 26, 2026 or upon the recognition of a sovereign Native Hawaiian governing entity, whichever occurs sooner. **The Department offers the following comments.**

Currently, beneficiaries of the Conveyance Tax include the Department's Natural Area Reserve Fund and Land Conservation Fund. To protect Hawaii's invaluable ecosystems and water supplies, the Natural Area Reserve Fund was created for the Natural Area Partnership Program, the Natural Area Reserves, projects undertaken in accordance with watershed management plans, and the Youth Conservation Corps. The Land Conservation Fund supports the Legacy Land Conservation Program (LLCP). The LLCP protects rare and unique cultural, natural, agricultural, and recreational resources from destruction by funding the acquisition of fee title or conservation easements by nonprofits, counties, and state agencies.

The Legislature has determined that there is a clear nexus between the source of the Conveyance Tax and providing funding for watershed protection and other natural resource preservation programs. The development, sale, and improvement of real estate in Hawaii adds additional pressure on natural areas, coastal access, agricultural production, and Hawaii's water resources and watershed recharge areas (Act 156, Session Laws of Hawaii 2005).

These programs support active land management and acquisition, including defending important conservation areas against threats from development and invasive species and also by restoring these areas by planting native species and monitoring recovery, which increases property values and provides a direct nexus to real estate. Dedicated funding for these programs is critical for the protection of these public trust resources.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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FIRST DEPUTY

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LAND
STATE PARKS



HB2101
RELATING TO THE KAHO‘OLAWE ISLAND RESERVE
House Committee on Finance

February 26, 2014

11:15 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB2101, which authorizes a portion of conveyance tax revenue to be paid to the Kaho‘olawe rehabilitation trust fund up to \$3.5 million.

Kaho‘olawe, a kinolau of Kanaloa, remains a piko of Hawaiian culture, yet still retains visible scars from previous mismanagement. Kaho‘olawe was critical to the Hawaiian cultural renaissance and continues to be an integral educational center for traditional navigation, hula, natural resource management, etc. Since Kaho‘olawe’s return to the State of Hawai‘i in 1994, the Kaho‘olawe Island Reserve Commission (KIRC) has been tasked by the Legislature to manage Kaho‘olawe while it is held in trust for a future Native Hawaiian sovereign entity. In addition to the return by the U.S. Government to the state, Congress appropriated approximately \$44 million to assist with restoration. As a result of the federal funding, KIRC has begun the long road towards rehabilitation and maintenance of the island reserve. Marine and terrestrial components of the Kaho‘olawe Island Reserve are finally beginning to heal from decades of extreme damage.

While the federal funds were a noteworthy investment, it was never meant to establish a significant endowment for the long-term rehabilitation and maintenance of the Kaho‘olawe island reserve. As stated in the Federally-mandated Kaho‘olawe Island Conveyance Commission (KICC) final report to Congress in 1993, “in the short term, federal funds will provide the bulk of the program support for specific soil conservation projects and related activities. In the longer term, however, state revenues will be needed to continue and enhance those activities initiated with federal funds.”

HB2101 seeks to allocate a portion of state conveyance tax revenue to replenish the Kaho‘olawe rehabilitation trust fund to be used for the long-term rehabilitation and maintenance of the island reserve. OHA supports efforts to protect, preserve, and restore Kaho‘olawe as a valuable natural and cultural resource for the benefit of the current and future of Hawai‘i.

Therefore, OHA urges the committee to **PASS** HB2101. Mahalo for this opportunity to provide this testimony.



KŪKULU KE EA A KANALOA

KAHO‘OLAWE ISLAND RESERVE COMMISSION

811 Kolu Street, Suite 201, Wailuku, HI 96793
Telephone (808) 243-5020 Fax (808) 243-5885
Website: <http://kahoolawe.hawaii.gov>

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Executive Director

Testimony of MICHAEL K. NAHO‘OPTI Executive Director

Before the House Committees on

FINANCE

Wednesday, February 26, 2014
11:15 AM
State Capitol, Conference Room 308

In consideration of HOUSE BILL 2101 RELATING TO THE KAHO‘OLAWE ISLAND RESERVE

House Bill 2101 authorizes a portion of the conveyance tax revenues to be used to replenish the Kaho‘olawe Rehabilitation Trust Fund for the long-term restoration of Kaho‘olawe. The Kaho‘olawe Island Reserve Commission (KIRC) supports this measure that would provide permanent state statutory funding for the restoration of Kaho‘olawe.

