

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII



JOBIE M. K. MASAGATANI  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI  
LT. GOVERNOR  
STATE OF HAWAII

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 HOUSE COMMITTEE ON FINANCE**

**IN SUPPORT OF**

**HB 451, HD1 RELATING TO THE HAWAIIAN HOMES COMMISSION ACT**

February 24, 2017

Aloha Chair Luke and members of the Committee:

The Department of Hawaiian Home Lands (DHHL) strongly supports this bill that reduces the minimum Hawaiian blood quantum requirement of certain successors to lessees of Hawaiian home lands from one-quarter to one-thirty second. This bill is almost identical to an administration bill introduced this session.

The Department continues to receive requests from beneficiaries, particularly lessees in our older homestead communities, to reduce the blood quantum requirement for successors. As these communities age, the lessees with one-quarter Hawaiian blood are facing the possible loss of a homestead lease that has been within the family for several generations because their descendants lack the required blood quantum. This amendment will provide DHHL lessees with greater flexibility to retain homestead leases within their families.

The Department is aware that the Sovereign Councils of the Hawaiian Homelands Assembly (SCHHA) Executive Council and Association of Hawaiian Civic Clubs are requesting that this bill also amend section 208 of the Hawaiian Homes Commission Act, as amended to reduce the minimum Hawaiian blood quantum requirement of certain transferees from one-quarter to one thirty-second. The Department supports the current version of the bill to allow one lot to stay within the family through successorship until such time that the Department can ensure that a lessee doesn't transfer their lot to a qualified family member and then apply for another homestead lease and receive another award or purchase a lease and transfer yet another lot to a qualified family member ahead of others on the waitlist. Until a limitation on the transfer of a lease can be resolved by the Department, this bill would at least allow lessees facing the possible loss of their lot because their descendants lack the required blood quantum to retain the homestead lease within their family.

Thank you for your consideration of our testimony.



**HB451 HD1**  
**RELATING TO THE HAWAIIAN HOMES COMMISSION ACT**  
House Committee on Finance

February 24, 2017

11:00 AM

Room 308

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The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB451 HD1, which lowers the required Native Hawaiian blood quantum from one-quarter to one-thirty-second for certain relatives to be eligible to succeed to a Hawaiian Home Lands homestead lease. This would allow a current homestead lessee to ensure a reasonable level of stability for his or her close family members, who, due to having less than the currently required blood quantum, may otherwise face severe disruption to their housing and business circumstances upon to the lessee's death.

The issue of reducing the blood quantum for successorship was a recurring theme expressed by beneficiaries of the Hawaiian Homes Commission Act when the Department of Hawaiian Home Lands (DHHL) conducted beneficiary consultation meetings on its new proposed rules package. Homestead organizations and individual beneficiaries expressed concerns that immediate family members of homestead lessees may not have the required one-quarter blood quantum to succeed to homestead leases, and face possible loss of a homestead that has been in the family for several generations. This measure will help address those concerns, and create incentives for lessees to invest in their homesteads knowing that their descendants will succeed to their leases, thereby providing valuable housing opportunities for their families.

OHA respectfully notes the concern that reducing the minimum successorship blood quantum may decrease homestead waitlist applicants' opportunities to receive homestead awards, when applicants themselves are required to be at least 50% Native Hawaiian. The longstanding need to address the homestead waitlist backlog is clear: according to the DHHL's 2014 Annual Report, the DHHL's waiting list as of June 30, 2014, reflected a combined total of 43,795 lease applications for residential, agricultural, and pastoral leases, submitted by a total of 27,341 individual applicants. However, rather than disrupt current homestead families' housing security and tenancy of lands held for generations, OHA believes that this waitlist backlog may best be addressed by meeting DHHL's development and other needs.

For the foregoing reasons, OHA urges the Committee to **PASS** HB451 HD1.

Mahalo nui for the opportunity to testify on this measure.

