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Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/2/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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February 6, 2017

To: Senate Committee on Hawaiian Affairs

Senate Bill No. 849

From: Winona K. Kaawa
Lessee
Hawaiian Homestead Lot 122, Hoolehua, Molokai

To whom it may concern:
I am a 4th generation homesteader and both my husband and I have worked, tilled and upkept the homestead that we reside on . All our labors on the homestead we hope will be able to benefit our posterity. Sadly, they do not meet the Hawaiian blood quantum required. Therefore, we support lowering the blood quantum for successorship as addressed in Senate Bill No. 849. If this bill is passed it will surely give us a peace of mind knowing that our posterity will be able to continue the legacy we leave for them.

Aloha and Mahalo,



Winona K. Kaawa

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 6:50 AM
To: HWNTestimony
Cc: micahalameda@gmail.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/7/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments:

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BEFORE THE COMMITTEE ON HAWAIIAN AFFAIRS

Hawaii State Legislature
February 7, 2017

Senate Bill 849
Relating to Hawaiian Homes Commission Act

Aloha Chair Shimabukuro, Vice Chair Galuteria and Members of the Committee,

The Ka Lāhui Hawaii Political Action Committee (KPAC) supports SB849 which would lower the required blood quantum to one-thirty-second Hawaiian for certain successors to Hawaiian Home Lands Lessees. The lowering of the blood quantum for successors would help ensure that lands remain in Kanaka Maoli families for generations to come.

The lowering of blood quantum should only be used for successors who are related to Hawaiian Home Lands Lessees. With over 20,000 applicants on the list waiting to receive land awards the State Legislature should work to ensure that the needs of the 50% plus quantum lessees are addressed in a timely manner by properly funding the Department of Hawaiian Home Lands. Studies have shown that Kanaka Maoli have shorter life expectancies, higher infant mortality rates and are much more likely to die from controllable diseases like diabetes than other ethnicities in Hawai'i. This is a travesty for the Kanaka Maoli people who often wait years to receive a homestead award with many dying on the waitlist.

Respectfully submitted,

M. Healani Sonoda-Pale
Chair, KPAC



February 6, 2017

Testimony of Robin Puanani Danner, SCHHA Chairman
To the Senate Committee on Hawaiian Affairs
Hearing Dated February 7, 2017

RE: SB849 – on Blood Quantum for the HHCA
Support with Revisions

Aloha Honorable Committee Chairman and Members:

My name is Robin Puanani Danner, and I am the elected chairman of the Sovereign Councils of the Hawaiian Homeland Assembly (SCHHA), the oldest and largest organization unifying Hawaiian Home Lands (HHL) community leaders and self-governing homestead associations throughout the state of Hawaii. The SCHHA represents the interests of native Hawaiians eligible under the federal Hawaiian Homes Commission Act (HHCA) of 1921.

The SCHHA is organized by regional island MokuPuni executives into a statewide governance structure of its Executive Council. While the Executive Council through the Chairman's office, will express the statewide policy priorities, we encourage our island MokuPuni leaders to express policy priorities on a myriad of issues impacting regional areas.

The SCHHA Executive Council hereby registers its support for SB849 with revisions, which has been a policy priority of its homestead leaders for the last 5 years. We mahalo DHHL and Governor Ige for taking a position to advance this policy priority. The SCHHA participated in 2 years of listening sessions in 2012 and 2013 on this important topic.

What SB849 Does – Original Lessee versus Successor

While we support the reduction of blood quantum for successors of an original lessee, we want to reiterate to avoid any confusion, that we support the eligibility for an original homestead lease award remains at a 50% blood quantum to honor the tens of thousands on the wait list to receive an original land award. We support SB849 which is the lowering of the blood quantum for successors from the current state of the law, from one quarter to one thirty-second.

