

HB 1932

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOBIE M. K.
MASAGATANI

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

**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 HAWAIIAN AFFAIRS
IN STRONG SUPPORT OF**

HB 1932 HD 2 RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

Aloha Chair Shimabukuro and members of the Committee:

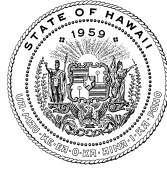
The Department of Hawaiian Home Lands (DHHL) is a unique agency as it is the only department explicitly identified in the Hawaii State Constitution as being guaranteed a level of funding. As required by the Admissions Act and as a compact with the United States, the State of Hawaii and the people of Hawaii adopted the Act as a provision of the State Constitution and agreed to faithfully carry out the spirit of the Act for the rehabilitation of the Hawaiian race. These trust responsibilities still remain.

Article XII, Section 1 requires the legislature to make sufficient sums available for lot development, loans, rehabilitation projects, and the administration and operating budget of the department. HB 1932 HD2, is a historic bill because for the first time in 37 years since the 1978 State Constitutional amendment to Article XII, this legislative measure will appropriate general funding to DHHL to cover ALL of the actual administrative and operating expenses incurred by the Department for fiscal year 2015-16, and paid for by DHHL out of its trust and special fund resources. HB 1932 HD 2 creates an opportunity to improve our delivery of beneficiary services, relieves reliance of DHHL on revenues generated on trust lands so that those funds may be used to provide direct benefits to its beneficiaries that is direly needed, and resolves a controversial issue that is long overdue.

DHHL respectfully requests that this Committee consider an amendment to line 2 of the current version of the bill to include a specific amount of "no less than \$28,478,966 million", the amount requested by DHHL to cover its Personnel and Other Current Expenditures (operating and administrative expenses) for FY2015-16.

DHHL requests that the Senate Committee on Hawaiian Affairs pass HB 1932 HD 2 out of Committee, with the suggested amendment. Thank you for your consideration of our testimony.

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

RODERICK K. BECKER
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS
ON
HOUSE BILL NO. 1932, H.D. 2

March 21, 2016
1:15 p.m.

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

The Department of Budget and Finance is currently reviewing the Department of Hawaiian Home Lands' "sufficient sums" budget request and will be making a budget message recommendation to the Governor for FY 16 and FY 17 funding. It is anticipated that the Governor's budget message will be submitted for the Legislature's consideration prior to the budget conference deliberations.

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Mason K. Chock
Gary L. Hooser
Arryl Kaneshiro
KipuKai Kualii
JoAnn A. Yukimura



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Telephone (808) 241-4188
Fax (808) 241-6349
Email cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

March 14, 2016

**TESTIMONY OF KIPUKAI KUALII
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

**HB 1932, HD2, RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS
Senate Committee on Hawaiian Affairs
Monday, March 21, 2016
1:15 p.m.
Conference Room 016**

Dear Chair Shimabukuro and Members of the Committee:

Thank you for this opportunity to provide testimony in strong support of HB 1932, HD2, Relating to the Department of Hawaiian Home Lands. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council, Chair of the Kaua'i County Council Economic Development & Intergovernmental Relations Committee, and member of the National Association of Counties Board of Directors.

The purpose of this measure is to ensure that the Legislature fulfills its responsibility under Article XII, Section 1, of the State Constitution by appropriating sufficient general funds for reimbursement of administration and operating expenses of the Department of Hawaiian Home Lands ("Department"). The judge in the Nelson v. Hawaiian Homes Commission case determined that the "sufficient" funding requirement is a constitutional mandate, which all public officials swore to uphold when they each took an oath of office to assume their duties. The judge also ordered that the State comply with the mandate, given decades of noncompliance which has crippled the Department's ability to address the volume of applicants for homesteading. The waitlist has grown to over 27,700 since the constitutional mandate was passed and ratified by the voters of Hawai'i in 1978. In the 13 years since the mandate was adopted, the State provided no general funds to the Department, and past audits and studies have identified the lack of adequate funding as one of the key reasons the State has failed to abide by its agreement with the United States, as a condition of statehood, to "faithfully administer" the Hawaiian homestead program.