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**To:** FINTestimony  
**Cc:** joe96817@gmail.com  
**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kuhio Lewis	Kapolei Community Development Corporation	Support	No

**Comments:**

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**Cc:** dkanealii02@gmail.com  
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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Kanealii	Kailapa Community Association	Support	No

Comments: Please support the measure to keep the lands in family hands for our future generations to come. Mahalo

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Submitted on: 2/23/2017

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marion K A Kapuniai	Sovereign Council of Hawaiian Homelands Assembly	Support	No

Comments: Please AMEND by adding Section 208 of the HHCA, as amended, and including the same amendments as stated for Section 209 of the HHCA. I disagree with the Judiciary's amendment, that of "changing the effective date to July 1, 2050". We, nor does any other legislator, have any need to take another 30 years to discuss the proposed amendments; ridiculous and unacceptable. We're providing for families, NOW. Thank you!

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Avery Choy	Princess Kahanu Estates Association	Support	No

Comments: I support HB451 as submitted. Blood quantum for successorship needs to be reduced to 1/32% due to the fact that kupuna are raising grandchildren and the bloodline decreases as each family passes on. Please keep the awarded property in the bloodline. The 1/32% should only apply to successorship and not to transfer of property. Thank you.

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Unity, Equality, Aloha for all



To: HOUSE COMMITTEE ON FINANCE

For hearing Friday, February 24, 2017

Re: HB451 RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.  
Reduces the minimum Hawaiian blood quantum requirement of certain successors to lessees of Hawaiian home lands from one-quarter to one thirty-second.

TESTIMONY IN OPPOSITION

In homage to Archie Bunker, this bill should be given the name "All In The Family." Its obvious purpose is to allow a family to keep a DHHL lease in the family even after the original lessee has died, and the spouse and children have died, etc. -- so long as the successor leaseholder has at least 1/32 Hawaiian native blood and is related to the original lessee from decades ago by blood or marriage. The only way to pry the lease away from the family is if the lease expires after

the statutory period of 100 years. Indeed, we are approaching the 100th anniversary of passage of the Hawaiian Homes Commission Act, so in the next few years we will see leases in Papakolea (the first homestead) beginning to expire. Therefore we will probably soon see legislation automatically extending leases for an additional century, to keep them "all in the family."

There are now 27,000 racially certified 50% blood native Hawaiians who have been sitting on the waiting list for decades. Let's give them a lease instead of guaranteeing the inheritance of a lease by grandchildren, great-grandchildren, cousins, etc. whose connection with Hawaiian culture and with the 'aina may be greatly attenuated or virtually imperceptible.

The most obvious result of enacting this bill would be to permanently establish a hereditary elite caste among native Hawaiians and Native Hawaiians -- families who got a lease early in the history of DHHL would remain forever an elite group of ali'i while those who placed their names on the waiting list in later years remain consigned to the lower caste maka'ainana with no hope of moving up. People with as little as 1/32 Hawaiian native ancestry but who are blood relatives of existing lessees would have an insurmountable preference over the native Hawaiians of greater than 50% native ancestry who were the intended beneficiaries of the Hawaiian Homes Commission Act but now find they have no hope of getting a lease because they belong to a family from the "wrong side of the tracts."

Many Hawaiians believe that the 50% blood quantum requirement in the Hawaiian Homes Commission Act is terribly divisive, pitting high-blood natives against low-blood Natives. It's often said that Prince Jonah Kuhio Kalaniana'ole, Territorial Representative of Hawaii who sponsored the HHCA, wanted the blood requirement to be set at 1/32, which in 1920 would have allowed virtually every ethnic Hawaiian to qualify (although I have not seen actual written evidence to support the legend that he proposed 1/32). Now that four more generations

have occurred, Kuhio's rationale would need to be updated to say the quantum should be 1/512, to ensure that everyone with a drop of the magic blood is eligible.

But here's my view. I believe that 1/2 is too high, 1/32 is too high, 1/512 is too high, and even one drop is too high. The native blood requirement for a homestead lease on public lands should be zero. During the Republic and early Territorial periods Hawaii had a homesteading law that allowed any citizen of Hawaii, regardless of race, to select a vacant piece of public land, live on that land for a period of years while putting it to good use, and thereby acquire ownership of the land in fee simple. That perfectly fine race-neutral homesteading law fell by the wayside when the well-intentioned but hopelessly racist HHCA was enacted. So now we have a huge bureaucracy costing megabucks to administer in order to ensure that only people of the favored race can establish a homestead on public land; and that they can only lease the land but are denied the most secure way for a family to build wealth -- fee-simple ownership of land. What a shame!