To be clear – SB849 does NOT lower the blood quantum to obtain an original homestead lease of land. It has no impact to the waitlist, particularly when one understands that the HHCA was never intended to give land to a native Hawaiian by taking land from another native Hawaiian, essentially through some type of revolving homestead award cycle that waits for native Hawaiians to die or run out of relatives before serving anyone else. The HHCA was intended to give land to native Hawaiians from an inventory of lands set-aside by the U.S. Congress, of which even after 100 years, 75% has not been developed and issued to any beneficiary.

To be clear, the reason there is a terribly high waitlist, is not because those on the land haven't died fast enough. It was never the intent of Prince Kuhio to issue lands this way. The reason is because the Territory before 1959 and DHHL after 1961 when it was created, has purposely failed to issue lands to those on the waitlist in an efficient and meaningful way, via prudent financial management or deliberate action to do so. Instead, a history of land management of just the last 35 years, tells the real story, that DHHL has issued more lands to non-beneficiaries and continues to do so, for secondary purposes of the HHCA. For example, in 1978, over 115,000 acres out of 200,000 acres were leased by DHHL to non-beneficiaries for non-homesteading purposes, to non-beneficiaries for commercial purposes, or to other

state agencies. In 2009, that total was still as high as 65,000 acres. As a point of understanding, today in 2017, out of the 200,000 acres of trust lands, a mere 40,000 acres has been issued in homesteading to beneficiaries.

This amendment impacts not only those on the land, approximately 10,000 lessees, but also 29,000 beneficiaries on the waitlist for the 160,000 acres in our land inventory that are either unencumbered or issued for non-homesteading purposes.

SB849 Is Too Shallow – Stops Short of Being Meaningful

We support SB849, however, we must testify that SB849 is shallow, nearly meaningless in the day-to-day reality of lives, and may not be worthy of a major amendment that will require the consideration of the U.S. Congress in the next 2 – 3 years. We believe SB849 should amend the HHCA in such a way that it becomes worthy of Congressional consideration.

In its present form, SB849 DOES NOT represent the mana'o the SCHHA collected over a 2-year period from beneficiaries on the land and on the waitlist, that provided intelligent and thoughtful policy approaches to improve the lives of real people, within the reality we live in on a day-to-day basis.

For example, SB849 ONLY amends the blood quantum of a successor under HHCA Section 209 reserved ONLY for the cases wherein a lessee dies, and not before. It should be understood that the lowering of the blood quantum to 1/32nd under SB849, will ONLY be possible at Death. An unrealistic and near meaningless option when one considers the realities of the economic world we must live and survive in.

For example – a lessee that has a child or a grandchild of 1/32nd blood quantum that he or she wants to succeed the lease to, would have to wait until his or her death for that named successor to have any rights, or more importantly, to take on the kuleana of the homestead and coordinate the financial foundations required to accept the succession. It's completely reasonable to play this out to see that the intended successor would very likely be in their 40's or even 50's, even as a grandchild to the lessee, to be able to succeed to the leasehold.

To be very pointed, SB849, does nothing for the descendants that HHCA beneficiaries indicated to the SCHHA during its 2 years of listening sessions, that they cared about when contemplating lowering of the blood quantum. And that is, that descendants in the dawn of young adult lives, children and grandchildren in their 20's and 30's would be able to succeed, finance homes, start and raise their own families through the succession of a homestead lease. SB849 kills that hope and dream, because it only amends HHCA 209 that impacts the eligibility of a successor at DEATH. This is particularly detrimental to farming and ranching homesteads.

To address this issue, and enact a meaningful HHCA amendment that has the intended impact by which beneficiaries spent 2 years contemplating it, and frankly, lines up with the reality of the financial commitments necessary by all potential parties of a succession, the cycles of aging and life, and the reality of planning that is best done during the sun-setting years of our lives, is to ALSO amend HHCA Section 208 to have the same impact as the Section 209 amendment.