When the State of Hawai‘i accepted the return of the island of Kaho‘olawe in 1994, it accepted the responsibility “to preserve and protect a corner of their island state so that future generations can become familiar with their island’s past human and natural heritage. For many Native Hawaiians and others, Kaho‘olawe is a special place that has been sanctified by the loss of life in a struggle between traditional values and Western concepts of land use and management” (Restoring a Cultural Treasure, Kaho‘olawe Island Conveyance Commission).

In addition to the KIRC’s previous submitted testimony of January 27, 2014 before the House Committees on Water & Land and Ocean, Marine Resources & Hawaiian Affairs, the KIRC would like to submit the following comments regarding this measure:

1. A clear nexus exist between the Conveyance Tax and the Kaho‘olawe Rehabilitation Trust Fund (KRTF).

The Department of Business, Economic Development and Tourism’s (DBEDT) Research and Economic Analysis Division (READ) recently published a comprehensive economic report on the Construction Industry in Hawai‘i. In this report, “Hawai‘i’s population growth is 1% per year, which represents about 14,000 new residents on the island annually. For an average household size of 2.9 and vacancy rate of 12.4 percent (as reflected in the U.S. Census Bureau data for Hawaii), Hawai‘i’s current housing need is about 5,500 new units per year. However, during the last 5 years, the average authorized units was only 3,400 per year. This has resulted in a housing shortage.”

READ's March 2012 report on "Population and Economic Projects for the State of Hawaii to 2040" shows that the bulk of this population growth will be in the Neighbor Islands where Maui County expected grow at 1.4 percent.

This expected increase in population, especially in the Neighbor Islands, and the corresponding housing pressure of this population will increase the pressure on all of Hawai'i's land and marine natural resources. As Hawai'i's natural resource managers work to maintain the balance between land use and natural resources, there still needs to be remote intact ecosystems that will serve to counteract this growth and provide a means of recover should the other main Hawaiian Island's ecosystems collapse. Kaho'olawe's rich marine ecosystem is that buffer that will serve to support and if necessary repopulate neighboring waters as necessary. KIRC's ocean and land based programs serve to ensure, protect and restore the rich natural biodiversity and biomass of the Kaho'olawe Reserve that one day, may be the key to Hawai'i's future survival. Therefore, a clear nexus is established between the expected increase population and corresponding housing development and the benefit to maintain a large portion of Hawaii intact for our future generations.

2. The KIRC has exhausted all available sources of other funding as specified in HRS Section 6K-9.5.

HRS Section 6K-9.5(a) specifically identifies several sources of funding for the KRTF and the rehabilitation and environmental restoration of the island of Kaho'olawe, or purposes consistent with this chapter. Under this section of the law, the possible sources of KRTF funding, are as follows:

- “(1) All moneys received from the federal government for the rehabilitation and environmental restoration of the island of Kaho'olawe or other purposes consistent with this chapter;
- (2) Any moneys appropriated by the legislature to the trust fund;
- (3) Any moneys received from grants, donations, or the proceeds from contributions; and
- (4) The interest or return on investments earned from the moneys in the trust fund.”

The KIRC has continuously sought funding from many external sources as listed above, but has not been able to successfully secure a permanent source of funding that will allow the continued restoration of the Kaho'olawe Reserve. The KIRC has no statutory control to effect or manage the interest or rate of investment earned from the moneys in the KRTF, therefore the KIRC is subject to the same market trends and investment policies realized by the other State funds including the general fund.

The KIRC is currently receiving limited federal grants from the National Oceanic and Atmospheric Administration (NOAA) for marine debris removal coastal habitat restoration and from the Native Hawaiian Education Act for continuing technical educations for internships. The KIRC receives limited State and County grants from the Department of Health, Clean Water Branch for surface water run-off reduction and from Maui County for a demonstration photovoltaic system. Grants provide necessary program funding, but

contribute very little to the infrastructure and operational requirements that the KIRC also maintains with the Kaho'olawe Reserve and "often restricted to paying the direct costs of performing specific restoration activities and typically do not cover the KIRC's general administrative and operating costs, which are significant and continue to drain the trust fund", Hawai'i State Auditor's Report 2014. Most other State agencies do not have to produce and maintain their own electricity, water and waste management, nor do they provide their own shipping and transportation for supplies, equipment and personnel. On top of all these requirements, dealing with the residual risk associated with a former bombing range.