HB451 proposes to establish 1/32 as the blood quantum needed to inherit a homestead lease. Did you know that Michelle Obama is 1/32 Caucasian, and would therefore be eligible to inherit a lease on a Caucasian homestead? Isn't that amazing! See "How the Obama Family Will Benefit from the Caucasian Government Reorganization Act of 2040"

<http://www.angelfire.com/big09a/CaucasianGovReorgAct.html>

Please defeat this bill.

On the next page you will find a copy of a letter to editor published in the Honolulu Star-Advertiser of December 22, 2016, from a Hawaiian with 3/8 native blood.

Keep Hawaiian blood quantum rule

I am not in favor of reducing the Hawaiian blood quantum requirement to 1/32 Hawaiian for the transfer of leases to relatives. I am in favor of the current requirement of 25 percent Hawaiian.

To qualify for Hawaiian Homes land, a person needs to be at least 50 percent Hawaiian. There are 27,000 qualified applicants on the wait list. These people have waited many years to obtain a lease and may not get a lease during their lifetime because Native Hawaiians on the wait list have died while waiting.

They deserve priority before land is transferred to someone who is only 1/32 Hawaiian.

Those who are objecting to the current 25 percent transfer requirement should be extremely grateful for all the years they lived on Hawaiian Homes property.

I am three-eighths Hawaiian. My late mother, Hannah Bailey Pang, was three-fourths Hawaiian. My grandmother Hannah Kaholowaa Kamahele Bailey was pure Hawaiian.

I do not qualify for Hawaiian Homes property, but I am very concerned about those who qualify, are not given a fair chance to obtain such property, and are on the wait list of 27,000.

Bertha Pang Drayson

Wailuku, Maui

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kahookele Helm	Individual	Support	No

Comments:

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Geogory Helm	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roberta K Helm	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jewel Cariaga	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Braiden Kaahanui	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rosie F Davis	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bryson Kaahanui	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charice K Kaahanui	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brenna Wayne Pauole	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelly M Pauole	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kellysa-Wayne Pauole	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Kaahanui	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sumiko Sasada	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kiko Sasada	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Sasada	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jared Sasada	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sherry Sosada	Individual	Support	No

Comments:

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chalres A Kaahanui Jr	Individual	Support	No

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Irene Kaahanui	Individual	Support	No

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rosie F Davis	Individual	Support	No

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kapua Makuakane Helm	Individual	Support	No

Comments:

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Malcom Helm	Individual	Support	No

Comments:

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Haloa Helm Kalipi	Individual	Support	No

Comments:

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Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kia'i Helm Kalipi	Individual	Support	No

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Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keoki Helm Kalipi	Individual	Support	No

Comments:

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**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaoli Kahoiwai Helm	Individual	Support	No

Comments:

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nanea Kahiwai Helm	Individual	Support	No

Comments:

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anela Helm Salas	Individual	Support	No

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Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melissa Helm	Individual	Support	No

Comments:

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Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Puakea Helm	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalaiakeaikeolewa Vaughn Helm	Individual	Support	No

Comments:

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Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Beverly Pauole Helm	Individual	Support	No

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yvette Helm	Individual	Support	No

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kilinoelehua Helm	Individual	Support	No

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaha'iolelo Helm	Individual	Support	No

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sarah Hoku Turner	Individual	Support	No

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Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kawika Turner	Individual	Support	No

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roberta Turner	Individual	Support	No

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Turner	Individual	Support	No

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Becky Turner	Individual	Support	No

Comments:

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Courtney Lamauna Turner	Individual	Support	No

Comments:

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**HB451**

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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adelaide Helm	Individual	Support	No

Comments:

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**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimberly Helm	Individual	Support	No

Comments:

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**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

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Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalola Kaulili	Individual	Support	No

Comments:

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**To:** FINTestimony  
**Cc:** kalani.johnston@yahoo.com  
**Subject:** Submitted testimony for HB451 on Feb 24, 2017 11:00AM

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalani Johnston	Individual	Support	No