For the reasons stated above, I urge the Senate Committee on Hawaiian Affairs to support this measure. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,

KIPUKAI KUALII
Councilmember, Kaua'i County Council

AMK:lc



**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

Testimony of Leimana DaMate, Executive Director

Before the Senate Committee on
Hawaiian Affairs

Monday, March 21, 2016
1:15 PM
State Capitol, Conference Room 016

**In Consideration of
HOUSE BILL 1932, HD 2
RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS**

House Bill 1932, HD 2 ensures the legislature fulfills its responsibility under article XII, section 1, of the state constitution by appropriating sufficient general funds for reimbursement of administration and operating expenses of the department of Hawaiian home lands for fiscal year 2016. **Aha Moku SUPPORTS this measure.**

The Aha Moku System (AMS) which includes its State Board, The Aha Moku Advisory Committee (AMAC), encompasses the eight main Hawaiian Islands, which in turn is comprised of 46 moku and 607 ahupua'a. One of the main focuses of the Aha Moku, as expressed by this Legislature is to integrate the values and practices of the Native Hawaiian people into the fabric of state policy and to assist the State in the protection and sustainability of its unique natural and cultural resources by bringing forward Native Hawaiian generational and traditional resource methodology that is site-specific.

Towards this end, the Aha Moku realizes that its mandate crosses over into DHHL Homestead Associations, and where the Hawaiian homestead residents are. We share the same beneficiaries in many of the locations where the homesteads are located. In fact, many homesteaders are Aha Moku participants.

Aha Moku	Islands	Moku	Ahupua'a
	8	46	607
DHHL	6	18	34

Where the Aha Moku works with 8 islands, 46 moku and 607 ahupua'a within those moku; DHHL has Hawaiian homesteads on 6 of the islands with homestead associations on 18 of the moku within the islands and 34 ahupua'a within those moku.

We support the Department of Hawaiian Homelands and stress the importance of servicing Hawaiian beneficiaries. This can be achieved through the passage of HB 1932 HD 2. Thank you for the opportunity to offer testimony and we ask that this committee pass this measure.

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: pohlca@aol.com
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Wednesday, March 16, 2016 3:06:42 PM

HB1932

Submitted on: 3/16/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Brown	Pana'ewa Hawaiian Home Lands Community Association	Support	No

Comments: PHHLCA is in strong support to this measure and its companion SB 3029

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: blawaiianlvr@icloud.com
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Monday, March 21, 2016 7:00:18 AM

HB1932

Submitted on: 3/21/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omana Pono, LLC.	Support	Yes

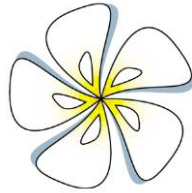
Comments: We continue to STRONGLY SUPPORT this bill! When will the Hawaii State Government stop treating Native Hawaiians like 3rd class citizens? Why must DHHL beg for adequate funding of its administrative costs, when Hawaii, in order to become a State, entered into a contractual agreement (by compact), to assume the fiduciary duties of the Federal Hawaiian Homes Commission Act.

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Makah Hawaiian Civic Club



P O Box 305, Waianae, HI 96792



March 16, 2016

To: Committee on Hawaiian Affairs

Re: H B 1932

We are in support of pleading with the State to provide & reimburse sufficient funds to DHHL in accordance with article XII, section 1.

Placing Hawaiians on the land is priority with DHHL and this reimbursement ensures they can continue to accomplish their mission set out by the Prince when this Hawaiian Homes Act was created.