3. The Hawaii State Auditor's Report 2014 states "the trust fund will be depleted 2016."

"By law, the Kaho'olawe Island Reserve Commission is responsible for stewardship of Kaho'olawe island until a native Hawaiian sovereign entity is formed and assumes responsibility...The commission has also lobbied the federal government and the State Legislature, the Office of Hawaiian Affairs, the state Department of Defense, and other state departments in its efforts to secure funding. It even obtained a \$400,000 capital improvement project (CIP) award from the Legislature; however, the commission has been unable to secure any other federal or state support for its general administrative and operating costs. Without such support, the commission is rapidly expending the trust fund corpus and at its current rate of spending, the trust fund will be completely drained by 2016," Hawaii State Auditor's Report 2014.

In order to continue the work of the KIRC and the dreams of the people that fought for the return of Kaho'olawe, the time to act is now. Passage of this measure is critical for fulfilling the State of Hawai'i's long-term commitment to restore and protect this one last untouched corner of Hawai'i.

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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.maui-county.gov/council

February 25, 2014

TO: Honorable Sylvia Luke, Chair
House Committee on Finance

FROM: Stacy Helm Crivello
Council Member 

DATE: February 26, 2014

SUBJECT: **SUPPORT OF HB 2101, RELATING TO THE KAJHO'OLAWE ISLAND RESERVE**

Thank you for the opportunity to testify in support this important measure. The purpose of this measure is to specify that 10% of conveyance tax revenue shall be paid each year into the Kaho'olawe rehabilitation trust fund, up to a maximum of \$3.5 million. Provides for arepeal on June 26, 2026 or upon the recognitions of a sovereign Native Hawaiian governing entity, whichever comes first.

I support this measure for the following reasons:

1. The \$44 million in federal appropriations for the restoration of Kaho'olawe is quickly drying up and will be depleted by 2016. There needs to be an endowment to complete restoration and provide for the maintenance of the island reserve.
2. As stated in the Kaho'olawe Island Conveyance Commission's final report, "in the short term, federal funds will provide the bulk of the program support for specific soil conservation projects and related activities. **In the longer term, however, state revenues will be needed to continue and enhance those activities initiated with federal funds**".
3. Kaho'olawe is the only island, in its entirety, listed on the National Register of Historic Places. It contains over 3,000 archaeological sites and features. Approximately 75% of the surface has been cleared of ordnance and of that only 10% has been cleared to a level, 4 feet below ground. There needs to be an secure source of funding to complete the restoration and provide for the maintenance of the island reserve.

For the foregoing reasons, I support this measure.

SSC:aas_HB2101Support

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

Representative Sylvia Luke, Chair
Representative Aaron Ling Johanson, Vice Chair
Representative Scott Y. Nishimoto, Vice Chair
and Members of the Committee on Finance
State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Aloha Chair Luke, Vice Chairs Johanson and Nishimoto, and Committee Members,

SUBJECT: SUPPORT FOR HB2101

Please accept this testimony in support House Bill 2101, which would establish a secure funding source for the long-term restoration and management of the Kaho`olawe Island Reserve (Reserve), which includes the island of Kaho`olawe and its surrounding waters.

As the Chair and Maui County representative for the Kaho`olawe Island Reserve Commission, I can attest to the urgency and importance of providing this secure, short-term source of funding. Those of you who have recently been to Kaho`olawe would hopefully agree!

Under this proposal, ten percent of state conveyance tax revenue would be used to replenish the Kaho`olawe Rehabilitation Trust Fund with a cap of \$3.5 million annually and a sunset date in 2026. This is a reasonable funding source for two reasons: first, the funding responsibility for Kaho`olawe rests with the State and, second, there is a rational basis for conveyance tax revenue to fund Kaho`olawe's programs and operations.

When the State accepted the return of Kaho`olawe from the United States in 1994, it clearly accepted the responsibility to preserve and manage the Reserve. The terms of this acceptance were also stated in the federally-mandated Kaho`olawe Island Conveyance Commission final report to Congress in 1993: "in the short term, federal funds will provide the bulk of the program support for specific soil conservation projects and related activities. **In the longer term, however, state revenues will be needed to continue and enhance those activities initiated with federal funds**" (emphasis added). This funding responsibility, therefore, belongs to the State.