Comments: I am in support of HB 451, HD1(HSCR530). I am 4th generation of Hawaiian descendent currently living on Hawaiian Homestead lands in Kalama'ula Molokai. This is important to us because upon our passing; we want to ensure long term tenancies to our beneficiaries and successors will ensure our children and future grandchildren can maintain the equity of our home that my tutu and I worked so hard to keep through generations. Allowing for a reduction in blood quantum will allow for our descendants to continue living on our property home for generations to come.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 3:04 PM  
**To:** FINTestimony  
**Cc:** puanani67@aol.com  
**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Puanani Etcheverry	Individual	Support	No

Comments:

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**Subject:** Submitted testimony for HB451 on Feb 24, 2017 11:00AM

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Noelani Akina Johnston	Individual	Support	No

Comments: I am in support of HB 451, HD1(HSCR530). I am of Hawaiian descent currently living on Hawaiian Homestead lands in Kalama'ula Molokai. This is important to us because upon our passing; we want to ensure long term tenancies to our beneficiaries and successors will ensure our children and future grandchildren can maintain the equity of our home that we've worked so hard to keep through generations. Allowing for a reduction in blood quantum will allow for our descendants to continue living on our property home for generations to come.

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**Sent:** Wednesday, February 22, 2017 2:51 PM  
**To:** FINTestimony  
**Cc:** rsmarciel@gmail.com  
**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suzanne Marciel	Individual	Support	No

Comments:

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Kalama'ula Hou Homestead Association  
Po Box 126  
Hoolehua, HI 96729  
(808) 336-1587  
[Lopez808@gmail.com](mailto:Lopez808@gmail.com)

February 22, 2017

**House Representatives**

**RE: House Bill 451, Reduce Blood Quantum for Successors**

**Reduces the minimum Hawaiian blood quantum requirement of certain successors to lessees of Hawaiian Home Lands from one-quarter to one thirty-second**

Aloha House of Representatives;

I am the President of Kalama'ula Hou Homestead Association and represent the *kupuna, aumakua, and beneficiaries* of the Hawaiian Home Lands Act of 1920 from the island of Molokai, Aina Ho'opulapula. We represent one of eight homestead associations on the island.

We humbly ask for your support and commitment to approve HB 451 as it would benefit the native Hawaiian communities throughout the State. This Bill will allow generations of Hawaiian Homestead families be able to continue Prince Jonah Kuhio Kalaniana'ole's legacy in keeping Hawaiians on Hawaiian Home Lands.

It is your *kuleana*.....to uphold your fiduciary duty and constitutional oath under Article XII, Section 1 of the Hawaii State Constitution.

We want to take this opportunity to MAHALO you in advance for your endorsement of HB 451.

***IMUA!!***

*Very Truly Yours;*

*Sybil K. Lopez, President of Kalama'ula Hou Homestead Association*

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 4:38 PM  
**To:** FINTestimony  
**Cc:** kamakane73@gmail.com  
**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kama Hopkins	Individual	Support	No

Comments:

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**Sent:** Wednesday, February 22, 2017 6:31 PM  
**To:** FINTestimony  
**Cc:** kaipelayo@gmail.com  
**Subject:** Submitted testimony for HB451 on Feb 24, 2017 11:00AM

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alvin K Pelayo	Individual	Support	No

Comments: Aloha, I fully support HB451. I am a Hawaiian Homelands Beneficiary. My family and I were blessed in being able to build a home as a lessee. I fully recognize and support that homes and land must be prioritized for those Hawaiians that are of 50% or more blood quantum. For those of us that are in homes or on land that was passed to us from our Kupuna it is a GREAT concern that my ohana will not be able to inherit the same legacy because they do not possess the 25% required quantum. We have a severe homeless situation now in our communities. We have 3 - generations in our home now. If there is no change to the 25% requirement, then when I die my ohana will have very few options on the table for living in Hawaii. Please pass this bill and open the door to opportunity for our future generations. Mahalo for your consideration. Kai Pelayo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 6:31 PM  
**To:** FINTestimony  
**Cc:** tasha96792@yahoo.com  
**Subject:** Submitted testimony for HB451 on Feb 24, 2017 11:00AM

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Natasha Boteilho	Individual	Support	No