Thank you

Makaha Hawaiian Civic Club



Waimānalo Hawaiian Homes Association

P.O. Box 353, Waimanalo, Hawaii 96795-0353 • (808) 426-1223

Monday, March 21, 2016

TESTIMONY IN **STRONG SUPPORT** OF

HOUSE BILL 1932 HD2

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

Aloha e Chair Shimabukuro, Vice Chair English and members of the Committee on Hawaiian Affairs,

Please accept this written testimony in **strong support** of House Bill 1932 HD2 relating to the Department of Hawaiian Home Lands (DHHL). This HB 1932 HD2 ensures that the State of Hawai‘i fulfill its responsibilities under Article XII, Section 1 of the Hawai‘i State Constitution by appropriating sufficient general funds for the administration and operating expenses of DHHL. This has been the outcome of *Nelson v. Hawaiian Homes Commission*, Civil No. 07-1-1663-083.

A lack of funding to DHHL adversely impacts both the State’s and DHHL’s kuleana to Beneficiaries of the Hawaiian Homes Commission Act of 1920, as amended. Therefore, we urge the Senate Committee on Hawaiian Affairs to pass HB 1932 HD2, appropriating \$28 million in general funds to DHHL.

Furthermore, we strongly support that adequate general funds continue to be equivalent to or amended to meet the increasing needs of the Department of Hawaiian Home Lands to effectively provide housing for Beneficiaries.

Mahalo for allowing us to submit this written testimony.

Kamakana Aquino, President
Waimānalo Hawaiian Homes Association

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
Unity, Equality, Aloha for all



To: SENATE COMMITTEE ON HAWAIIAN AFFAIRS

Re: HB1932 HD2 RELATING TO THE DEPARTMENT OF
HAWAIIAN HOME LANDS.

Ensures the legislature fulfills its responsibility under article XII,
section 1, of the state constitution by appropriating sufficient
general funds for the administration and operating expenses
of the department of Hawaiian home lands for fiscal year
2016.

For hearing on Monday, March 21, 2016

TESTIMONY IN OPPOSITION

1. The Attorney General of the State of Hawaii has raised serious questions which must be litigated, regarding whether it is a violation of the separation of powers for a judge to order the legislature to pass such a bill.
2. The legislature has a fiduciary obligation to the taxpayers to protect the public fisc against unreasonable or illegal demands. The legislature should wait for the legal process to conclude, and not act rashly or prematurely.
3. The Office of Hawaiian Affairs has \$650 Million in assets, including \$350 Million in its investment portfolio. All that wealth is supposed to be used for "the betterment of native Hawaiians as defined in the Hawaiian Homes Commission Act of 1920." OHA should pay in full however much money is owed to DHHL, both arrears and in future. If OHA will not do what is pono on its own initiative, then the legislature should pass a bill transferring the funds from OHA to DHHL. The legislature often "raids" special funds such as the Hurricane Fund or the Highway Fund to balance the budget. OHA is an agency of the State government and therefore falls under the budget and appropriation authority of the legislature.

KALIHI PALAMA HAWAIIAN CIVIC CLUB

1288 Kapiolani Blvd, Apt 1905

Honolulu, Hawaii 96814

TESTIMONY IN SUPPORT OF

HB 1932, HD2, RELATING TO THE DEPT OF HAWAIIAN HOMELANDS

Senate Committee on Hawaiian Affairs

Hearing: Wednesday, February 17, 9:00 a.m., Conf Rm 325

Senator Maile S. L. Shimabukuro, Chair
Senator J. Kalani English, Vice Chair
Members of the Committee on Hawaiian Affairs

Aloha mai kākou,

The Kalihi Palama Hawaiian Civic Club supports HB 1932 HD2. The purpose of this measure is to ensure the legislature fulfills its responsibility under Article XII, Section 1, of the State Constitution by appropriating sufficient general funds for the administration and operating expenses of the Department of Hawaiian Home Lands (DHHL) for fiscal year 2016-2017.

We support this measure to assure that the Dept of Hawaiian Homelands has sufficient general funds for the administration and operating expenses of the DHHL for fiscal year 2016-2017.