Two current recipients of conveyance tax revenue have similar purposes as the Kaho`olawe Rehabilitation Trust Fund: the Land Conservation Fund and the Natural Area Reserve Fund. The Land Conservation Fund is used to acquire and manage certain special lands and can be used for land management techniques such as erosion control, reforestation and invasive species control, while the Natural Area Reserve System preserves, protects and manages unique natural resources. Both mirror the mission of the Kaho`olawe Rehabilitation Trust Fund to support management of the Reserve.

Representative Sylvia Luke, Chair
Representative Aaron Ling Johanson, Vice Chair
Representative Scott Y. Nishimoto, Vice Chair
and Members of the Committee on Finance

Page 2

It makes sense to fund these programs through conveyance tax revenue. Our population increases each year, due both to natural growth of local families and to new people moving to Hawai'i. As our population increases, it becomes even more important to protect our natural, cultural and marine resources for the benefit of all of Hawaii's people. Conveyance tax revenue is, therefore, a logical method to fund resources protection.

Without a secure funding source, Kaho'olawe's programs could continue for perhaps two more years. With 25 percent of the island remaining uncleared of unexploded ordnance, a continued round-the-clock 24/7 presence on Kaho'olawe is needed to ensure the protection of the general public. HB2101 provides secure funding, with a reasonable annual cap that will allow ongoing operations and programs to continue, and sunset date that coincides with the current strategic planning cycle.

Passage of HB2101 will fulfill the State's commitment to restore and protect the Reserve; your support will be sincerely appreciated.

Mahalo for your consideration!

Sincerely,



MICHELE MCLEAN
Deputy Planning Director, County of Maui
Chair, Kaho'olawe Island Reserve Commission

HAWAIIAN AFFAIRS CAUCUS

Democratic Party of Hawaii
e-mail: mkhan@hawaiiantel.net or raytanv@aol.com

February 24, 2014

**LEGISLATIVE TESTIMONY
IN SUPPORT OF
HB2101, RELATING TO THE KAHOOLAWE ISLAND RESERVE**
Hearing, Wednesday, Feb 26, 11:15 a.m., Room 308

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair
Members, Committee on Finance

Aloha mai kākou

The Hawaiian Affairs Caucus of the Democratic Party of Hawai'i supports HB2101 that would authorize 10% of conveyance tax revenue to be paid each year into the Kaho'olawe rehabilitation trust, up to a maximum of \$3.5 million.

Passage of this bill would provide some financial stability to enable the continuance of work to restore Kaho'olawe. Funding would also be consistent with the 1993 report to Congress by the Federally-mandated Kaho'olawe Island Conveyance Commission that recognized that state revenues will be needed to continue and enhance those activities initiated with federal funds.

According to the Kaho'olawe Island Reserve Commission, without a secure funding source, the KIRC estimates two more years of funding are left. Too, 25% of the island is still not cleared of unexploded ordnance and only 10% cleared for intensive use. This kind of situation is a barrier to economic development initiatives. Perhaps, at some point in time, when the island is safe for accessibility, plans for financial self-sustainability will be doable.

Respectfully

/s/ Davis Price via on-line testimony

DAVIS PRICE, Chair
Hawaiian Affairs Caucus

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Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: CONVEYANCE, Disposition for Kaho'olawe rehabilitation trust fund

BILL NUMBER: SB 2743; HB 2101 (Similar)

INTRODUCED By: SB by English, Baker, Galuteria, Ige, Keith-Agaran, Nishihara, Ruderman, Shimabukuro and 7 Democrats; HB by Carroll

BRIEF SUMMARY: Amends HRS section 247-7 to provide that 10% of conveyance tax revenues shall be paid into the Kaho'olawe rehabilitation trust fund.

This act shall be repealed on June 30, 2026 or upon the recognition of the sovereign Native Hawaiian entity by the State of Hawaii and the United States, whichever occurs sooner.

EFFECTIVE DATE: Upon approval

STAFF COMMENTS: The conveyance tax was enacted by the 1966 legislature after the repeal of the federal law requiring stamps for transfers of real property. It was enacted for the sole purpose of providing the department of taxation (which at that time also administered the real property tax) with additional data for the determination of market value of properties transferred. This information was also to assist the department in establishing real property assessed values and at that time the department stated that the conveyance tax was not intended to be a revenue raising device. The conveyance tax is imposed each time property changes title or ownership.