Section 208 currently allows a successor to not have to wait for a lessee to die. Rightfully so, it allows a lessee to deliberately plan, to name a successor (currently at one quarter blood quantum), and to complete a transfer to that successor, while alive, and while the successor is entering the years of their lives where the most beneficial succession of kuleana occurs, in the 20's and 30's of a successor. This is especially powerful for farmers and ranchers – where, the succession of farm life does not occur from an 80-year-old, to a 50-year-old. No, the best positioning for knowledge, but the all-important life planning and financing reality, is in one's 20's and 30's.

SB849 is quite shallow in amending HHCA Section 209, without also amending Section 208, as was done when the very first lowering of blood quantum was enacted by the Legislature and the U.S. Congress.

SB849, without the revision also to Section 208, merely sets our community up to fail, to create more confusion, more heartache, and in a position of lifelong uncertainty, needlessly. Lessees of the HHCA should be given more than that – they should be given what they have now, the ability to perpetuate the succession of their homesteads before they die, to give their successors every chance for success, based on what the lessee decides.

1982 to 2005 Legislative History

For those that have fears about an unfriendly Congress, the legislative history shows that once the Hawaii Legislature enacts an amendment, it takes between 2 and 7 years before the amendment is acted on by the federal government.

In prior legislative sessions, the Hawaii Legislature understood the powerful and important connection between Section 209 and Section 208. Attached is a quick overview of the legislative history. In it, you will find that when the Legislature amended the Death Section of 209 to lower blood quantum to 1/4, it followed up with a correction to also amend the Life Section 208 to match the blood quantum within a few years. It was prudent and remains prudent.

It should also be noted, that DHHL successfully pursued an amendment in 2001 to obtain authorization to mandate that any successor be required to obtain private financing to pay off any loans outstanding in DHHL’s loan portfolio. Clearly, DHHL took care of itself, but in SB849, gave no thought to beneficiaries that would be in their 40’s, 50’s and 60’s to effectuate a successorship to 1/32nd as currently proposed in SB849.

SCHHA Recommendation

The Executive Council of the SCHHA supports SB849 that amends Section 209, with the prudent complimentary amendment of 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.

Indeed, and for the record, at the 2016 Homestead Statewide Policy Caucus, SCHHA members adopted a policy position to go beyond siblings to be “any individual of 1/32 that is connected to the lessee by genealogy”.

Thank you for the opportunity to provide comment of this matter of serious interest to the SCHHA and our people.

Sincerely,



Robin Puanani Danner
SCHHA Chairman

CC: SCHHA Executive Council and Homestead Association Members
SCHHA Chairman Emeritus, Kamaki Kanahele

**Quick Overview of Amendments to
HHCA Section 209 (Death Successorship) and HHCA Section 208 (Alive Successorship)**

Date Initiated	Section 209 Changes (Death Successor)	Section 208 Changes (Alive Successor)
Hawaii 1982 Act 272 Feds 1986 PL 99-557	Amends Section 209 by reducing blood quantum for a spouse or children of lessees to qualify to succeed to a lessee's homestead lease, to eliminate the requirement that a homestead lessee designate a successor at the time of a homestead award, and to limit DHHLs ability to select a successor to a lease when a lessee fails to designate a successor. Congressionally Approved.	
Hawaii 1994 Act 37 Feds 1997 PL 105-21	Amends Section 209 by adding a new section under qualified relatives of decedent to include grandchildren. Before, it was spouses and children. Congressionally Approved.	
Hawaii 1999 Act 17 Feds 2003 DoI Approve		Amends Section 208 to clarify that lessees may, with the approval of the department, transfer interest to qualified relatives who are least ¼ Hawaiian (spouses, children, grandchildren). DoI: Congressional Review NOT required.
Hawaii 2001 Act 122 Feds 2009 DoI Approve	Amends Section 209 to authorize DHHL to REQUIRE a successor of a homestead lease due to death to secure private financing to repay any DHHL loans made from trust fund loan funds. Congressional Review NOT required.	
Hawaii 2002 Act 12 Feds 2009 Pending		Amends Section 208 to allow a homestead lessee who is at ¼ to transfer the leasehold interest to a sibling that is at least ¼. Adds SIBLINGS . DoI: Congressional Review IS Required.
Hawaii 2005 Act 16 Feds 2006 Pending	Amends Section 209 to allow a homestead lessee to designate a brother or sister who is at least ¼ to succeed to the homestead. Adds SIBLINGS . DoI: Congressional Review IS Required	