Comments: Aloha My name is Natasha Boteilho, I am Hawaiian and reside in Waianae, specifically in Waianae Valley Homestead. I humbly ask for your votes to approve and pass HB 451, HD 1 that lowers the blood quantum for successors to 1/32. As a 3rd generator homesteader the passage of this bill would greatly affect my ohana, especially my children whom could succeed me as a successor of and when I passaway. Mahalo and thank you for your time. Natasha Boteilho

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**Sent:** Wednesday, February 22, 2017 6:52 PM  
**To:** FINTestimony  
**Cc:** waiola01@gmail.com  
**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Randy Akau	Individual	Support	No

Comments:

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**Sent:** Thursday, February 23, 2017 9:18 AM  
**To:** FINTestimony  
**Cc:** JIMCISLER@YMAIL.COM  
**Subject:** Submitted testimony for HB451 on Feb 24, 2017 11:00AM

**HB451**

Submitted on: 2/23/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Cisler	Individual	Comments Only	No

Comments: E Hawaii au. AFTER adhering to the law, and all existing rules, AFTER adhering to ALL subsequent “procedures” imposed on me by those who now represent the original land grabbers, you are telling me I have 2 choices: 1) Allow 3 more generations of my descendants to be on the land that is rightfully ours (and theirs) BUT 2) Give up my original right to remain a beneficiary, despite my previous actions and efforts under existing law. So, as a Hawaiian on the land, my ancestor’s land, I am expected to “concede” that lawful right of homestead just because I receive the “privilege” of transferring my leasehold to a legitimate descendant, with a legitimate claim on an existing leasehold. This makes no sense to a reasonable Hawaiian. Additionally, the criticism of “highest bid,” and “leapfrog” conduct referenced in the legislation as submitted, is an administrative problem and needs to be addressed at that level! Please break this ongoing cycle of “give-a-little, take-a-lot,” from us Kanaka Maoli. SB849 was not meant to create a plus-one, minus-one statute. It was meant to expand the opportunities of Native Hawaiians. I support THAT ORIGINAL intent! Jim Cisler Resident Kailapa Community Dept. of Hawaiian Home Lands Kawaihae-Mauka Island of Hawaii

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**Sent:** Wednesday, February 22, 2017 8:39 PM  
**To:** FINTestimony  
**Cc:** mjellings@hawaii.rr.com  
**Subject:** Submitted testimony for HB451 on Feb 24, 2017 11:00AM

**HB451**

Submitted on: 2/22/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carl Pao Jellings Sr	Individual	Support	No

Comments:

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**Sent:** Thursday, February 23, 2017 11:14 AM  
**To:** FINTestimony  
**Cc:** naregion9@gmail.com  
**Subject:** Submitted testimony for HB451 on Feb 24, 2017 11:00AM

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Submitted on: 2/23/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Derek Kimura	Individual	Support	No

Comments: I am in support of HB451, HD1

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**Sent:** Thursday, February 23, 2017 10:37 AM  
**To:** FINTestimony  
**Cc:** Kapaakeahomestead@gmail.com  
**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/23/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Doreen Gaspar	Individual	Support	No

Comments:

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**Sent:** Thursday, February 23, 2017 1:19 PM  
**To:** FINTestimony  
**Cc:** kilohanah@gmail.com  
**Subject:** \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/23/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Reis Haituka	Individual	Support	No

Comments:

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**LATE**

2/23/17

Aloha House Finance Chair Luke, Vice Chair Cullen and Committee Members,

I STAND IN FULL SUPPORT of HB 451 RELATING TO THE HAWAIIAN HOMES COMMISSION ACT. Reduces the minimum Hawaiian blood quantum requirement of certain successors to lessees of Hawaiian home lands from one-quarter to one thirty-second.

Hawaiian is the fastest growing race in Hawaii due to inter-racial marriage, yet many Hawaiians don't meet the current Hawaiian Home Lands (HHL) blood quantum criteria for lessees (50%) or successors (25%). In these financially trying times how do we keep our people from being displaced or worse yet, houseless?

HB 451 HD1 will allow ohana members to continue their residence in the ohana hale. Our Prince Jonah Kuhio Kalaniana'ole fought for the Hawaiian Homes Commission Act so his people could return to the land. Prince Kuhio did not mean to displace one Hawaiian ohana for another, this Bill fulfills his intent and desire.