Prior to 1993, the conveyance tax was imposed at the rate of 5 cents per \$100 of actual and full consideration paid for a transfer of property. At the time all revenues from the tax went to the general fund. The legislature by Act 195, SLH 1993, increased the conveyance tax to 10 cents per \$100 and earmarked 25% of the tax to the rental housing trust fund and another 25% to the natural area reserve fund. As a result of legislation in 2005 and in 2009, the conveyance tax rates were substantially increased and bifurcated between nonowner-occupied residential properties and all other properties. Tax brackets were based on the amount of the value transferred. Until 2005, 50% of the receipts went into the general fund and the other half was split with the affordable rental housing program and the natural area reserve program. Beginning in 2005, another 10% was taken for the land conservation fund. When the state general fund began to hemorrhage, the allocation was reshuffled after rates were again increased and the portion that went to the state general fund rose from 35% of collections in 2007 to 45% beginning in 2009. Currently, 10% of conveyance tax revenues is earmarked for the land conservation fund, 30% for the rental housing trust fund and 25% for the natural area reserve fund with the remainder deposited into the general fund. The proposed measures would earmark another 10% and deposit it into the Kaho'olawe trust fund - so each time a transfer or conveyance of realty by way of deeds, leases, subleases, assignments of lease, agreements of sale, assignments of agreement of sale, instruments, writings, or any other document occurs, a portion of the conveyance tax would be used for the long-term restoration of Kaho'olawe.

While the proposed measures would yet again tap conveyance tax revenues for another program, it should be remembered that all of the collections of this tax were originally a receipt of the general fund. That is the problem with earmarking the conveyance tax. With a hot real estate market, the collections of this tax soared. However, as the market cools, as it did after the Japanese bubble burst in the mid 1990's and now in the aftermath of the subprime credit crisis, the collections of this tax will wane. Collections rise and fall with the fortunes of the real estate market. When the housing market slows down, revenues may not be sufficient to meet the expectations of the fund. If the additional revenues are not sufficient or another "important" program needs funding, will the conveyance tax be increased to generate even more revenue?

If the legislature deems any of the programs for which conveyance tax revenues are earmarked to be such a high priority, then it should maintain the accountability for these funds by appropriating the funds as it does with other programs. Earmarking revenues is not desirable for a number of reasons. First, it absolves elected officials from setting priorities. Second, the beneficiaries of such earmarked sources look upon the receipts as "their" money and refuse to be held accountable for the use of those funds while all other programs not so favored like education, public safety, and health and human services, are cut when general fund tax revenues either shrink or do not increase in line with expectations.

Instead of further clouding the financial picture of the state, all of these earmarked funds and the programs they underwrite, should be brought back to the general fund table so that they can be measured against all the other pressing needs of the state. Only then will lawmakers and taxpayers be able to set priorities for what little tax resources taxpayers have to share especially in these difficult economic times. Earmarking resources that bear little relationship to the program being funded represents poor public finance policy.

Digested 1/24/14

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HB2101

Submitted on: 2/24/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Anela Evans	Individual	Support	No

Comments:

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HB2101

Submitted on: 2/24/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Carol-Marie K. Lee	Individual	Support	No

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HB2101

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Submitted By	Organization	Testifier Position	Present at Hearing
James Bruch	Individual	Support	No

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HB2101

Submitted on: 2/24/2014

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Submitted By	Organization	Testifier Position	Present at Hearing
Kylee Mar	Individual	Support	No

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HB2101

Submitted on: 2/25/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Emily White	Individual	Support	No

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HB2101

Submitted on: 2/24/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Laurence Tool	Individual	Support	No

Comments: Aloha Finance Committee Members, My apologies for testifying late; I only learned of this hearing this evening. The restoration of Kahoolawe has great symbolic significance for native Hawaiians, and has the potential to become a positive alternative model for everyone who understands that mainland style land use and development is currently on course to obliterate the charming and beautiful Hawaii that natives cherish and tourists seek. If restoration fever catches on, there are parts of other islands, devastated by plantation agriculture, which could also benefit from the same attitude and approach, for example, west Molokai. In a state where land is so limited, cherishing every parcel is not romanticism but cold, practical self interest. As an immigrant from California, it is painful to watch our Governor and other officials repeatedly buy into quick fix development projects which are almost as careless toward the environment as the Navy's shelling of Kahoolawe. Please support this bill. Mahalo