Result of this Legislative History

Must have 50% to be an original Lessee and **ONLY** Pass Down to 50% Successor of spouse & children.

Approved by Hawaii/Congress to Lower Successor by Death to 25% and adds Grandkids.

Approved by Hawaii/DoI to allow Successor in Life to 25% and Grandkids.

Approved by Hawaii/DoI to authorize DHHL to mandate Successor to get Private Financing

Approved by Hawaii/Pending Congress to add 25% Siblings to Successor in Life

Approved by Hawaii/Pending Congress to add 25% Siblings to Successor by Death

Result = Successor by Death AND Successor in Life allow for 25% for Spouses, Kids and Grandkids (No Siblings)

SB849 = **ONLY** allows Successor by Death to be 1/32nd. Should include Successor in Life & Add Siblings.



Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai`i 96807

SENATE COMMITTEE ON HAWAIIAN AFFAIRS SB 849 RELATING TO THE HAWAIIAN HOMES COMMISSION ACT

Tuesday, 02/07/17; 1:15 pm; Rm. 016

Aloha Madame Chair Shimabukuro, vice chair Galuteria and members of the Senate Hawaiian Affairs Committee. I am Annelle Amaral, president of the Association of Hawaiian Civic Clubs here to testify in support of Senate Bill 849 that deals with the blood quantum requirement to qualify for a lease under the Hawaiian Homes Commission Act.

The Hawaiian Civic Club movement began when Delegate to Congress Kalaniana'ole and a group of prominent Hawaiians established the Hawaiian Civic Club of Honolulu in 1918 to assist with the passage of the Hawaiian Homes Act of 1921. The Hawaiian Civic Club of Honolulu remains active and thriving as it prepares to celebrate a century of advocacy for Hawaiians.

There are currently five councils coordinating sixty seven component clubs throughout Hawaii and sixteen states on the continent. Consolidated as an Association, annual conventions bring all councils and member clubs together to discuss Association business as well as the overall conditions pertaining to all things Hawaiian. Resolution #16-3 passed by the Delegates in 2016 calls for:

Support the Reduction of the Minimum Hawaiian Blood Quantum Requirement of Certain Transferees of and Successors to Lessees of Hawaiian Home Lands from One-Quarter to One-Thirty-Second.

Prince Kuhio and his cohorts could see that Hawaiians were inter-marrying and understood that the pure blood quantum would lessen over time. The one-quarter requirement was their first choice, but the end result was not to be. A century later we are again confronted with the issue, and ask support for SB849 to place and keep more Hawaiians on homestead land. Mahalo.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 5:37 PM
To: HWNTestimony
Cc: kalani.johnston@yahoo.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/6/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kalani Johnston	Individual	Support	No

Comments: I am in support of bill SB849. I am a 4th generation Hawaiian Homesteader here on Molokai. I am afraid for my children and grandchildren making it almost impossible for our successors and beneficiaries to qualify for not meeting the current minimum Hawaiian blood quantum requirement. I fear to have all of the hard work from my tutu ultimately be lost because of this. By approving and passing this bill will also give us peace of mind upon our death; knowing that our children and our grandchildren can be rest assured and live in the home they were brought up in.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 5:36 PM
To: HWNTestimony
Cc: kalani.johnston@yahoo.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/6/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kalani Johnston	Individual	Support	No