Mahalo for hearing HB 451 HD1 and allowing my supportive manao to be considered. PLEASE PASS HB 451 HD1 OUT OF YOUR COMMITTEE, effectively immediately.

Me ke aloha,  
Kapua Keliikoa-Kamai  
HHCA Beneficiary  
Waianae Valley Homestead Lessee

**LATE**

Representative Sylvia Luke, Chair  
House Committee on Finance BILL NO. HB451  
Friday, February 24, 2017 11 a.m. Conference Room 308 State Capitol

Aloha, my name is Stephanie Kapuamaeole Kalama Lauifi. I am a fourth generation homesteader in Kalamaula, Molokai. My great grandfather was Henry A. Wise who was one of the original homesteaders. My great grand Uncle was Senator John Wise who went with Prince Kuhio to the US Congress and worked hard to get the HHC Act passed.

Today I represent myself and my family as homesteaders. We are in support of this bill.

If you read the book written by Davianna McGregor, Aina Ho'opulapula: Hawaiian Homesteading, you will come to find out that this movement had started back in 1914 and how much work and compromise they had to do with the Big Five and the US Congress. Prince Kuhio wanted anyone with Hawaiian blood to have land and a term of 999 years, in his first version of the bill. In the second version, the US wanted 100% Hawaiian ancestry. In the third version, Kuhio came back with 1/32<sup>nd</sup> Hawaiian ancestry. The final version that was passed on July 9, 1921 and signed into law stating a one-half or 50% blood quantum as a qualification for a lot and a 99-year lease.

The original homesteaders received lands that were dry and barren, with no water. The original homesteaders persevered and self-sustained themselves and were so successful that after the trial period of 5 years, the HHCA was then extended to Keaukaha on the Big Island (which was the 2<sup>nd</sup> Residential Leases and then to Ho'olehua, Molokai (the 1<sup>st</sup> Agricultural leases). I still have mango trees that are older than me and are still bearing fruit.

In a UH Publication written by Felix Keesing, Litt.D, in 1936, he states that at this present time there has been 3 cases where the lessee dies and the heirs do not meet the blood requirements. This problem we are facing today in 2017 is the same problem they faced. How many lost their homestead between 1936 and now. That is the fear that my family lived with when I was a young girl. If my Tutu passed, my mother who is 25% could not succeed her. So, my Tutu decided to transfer our lot to my Dad who was 50%. When my Dad passed, our lot was succeeded by my Mother (25% was passed for successorship). My Mother passed in 2011 and now I am the successor. So now, we live in fear once more. After 94 years of our family being on the land, it will end with me as my children do not meet the blood requirement of 25%.

So, this year we are going to celebrate our 94<sup>th</sup> year and we will be facing an uncertain future. We need to make sure that our families and our next generations have something that can be passed down to them. We work our land just as our Kupuna did, teaching the young about the land and how to malama what we have.

Let's support what Prince Kuhio initially intended in this act, to have Hawaiians on the land. Again, I support HB451 for our future generations and funding of DHHL to make sure that the Hawaiians that are on the wait list will be able to be awarded their lots and will be able to rehabilitate themselves as Prince Kuhio wanted.

Thank you,

Stephanie K. Lauifi

FINTestimony

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 23, 2017 4:48 PM  
To: FINTestimony  
Cc: kalamaula1@gmail.com  
Subject: \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*



**HB451**

Submitted on: 2/23/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tanya Lauifi	Individual	Support	No

Comments:

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To: FINTestimony  
Cc: shaye4@hawaii.edu  
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**HB451**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shaye K Lauifi	Individual	Support	No

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Cc: faataatia09@gmail.com  
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Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Faataatia Lauifi Jr	Individual	Support	No

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Toll Free: 1-866-400-1116  
www.hawaiiancommunity.net

February 23, 2017

HB 451, HD 1 Relating to the Hawaiian Homes Commission Act  
Senate Committee on Hawaiian Affairs  
Room 016, State Capitol

**LATE**

**RE: SUPPORT WITH AMENDMENTS**

Aloha e Chair and Committee Members,

I am writing on behalf of Hawaiian Community Assets, the State's largest nonprofit 501c3 HUD-certified housing counseling agency, to testify in **support with amendments** of House Bill 451, House Draft 1 which reduces the minimum Hawaiian blood quantum requirement of certain successors to lessees of Hawaiian home lands from one-quarter to one thirty-second.