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HB2101

Submitted on: 2/25/2014

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Submitted By	Organization	Testifier Position	Present at Hearing
Daniel J. Southmayd	Individual	Support	No

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HB2101

Submitted on: 2/24/2014

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Submitted By	Organization	Testifier Position	Present at Hearing
KEANI RAWLINS-FERNANDEZ	Individual	Support	No

Comments:

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HB2101

Submitted on: 2/25/2014

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Submitted By	Organization	Testifier Position	Present at Hearing
Kelly McHugh	Individual	Support	No

Comments:

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I, Terri Gavagan, support KIRC bill HB2101 specifying that 10% of conveyance tax revenue be paid each year into the Kaho'olawe Rehabilitation Trust Fund.

...

Please support this important measure to provide financial support and stability of the restoration and protection of the Kaho'olawe Island Reserve, which will benefit all of Hawai'i's people for generations to come.

...

As the only Island Reserve set up entirely in trust for a Native Hawaiian Sovereign Entity, the KIRC is well poised to change the economic landscape and life quality of Native Hawaiians and the communities in which they reside by means of a truly unique experience on the island of Kaho'olawe. The State must maintain the responsibility of supporting the Kaho'olawe Rehabilitation Trust Fund.

...

As the only island listed on the National Register of Historic Places in its entirety, containing nearly 3,000 archaeological sites and features, it is imperative that the State preserves this important resource for current and future generations through this financial support system.

...

Without the KIRC's ongoing protection of Kaho'olawe's coastal ecosystem, including the adjacent nearshore environment and coral reefs that can be covered with, and choked by, derelict fishing gear, nets, a huge variety of plastics and other debris items, species including the endangered Hawaiian monk seal, threatened green sea turtle, endangered hawksbill sea turtle, endangered humpback whale, endangered Hawaiian dark-rumped petrel, and endangered Newell's shearwater will be put at risk. It is imperative that a trust fund be stabilized to continue this work.

...

Kaho'olawe is a unique ecosystem preserving immensely valuable cultural and biological resources. It is surrounded by the richest marine ecosystems remaining in the Main Hawaiian islands and providing replenishment of fish and invertebrates to other islands' waters. The KIRC's massive restoration program designed to revitalize the ecology and cultural history of the island will benefit all of Hawai'i's people for generations to come. Please support bill SB2743.

finance1

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 25, 2014 9:29 AM
To: FINTestimony
Cc: kgapero@kirc.hawaii.gov
Subject: *Submitted testimony for HB2101 on Feb 26, 2014 11:15AM*

HB2101

Submitted on: 2/25/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kuiokalani L. Gapero	Individual	Support	No

Comments:

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February 26, 2014

In Support of HB2101, RELATING TO THE KAHO'OLAWA ISLAND RESERVE

To All Concerned,

I would like to express my whole hearted support for the restoration of Kaho'olawe. I have been to the island only once but it was a unique experience. I felt the spirit of the island. It was a feeling unlike any I have felt anywhere else.

Kaho'olawe has started to recover through the hard work of many hands and through the organization of KIRC and the Ohana.

But, the work is far from over. More support is needed. This bill will help provided needed funding to help the continued support.

Please Support HB2101

Lenox Kalani Chock

finance1

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 24, 2014 10:10 PM
To: FINTestimony
Cc: kalikobaker@gmail.com
Subject: *Submitted testimony for HB2101 on Feb 26, 2014 11:15AM*

HB2101

Submitted on: 2/24/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Kaliko Baker	Individual	Support	No

Comments:

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finance1

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 25, 2014 1:36 PM
To: FINTestimony
Cc: mmsantos@kirc.hawaii.gov
Subject: *Submitted testimony for HB2101 on Feb 26, 2014 11:15AM*

HB2101

Submitted on: 2/25/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Mei Mailou-Santos	Individual	Support	No

Comments:

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finance1

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 25, 2014 11:09 AM
To: FINTestimony
Cc: kananakahilo@gmail.com
Subject: Submitted testimony for HB2101 on Feb 26, 2014 11:15AM

HB2101

Submitted on: 2/25/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Regina K. Hilo	Individual	Support	No

Comments: Aloha kakou, I strongly support HB2101, and regret that I am not able to testify in person. Ke aloha, na RKH

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finance1

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 25, 2014 11:16 AM
To: FINTestimony
Cc: lucas@kaulana.net
Subject: Submitted testimony for HB2101 on Feb 26, 2014 11:15AM