Comments: I am in support of bill SB849. I am a 4th generation Hawaiian Homesteader here on Molokai. I am afraid for my children and grandchildren making it almost impossible for our successors and beneficiaries to qualify for not meeting the current minimum Hawaiian blood quantum requirement. I fear to have all of the hard work from my tutu ultimately be lost because of this. By approving and passing this bill will also give us peace of mind upon our death; knowing that our children and our grandchildren can be rest assured and live in the home they were brought up in.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 5:23 PM
To: HWNTestimony
Cc: Kapaakeahomestead@gmail.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/6/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Doreen Gaspar	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 5:11 PM
To: HWNTestimony
Cc: noelani01@yahoo.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/6/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments: I am writing to support Bill SB849. I am currently living in Hawaiian Homestead and a beneficiary. SB849 is important to me because upon my death passing; I want to ensure long-term tenancies to my beneficiaries and successors will ensure my children and future grandchildren can maintain the equity of our home that we've worked so hard to keep through generations. We all know that interracial marriages within the Hawaiian families create decedents of less than twenty-five per cent, making it almost impossible for our successors and beneficiaries to qualify for Hawaiian Homestead lands just for not meeting the current minimum Hawaiian blood quantum requirements. I am hopeful that you will recognize how important this is and be supportive of this bill SB849; as allowing for a reduction in blood quantum will allow for not only us but all other Hawaiian families and their descendants to continue living in our property home. By approving and passing this bill will also give us peace of mind upon our death; knowing that our children and our grandchildren can be rest assured and live in the home they were brought up in for generations to come.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 4:50 PM
To: HWNTestimony
Cc: kaimomuhlestein@yahoo.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/6/2017

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Submitted By	Organization	Testifier Position	Present at Hearing
Kaimo Muhlestein	Individual	Comments Only	No

Comments: Too many family waiting for homestead lot.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 2:02 PM
To: HWNTestimony
Cc: bokahui@laiopua.org
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/6/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Craig "Bo" Kahui	Individual	Support	No

Comments: I Support SB 849. My Children is 25% blood quantum, but want to ensure the legacy of my Kupuna's land is transferred to my heirs into perpetuity Mahalo

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COUNCIL FOR NATIVE HAWAIIAN ADVANCEMENT

2149 Lauwiliwili Street, Suite 200, Kapolei, Hawaii 96707

Tel: 808.596.8155/800.709.2642 • Fax: 808.596.8156/800.710.2642

www.hawaiiancouncil.org

TESTIMONY IN SUPPORT OF SB849 Hawaiian Home Lands; Successors; Blood Quantum

COMMITTEE ON HAWAIIAN AFFAIRS
Tuesday, February 7, 2017

Chair Shimabukuro, Vice Chair Galuteria and members of the Committee on Hawaiian Affairs, on behalf of the Council for Native Hawaiian Advancement (CNHA) and our Policy Center, I offer testimony in support of SB 849 which seeks to reduce the minimum Hawaiian blood quantum requirement of certain successors to lessees of Hawaiian Home Lands from one-quarter to one thirty-second.

While CNHA supports the reduction of blood quantum to 1/32, we recommend eliminating references to specific blood quantum. Alternatively, we propose an amendment that expands the definition of successor to include any lineal descendent by genealogy designated by the lessee.

Founded in 2001, CNHA is a Native Hawaii non-profit membership organization with more than 150 voting members. CNHA's mission is to enhance the well being of Hawaii through the cultural, political, economic, and community development of Native Hawaiians. At our Annual Native Hawaiian Convention, we convene a homestead caucus in partnership with the Sovereign Councils of the Hawaiian Homelands Assembly and work throughout the year with homestead leaders from across the state.

In 2013, CNHA adopted a policy priority to conduct Beneficiary Consultation with homestead and waitlist beneficiaries to discuss an amendment to the Hawaiian Homes Commission Act to address eligibility and stability of homestead beneficiaries, including blood quantum, how to address conflicts of interests of state versus beneficiary interests, and strengthening the self-determination of beneficiary organizations cited in the HHCA.