On November 27, 2015, the circuit court of the first circuit of the State of Hawaii issued its Findings of Fact, Conclusions of Law, and Order in *Nelson v. Hawaiian Homes Comm'n*, Civil No. 07-1-1663-083. The circuit court found that since 1978, the legislature has not appropriated enough general funds to pay for the Department of Hawaiian Home Lands' administrative and operating expenses. The circuit court noted that the legislature appropriated \$9,632,000 in general funds to the Department of Hawaiian Home Lands for administrative and operating expenses for fiscal year 2015–2016, which was less than the department's request for \$28,478,966 in general funds. The court determined that the Department of Hawaiian Home Lands "suffers from a lack of funding..., which adversely affects beneficiaries of the Hawaiian Home Lands Trust," and declared that the legislature is constitutionally obligated to appropriate "more than \$28 million for fiscal year 2015–16" in general funds for the Department of Hawaiian home lands' administrative and operating budget.

The court gave opportunity for the State to defend its decision to appropriate \$9,632,000, which is significantly less than the \$28,478,966 substantiated by the DHHL, but the state did not prevail. Clearly, this kind of deep reduction in the budget requested by DHHL can only have adverse consequences. We recall the many criticisms about the Dept of Hawaiian Home Lands published over a series of articles in the Star Advertiser. How can we expect the DHHL to fix any shortcomings if we don't sufficiently fund their administrative and operating expenses? We urge the legislature to heed the decision of the Court and to provide more reasonable sufficient funds to DHHL for fiscal year 2016-2017 to enable the Department to carry out its mission. Failing to do so will adversely affect its ability to carry out its mission.

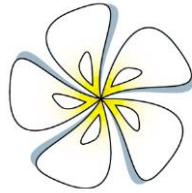
Mahalo for your consideration of our comments in support of HB 1932 HD2.

Respectfully,

Leimomi Khan
President



Makah Hawaiian Civic Club



P O Box 305, Waianae, HI 96792



March 16, 2016

To: Committee on Hawaiian Affairs

Re: H B 1932

We are in support of pleading with the State to provide & reimburse sufficient funds to DHHL in accordance with article XII, section 1.

Placing Hawaiians on the land is priority with DHHL and this reimbursement ensures they can continue to accomplish their mission set out by the Prince when this Hawaiian Homes Act was created.

Thank you

Makaha Hawaiian Civic Club

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: elamafarms@gmail.com
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Wednesday, March 16, 2016 2:20:50 PM

HB1932

Submitted on: 3/16/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick L. Kahawaiolaa	Keaukaha Community Association	Support	No

Comments: Aloha Chair Shimabukuro and members of the HWN affirms committee who will be working to hopefully bring resolution and to clearly defined your duties to "sufficiently" fund the DHHL for its operational and not continue to use lease rent proceeds to fund its operation. KCA strongly supports any efforts this body could now see fit to make this happen in light of amendments have been made to delete the preamble and throughly eliminating any references to the Nelson v. State lawsuit. That being said we would truly begin to respect those that would want to do what is right for the beneficiaries of the Hawaiian Homes Land Trust. We thank all of you who truly believe that this is your constitutionally mandated duty within the scope of the oath of office all of you SWORE to uphold when accepting your office. E Hana Pono's Mai Pono' Hana

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: naregion9@gmail.com
Subject: *Submitted testimony for HB1932 on Mar 21, 2016 13:15PM*
Date: Friday, March 18, 2016 6:16:30 AM

HB1932

Submitted on: 3/18/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Derek Kimura	Individual	Support	No

Comments:

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To: [HWNTestimony](#)
Cc: dkanealii02@gmail.com
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Saturday, March 19, 2016 9:04:54 PM

HB1932

Submitted on: 3/19/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Kanealii	Individual	Support	No

Comments: Please pass HB 1931 to ensure the legislature fulfills its responsibility under article XII, section 1, of the state constitution by appropriating sufficient general funds for reimbursement of administration and operating expenses of the department of Hawaiian home lands for fiscal year 2016. Thank you

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Senator Maile S.L. Shimabukuro, Chair
Senator J. Kalani English, Vice Chair
Senate Committee on Hawaiian Affairs

Testimony of Jame K. Schaedel

Monday, March 21, 2016

Support for House Bill No. 1932, H.D. 2 – Relating to the Department of Hawaiian Home Lands

WRITTEN TESTIMONY ONLY

Thank you for the opportunity to offer testimony in **strong support** for House Bill No. 1932, H.D. 2, which proposes to appropriate an undetermined amount of general funds to reimburse the Department of Hawaiian Home Lands for its administrative and operating costs. This measure is an important vehicle to ensure that the Legislature fulfills its legal responsibility pursuant to Article XII, Section 1 of the Constitution of the State of Hawai'i.