HB2101

Submitted on: 2/25/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
C. Kai Lucas	Individual	Support	No

Comments: MALAMA AINA includes Kanaloa. please support, aloha, Kai Lucas

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PROTECT KAHO‘OLAWE ‘OHANA
P.O. Box 39
Kaunakakai, Hawai'i 96748



Testimony Presented Before the
House Finance Committee
Wednesday, February 26, 2014
11:15am
State Capitol, Conference Room 308

LATE

By
Noa Emmett Aluli, M.D.
Protect Kaho'olawe 'Ohana

IN SUPPORT OF HB 2101

Chairperson Luke, Vice-Chairs Johanson and Nishimoto and members of the House Finance Committee, Aloha. My name is Noa Emmett Aluli and I am testifying on behalf of the Protect Kaho'olawe 'Ohana ('Ohana) **in support of HB 2012**.

I have been a physician in primary family health care on Moloka'i since 1978 and a Medical Director of Molokai General Hospital since 1995. I am a founding member and spokesperson for the Protect Kaho'olawe 'Ohana ('Ohana) and currently serve on the Kaho'olawe Island Reserve Commission.

The Protect Kaho'olawe 'Ohana was formed following the first occupations of the island in January 1976. The 'Ohana led the grassroots islandwide movement to stop the bombing and all military use of the island. In 1980, as a result of a civil suit, Aluli v Brown, the 'Ohana was recognized as a steward for the island and granted access for cultural, educational and religious purposes. For 38 years, and ongoing, the 'Ohana has engaged over 15,000 community participants from all islands and backgrounds in the ongoing stewardship of the island, fulfilling its mission, "to perpetuate aloha 'aina throughout our islands through cultural, educational, and spiritual activities that heal and revitalize the cultural and natural resources of Kaho'olawe".

We have come to know and love the island as a unique and sacred place that has transformed and reconnected our generation of Native Hawaiians with our ancestral gods and kupuna. It is a 'Piko" or center for the revitalization of native indigenous cultural practices and science. In recognition of the island as a national cultural treasure, the U.S. Congress, in an unprecedented action, returned the island to the people of Hawai'i in 1994 and conducted a \$400 million clean up of unexploded ordnance from 1994 through

2004. It also turned over \$44 million to the State of Hawai'i for the restoration of the island's cultural and natural resources.

The Hawai'i state legislature passed HRS 6-K for the management of the island by the Kaho'olawe Island Reserve Commission (KIRC) as a trust for eventual transfer to the Native Hawaiian sovereign governing entity. KIRC provides a vital service to the people of the State of Hawai'i in its work to restore and protect the cultural and natural resources of the island, and provide guided public access, despite the ongoing danger of widespread unexploded ordnance on and island that was used as a live-fire bombing range for fifty years. Only nine percent of the island was cleared of unexploded ordnance to a depth of 4 feet. In this area, the Navy can only guarantee that it is ninety percent confident that eighty-five percent of the ordnance was cleared. Sixty-eight percent of the island has been surface cleared of ordnance. Twenty-three percent has not been cleared at all. KIRC has accomplished a lot despite this challenge.

As a partner with the KIRC in the stewardship of the cultural and natural resources of the island of Kaho'olawe, we are working together on a strategic plan for 2014 - 2026. We plan to invite other organizations engaged in Native Hawaiian cultural education to contribute to the management of the island as a center for the mastery of Native Hawaiian cultural and scientific knowledge, customs and practices. It is important for the State of Hawai'i to provide the core funding for the administration of the island and for the enforcement of safety rules and guidelines.

The Protect Kaho'olawe 'Ohana supports HB 2101 as a means of replenishing the Kaho'olawe Rehabilitation Trust Fund which will be depleted in 2016, so that the KIRC can continue to provide guided public access to the island and accomplish its mission to revitalize the natural and cultural resources of Kaho'olawe as a sacred place and center for learning about Native Hawaiian culture.

Aloha . . . Aloha 'Āina

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 26, 2014 1:55 PM
To: FINTestimony
Cc: bjtcjtsoup@aol.com
Subject: *Submitted testimony for HB2101 on Feb 26, 2014 11:15AM*

HB2101

Submitted on: 2/26/2014

Testimony for FIN on Feb 26, 2014 11:15AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Bobby-John Campbell	Individual	Support	No

Comments:

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