In our work of preparing thousands of native Hawaiian beneficiaries and successors each year for homeownership opportunities on Hawaiian home lands, we see that it is critical for the State Legislature to act to reduce the Hawaiian blood quantum requirement for successors from one-quarter to one thirty-second. Lowering the blood quantum requirement to one thirty-second will make the possibility of sustaining homeownership and other homesteading opportunities for future generations of native Hawaiians a reality and further the vision of our beloved Prince Kuhio Kalaniana'ole as the author of the Hawaiian Homes Commission Act (HHCA).

However, HB451, HD1 in its current form only amends the HHCA Section 209 and as a result impacts the eligibility of a successor at death only. In our experience, this would lead to further complications and unnecessary financial costs and hardship on the lessee's surviving family members and successors as they work to assume the lessee's outstanding mortgage.

At the same time, Section 208 of the HHCA currently allows a successor to not have to wait for a lessee to die in order to sustain their family's lease. Time has proven that this allows a lessee to deliberately plan, to name a successor, forgo unnecessary mortgage penalties and fees, and to complete a transfer to that successor, while alive.

In our work as a HUD-certified housing counseling agency, there have been numerous instances in which lessees have passed away and, after death, had their lease transferred to a successor. Unfortunately, mortgage lenders have repeatedly refused to accept mortgage payments from

anyone other than the deceased lessee and are unwilling to recognize the transfer of lease from a deceased lessee to a successor after the lessee's death. As a result, our organization is working on over 30 case files in which the lessee's family is facing foreclosure, compounding late fees, and penalties for non-payment of their outstanding mortgage under the name of the deceased lessee. As of November 2016, the Federal Housing Administration estimated there were more than 100 similar cases that have been unable to be addressed in light of the lease transfer taking place after the lessee's death. Our organization brought this issue to the attention of Governor Ige and his Attorney General back in 2012, but has failed to get any action to address what is happening to our lessee families who have attempted to transfer their lease to their successor after their death. By amending the HHCA Section 209 to include eligibility of a successor AT DEATH ONLY, HB451, HD 1 would place unnecessary financial hardship on the successor and the lessee's surviving family members as they are stuck with a mortgage they can neither pay, nor late fees and penalties that can be forgiven.

**Therefore, our organization supports HB451, HD 1 with amendments to allow for beneficiaries to transfer their lease to successors BEFORE DEATH consistent with Section 208. We would further recommend that both sections of the amendment, include at a minimum, siblings to be added as eligible relatives as the Legislature intended back in 2002 and 2005.**

Mahalo for the opportunity to provide my testimony in support with amendments of HB451, HD1 and encourage you to take action that is in the best interest of the beneficiaries of the HHCA and will result in the ability of thousands of lessees to sustain homesteading opportunities for future generations.

Sincerely

A handwritten signature in black ink that reads "Jeff Gilbreath". The signature is written in a cursive, slightly slanted style.

Jeff Gilbreath  
Executive Director

FINTestimony

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 23, 2017 3:55 PM  
To: FINTestimony  
Cc: mkhan@hawaiiantel.net  
Subject: Submitted testimony for HB451 on Feb 24, 2017 11:00AM



**HB451**

Submitted on: 2/23/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Democratic Party of Hawaii, Hawaiian Affairs Caucu	Support	No

Comments: Aloha, We stand by earlier testimony given in support of the original HB 451. We are concerned that the amended bill now contains provisions that were not consulted with and by Hawaiian Homesteaders.

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To: FINTestimony  
Cc: dinnanf002@gmail.com  
Subject: \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/24/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Frances Dinnan	Individual	Support	No

Comments:

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 To: FINTestimony  
 Cc: rkailianu57@gmail.com  
 Subject: \*Submitted testimony for HB451 on Feb 24, 2017 11:00AM\*

**HB451**

Submitted on: 2/24/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments:

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Sent: Friday, February 24, 2017 8:59 AM  
To: FINTestimony  
Cc: blawaiianlvr@icloud.com  
Subject: Submitted testimony for HB451 on Feb 24, 2017 11:00AM

**HB451**

Submitted on: 2/24/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

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

Comments: We STRONGLY SUPPORT this bill.