I strongly encourage you to pass this bill, un-amended, to the Senate Committee on Ways and Means and the Senate Committee on Judiciary and Labor for further discussion.

Respectfully,

Jame K. Schaedel

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for HB1932 on Mar 21, 2016 13:15PM*
Date: Tuesday, March 15, 2016 1:35:21 PM

HB1932

Submitted on: 3/15/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

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

Comments:

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Cc: kpurdyavelino@yahoo.com
Subject: *Submitted testimony for HB1932 on Mar 21, 2016 13:15PM*
Date: Saturday, March 19, 2016 9:51:12 AM

HB1932

Submitted on: 3/19/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kilia Purdy-Avelino	Individual	Support	No

Comments:

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Cc: lrutte@hotmail.com
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Tuesday, March 15, 2016 8:15:01 AM

HB1932

Submitted on: 3/15/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Loretta Ritte	Individual	Support	No

Comments: Strongly support. Follow the law!

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: duke@sandwichisles.net
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Sunday, March 20, 2016 9:18:22 AM

HB1932

Submitted on: 3/20/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Marion K A Kapuniai	Individual	Support	No

Comments: We, all beneficiaries of the Hawaiian Home Lands Trust, lessees, applicants, successor lessees, all family members thereof, and the rest of Hawaii, stand to benefit from this committee's undivided attention and full support of this bill. We expect nothing less than fulfilling your constitutional fiduciary responsibility. Thank you, very much!

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: micahalameda@gmail.com
Subject: *Submitted testimony for HB1932 on Mar 21, 2016 13:15PM*
Date: Friday, March 18, 2016 8:12:03 PM

HB1932

Submitted on: 3/18/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Micah Alameda	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: wain33@gmail.com
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Monday, March 21, 2016 7:12:14 AM

HB1932

Submitted on: 3/21/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Paula Aila	Individual	Support	No

Comments: As a beneficiary of the Hawaiian Home Lands, I stand in strong support of HB1932 for the State of Hawaii to appropriate "sufficient" funds of more than \$28 million from the State General Funds to the DHHL. The Legislators need to fulfill their obligation to carry out their duties of the Hawaii State Constitution Article XII, Sec.1.

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To: [HWNTestimony](#)
Cc: stacelynn84@gmail.com
Subject: *Submitted testimony for HB1932 on Mar 21, 2016 13:15PM*
Date: Monday, March 21, 2016 9:08:05 AM

HB1932

Submitted on: 3/21/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Stacelynn	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kalamaula@live.com
Subject: Submitted testimony for HB1932 on Mar 21, 2016 13:15PM
Date: Tuesday, March 15, 2016 10:24:48 PM

HB1932

Submitted on: 3/15/2016

Testimony for HWN on Mar 21, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Lauifi	Individual	Support	No

Comments: It is the State of Hawaii's fiduciary responsibility to fund the Department of Hawaiian Homes. Please vote yes so the Department can finally do what they suppose to do.

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Testimony Presented Before the
Senate Committee on Hawaiian Affairs
Monday, March 21, 2016 at 1:15pm
By
Elmer Ka'ai

RE: HB1932 HD2 – RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

Chair Shimabukuro, Vice Chair English and Members of the Committee:

Thank you for the opportunity to provide testimony in support of House Bill 1932, HD2. I am a waitlist beneficiary, a former employee of the Department of Home Lands and past director of Hui Kako'o Āina Ho'opulapula (Waitlist Applicant Organization). These experiences allows me to view this measure from a different perspective.

