

# SB2953

**Measure Title:** RELATING TO STATE RESOURCES ON HAWAIIAN HOME LANDS.  
**Report Title:** Geothermal Resources; DHHL; Counties; Mining Leases; Royalties  
**Description:** Specifies that twenty per cent of royalties from geothermal resources on DHHL lands shall be paid to the DHHL and twenty per cent shall be paid to the county in which the geothermal resources are located.  
**Companion:**  
**Package:** None  
**Current Referral:** WTL/HWN/PSM, WAM  
**Introducer(s):** SOLOMON, KAHELE

<u>Sort by Date</u>		<b>Status Text</b>
1/23/2014	S	Introduced.
1/23/2014	S	Passed First Reading.
1/23/2014	S	Referred to WTL/HWN/PSM, WAM.
1/29/2014	S	The committee(s) on WTL/HWN/PSM has scheduled a public hearing on 02-03-14 1:15PM in conference room 225.

NEIL ABERCROMBIE  
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 Senate Committees on  
WATER & LAND  
and  
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS  
and  
HAWAIIAN AFFAIRS**

**Monday, February 03, 2014  
1:15 P.M.  
State Capitol, Conference Room 225**

**In consideration of  
SENATE BILL 2953  
RELATING TO STATE RESOURCES ON HAWAIIAN HOME LANDS**

Senate Bill 2953 proposes that a percentage of geothermal royalties received by the Department of Land and Natural Resources (Department) be provided to the Department of Hawaiian Home Land (DHHL), from geothermal resource mining leases issued on lands under the jurisdiction of DHHL. **The Department supports this measure and offers the following comments:**

If this measure assists DHHL in seeking new renewable energy opportunities and an equitable share of royalties can be agreed upon by all stakeholders, the Department believes this will benefit the State of Hawaii.

Geothermal development in Hawaii has contributed to greater energy diversification of the State. Cultural, health and environmental concerns related to the development of geothermal energy must be carefully and properly addressed and managed. Accordingly, the Department is tasked with the management of the resource and its development to protect the health and safety of the public and to ensure the continued viability of this Public Trust Resource for future generations.

Thank you for the opportunity to testify on this measure.

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

**ESTHER KIA'AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



**STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879  
HONOLULU, HAWAII 96805

TESTIMONY OF JOBIE M. K. MASAGATANI, CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
BEFORE THE SENATE COMMITTEE ON WATER AND LAND,  
COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS, &  
COMMITTEE ON HAWAIIAN AFFAIRS  
IN SUPPORT OF

**SB 2953, RELATING TO STATE RESOURCES ON HAWAIIAN HOME LANDS**

February 3, 2014

Aloha Chair Solomon, Chair Espero, Chair Shimabukuro, and Members of  
the Committees:

The Department of Hawaiian Home Lands (DHHL) is in support of  
this bill which provides the department funding from geothermal  
royalties from potential geothermal projects on Hawaiian home lands.

DHHL welcomes this source of revenue to support the department's  
programs including homestead lot development, loans, rehabilitation  
programs, and administration expenses to support these programs. In  
consideration of the limited general funds appropriated to the  
department and the conclusion of the Act 14 settlement payments, the  
passage of this measure allows for DHHL to receive royalty payments  
when geothermal resources are developed on Hawaiian home lands.

The department recognizes that this measure would afford DHHL to  
receive revenue it is not currently entitled to, but we ask your  
committees to consider increasing the share for DHHL.

Thank you for your consideration of our testimony.

Center for Hawaiian Sovereignty Studies  
46-255 Kahuhipa St. Suite 1205  
Kane'ohe, HI 96744  
Tel/Fax (808) 247-7942  
Kenneth R. Conklin, Ph.D. Executive Director  
e-mail [Ken\\_Conklin@yahoo.com](mailto:Ken_Conklin@yahoo.com)  
Unity, Equality, Aloha for all



To: WTL and PSM and HWN  
For hearing Monday February 3, 2014

Re: SB 2953 RELATING TO STATE RESOURCES ON HAWAIIAN HOME LANDS.

Specifies that twenty per cent of royalties from geothermal resources on DHHL lands shall be paid to the DHHL and twenty per cent shall be paid to the county in which the geothermal resources are located.

Testimony in opposition

Our state Constitution specifies that all mineral and geothermal resources are reserved to the State of Hawaii regardless whether those resources are located on government or private lands.

So far as I am aware there are no laws awarding percentages of revenue to the county or agency which administers the land from which the revenues are derived.

Royalties from geothermal resources should be deemed to be part of the revenues derived from the land and not segregated according to the county or agency controlling that land.

If windmills on state land in Kahuku generate royalties from the electricity they produce, would the state then feel compelled to give a portion of those royalties to the City and County of Honolulu, and/or to the DLNR?

If royalties are earned from piping up deep sea water offshore Kona, bottling it, and exporting it to Japan, would the state then feel compelled to give a portion of the royalties to the Hawaii County Council, and/or to DLNR?

Let's not start subdividing state lands or fractionating the royalties they generate.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [sherrianwitt@aol.com](mailto:sherrianwitt@aol.com)  
**Subject:** Submitted testimony for SB2953 on Feb 3, 2014 13:15PM  
**Date:** Friday, January 31, 2014 2:08:14 PM

---

**SB2953**

Submitted on: 1/31/2014

Testimony for WTL/HWN/PSM on Feb 3, 2014 13:15PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sherrian witt	Individual	Oppose	No

Comments: County should receive all monies from Geothermal.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [voggymtn@yahoo.com](mailto:voggymtn@yahoo.com)  
**Subject:** \*Submitted testimony for SB2953 on Feb 3, 2014 13:15PM\*  
**Date:** Sunday, February 02, 2014 11:13:21 AM

---

**SB2953**

Submitted on: 2/2/2014

Testimony for WTL/HWN/PSM on Feb 3, 2014 13:15PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Willie-Joe Camara	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)