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GERMAINE K. TOGUCHI  
87-102 La'anui Street  
Waianae, Hawaii 96792  
Telephone: 808-387-1296

**LATE**

February 23, 2017

House Committee on Finance  
Testimony on House Bill 451, HD1

I am a fourth generation living on Hawaiian Homelands. My great tutu and her son, my tutu man had their lease in Papakolea. His daughter, my mother had hers in Waianae Valley. I have my lease in Princess Kahanu Estate. My other siblings have theirs in Kapolei and Papakolea. I understand our blood quantum for future generations is depleting, my granddaughter would be one of them.

I agree with HB 451, HD1 reducing the blood quantum to 1/32 to successors who currently are in that phase. However, I also understand that there are some disagreement and want to add this quantum to transfers of lease. The changing of quantum for transfer of lease would need a lot of detailed requirements and should be on its own separate bill. If we lower the blood quantum, then a lot families will transfer their lease, get back on the list, get another lease and transfer their lease to other family members, this will be going on and on. This will be a conflict with families who's already on the DHHL list. Some of the lessee would also sell their lease for profit. Here are some ideas I think should be on a separate bill.

For example:

*Transferring of lease should be done ONE time only, with the understanding that the current lessee would never be put back on the list. Only due to medical, work related (out-of-state) may a lessee go back on the list provided they have the proper documents to accompany the transfer. This should be for all future lessees.*

*Any transfer made to the new lessee should be to blood family's members only such as Aunties, Uncles, cousins, nieces and nephews etc., and followed with proper documents proving relationship.*

*The new lessee should be owner occupied for a minimum of 10 years, therefore no such selling of lease for profit.*

There can be additional changes as needed but currently there's more to be discussed about transfer of lease blood quantum. We need to have a separate bill for the transferring of lease and go ahead with reducing the blood quantum to succession only.

Thank you,

Germaine K. Toguchi

GERMAINE K. TOGUCHI  
87-102 La'anui Street  
Waianae, Hawaii 96792  
Telephone: 808-387-1296

February 23, 2017

House Committee on Finance  
Testimony on House Bill 451, HD1

I am a fourth generation living on Hawaiian Homelands. My great tutu and her son, my tutu man had their lease in Papakolea. His daughter, my mother had hers in Waianae Valley. I have my lease in Princess Kahanu Estate. My other siblings have theirs in Kapolei and Papakolea. I understand our blood quantum for future generations is depleting, my granddaughter would be one of them.

I agree with HB 451, HD1 reducing the blood quantum to 1/32 to successors who currently are in that phase. However, I also understand that there are some disagreement and want to add this quantum to transfers of lease. The changing of quantum for transfer of lease would need a lot of detailed requirements and should be on its own separate bill. If we lower the blood quantum, then a lot families will transfer their lease, get back on the list, get another lease and transfer their lease to other family members, this will be going on and on. This will be a conflict with families who's already on the DHHL list. Some of the lessee would also sell their lease for profit. Here are some ideas I think should be on a separate bill.

For example:

*Transferring of lease should be done ONE time only, with the understanding that the current lessee would never be put back on the list. Only due to medical, work related (out-of-state) may a lessee go back on the list provided they have the proper documents to accompany the transfer. This should be for all future lessees.*

*Any transfer made to the new lessee should be to blood family's members only such as Aunties, Uncles, cousins, nieces and nephews etc., and followed with proper documents proving relationship.*

*The new lessee should be owner occupied for a minimum of 10 years, therefore no such selling of lease for profit.*

There can be additional changes as needed but currently there's more to be discussed about transfer of lease blood quantum. We need to have a separate bill for the transferring of lease and go ahead with reducing the blood quantum to successorship only.

Thank you,

Germaine K. Toguchi

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**HB451**

Submitted on: 2/24/2017

Testimony for FIN on Feb 24, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
TRANSON DUNNAM	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
TRESTON DUNNAM	Individual	Support	No

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
AURELIA DUNNAM	Individual	Support	No

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