I have sat silently as the Department continued to get criticized by the State and this legislative body for the lack of performance in serving the beneficiaries of the Hawaiian Home Lands Trust. I am not saying that the department is not deserving of some the criticism; however, I am concerned that no one is acknowledging the simple fact that the Department is forced to use its own trust monies for the operating cost of this "State" agency. To further insult the Trust and its beneficiaries, the State or this Legislature hides behind "waitlist" to criticize the Department.

I want to address the core issue here – stop raiding the trust fund to pay for the State's responsibilities. **My simply calculation from the period when I was an employee at the department based on accrued salary and employees benefits payout from the trust fund is an estimated \$11,220,352. (\$701,272 x 16 years). That's \$11M that could have gone directly to the beneficiaries.** However, the State and this legislative body rather criticize the hard-working staff that must deal with a passionate clientele, ever-changing politically driven administrations and work on a year-to-year employment contract. Yet, the staff is still there. You want better results, stop playing politics with this department and the Hawaiian home lands trust.

I encourage this committee to take that bold step and fully support the mission of the Hawaiian Home Lands Trust.

Aloha and mahalo!

From: [Pomaikai, Kaipo](#)
To: [HWNTestimony](#)
Subject: HB1932 TESTIMONY
Date: Wednesday, March 16, 2016 12:17:37 PM

Aloha Senator English,

My name is Paul Kaipo Pomaikai SR, I reside in Kapolei, born and raised west side, Nanakuli.

Please accept this as my written testimony on HB1932.

It is a copy originally sent to my Rep, Sharon Har; Kapolei.

Thank you for your time.

Aloha,

Kaipo Pomaikai SR

Aloha mai Kakou,

I sent this letter to the Representative in my district, Sharon Har;

Aloha Representative Har,

My name is Paul Kaipo Pomaikai Sr. a resident of Kanehili DHHL community.

I enjoyed talking story with you in our local Starbucks in Kapolei and during the blessing and opening of the Kapolei Parkway's last segment joining the Parkway to the rest of Kapolei Proper with the Mayor, DOT and all invited. You are doing a great job Representative Har, Donna and I support you wholeheartedly.

On this issue of funding a "Department" of the Hawaii State Government in HB1932 with the DHHL;

the only analogy that comes to mind is; school lunch is \$1.75, you give your kid .25 cents and tell them to go stand by the stoplight fronting the school, and as the administrators, fellow students, auntie and uncle custodians, and parents dropping off their kids pass by; you tell your kids, to "go beg for the rest"

Then you watch your siblings; the department of Hawaii Tourism Authority, DLNR, etc.....walk by you with all they need, plus extra to take care of their buddies. I gotta ask; is that responsible parenting?

I grew up in Nanakuli, attended Nanaikapono Elementary, one of nine children of Samuel and Josephine Pomaikai, my father worked hard to provide for us and did a great job!

I personally know what missing a school excursion, and walking home for lunch from Nanaikapono to Akoai Road at the base of Puu O Hulu makai, bottom of Hakimo road was like; because my younger siblings "needed it more than me?"

I learned, in that time frame of my life, that finances was to be primary and priority, when it comes to raising my family.

Maybe the entire body of the State House and Senate, including members of the Finance Committee, should all take a walk from Akoai Road to Nanaikapono

Elementary School (now Ka Waihono O Ka Naauao, charter school) I think one way should suffice.

Should they all make the trek then vote on HB1932, it would pass with flying colors.

Donna and I are asking that you support and vote to pass this very important HB1932, vital to your siblings, and part of this State Ohana, at the Department of Hawaiian Home Lands.

And please encourage your friends in the Legislature to do the same, and to read, "The Constitution of the state of Hawaii" amended in 1978.

Article XII

Hawaiian Affairs

Hawaiian Homes Commission Act

Section I-----All

I pray for you all, a blessed Legislative Session,

Sincerely,

Your voting Constituents,

Donna and Kaipō Pomaikai Sr

Kapolei Proper