In 2014, CNHA worked with the SCHHA to do a round of statewide consultations with homestead leaders to get feedback on the issue of blood quantum. Homesteaders from across the state widely supported the lowering of blood quantum specifically for successors. However, due to the extensive waitlist where the average age of beneficiaries is 55, it was agreed that the 50% blood quantum be required to apply for the original lease. Beneficiaries of the HHCA that we consulted with agreed that until the State Department of Hawaiian Homelands can address the needs of the current waitlist, lowering the blood quantum for the initial lease would increase the current waitlist of more than 20,000 beneficiaries whose needs must be addressed.

Mahalo for the opportunity to provide testimony on this measure.

Michelle Kauhane
President & CEO

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 11:35 AM
To: HWNTestimony
Cc: kappywhite808@gmail.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/6/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
charlie white	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 11:21 AM
To: HWNTestimony
Cc: kaipelayo@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/6/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Alvin K Pelayo	Individual	Support	No

Comments: Aloha, I fully support SB849. 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 On behalf of my daughter: Growing up, I could never picture myself living anywhere else: Maui is my home. It is where my father was raised, and it is where his father chose to keep his roots as well. However, these days are not the days of past and neither is the real estate market. With the increase of luxury developments and decrease of affordable family homes, the housing options for my family are slim to none. These reasons are why I support SB849. A home is a legacy that should be able to be passed to one's descendants. Currently, should my father or uncle pass, we would be left homeless because neither my mother, myself, or my own children have the 25% blood quantum to inherit our house. Not only that, but my parents would have lost a considerable investment by paying off the home we are living in. Should our house be lost, that's would be the equivalent of losing a lifetime of work that our family put into realizing the dream of home ownership. I understand that the 25,000+ people who are still waiting on the list for a lease need a place to establish their legacies as well; however, I do not believe that it should be at the expense of uprooting other families. Not only would this create further disparity within the Hawaiian community, but it would not perpetuate the pono values that rubs off on everyone who spends time in the islands. Do the righteous thing and pass SB849 so other family's dreams can be realized as well. Zoe Pelayo

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To: HWNTestimony
Cc: Fedscoach001@hotmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/6/2017

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Submitted By	Organization	Testifier Position	Present at Hearing
Robert Kaaihue	Individual	Comments Only	No

Comments: I support the above proposal for SB 849.

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SB849
RELATING TO THE HAWAIIAN HOMES COMMISSION ACT
Senate Committee on Hawaiian Affairs

February 7, 2017

1:15 p.m.

Room 016

The Beneficiary, Advocacy and Empowerment Committee of the Office of Hawaiian Affairs (OHA) will recommend to the Board of Trustees a position of **SUPPORT** for SB849, 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 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 lease that has been in the family for several generations. This measure will help address those concerns, and will create incentives for lessees to invest in their homestead knowing their descendants will succeed to the lease, and provide valuable housing opportunities for their families.

For the foregoing reasons, OHA urges your Committee to **PASS** SB849. Mahalo nui for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 5, 2017 10:33 PM
To: HWNTestimony
Cc: faataatia09@gmail.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 5, 2017 10:33 PM
To: HWNTestimony
Cc: shaye4@hawaii.edu
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments:

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Cc: flauifi@hawaii.edu
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Faataatia Lauifi Sr.	Individual	Support	No

Comments:

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Senator Maile Shimabukuro Chair
Committee on Hawaiian Affairs
BILL NO. SB 849
Tuesday, February 07, 2017
1:15 p.m. Conference Room 016 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 1/32nd 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 2nd Residential Leases and then to Ho'olehua, Molokai (the 1st Agricultural leases). I have mango trees that are older than me and are still bearing fruit.

So, this year we are going to celebrate our 94th 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 SB 849 for our future generations and funding DHHL makes 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

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Sent: Sunday, February 5, 2017 9:44 PM
To: HWNTestimony
Cc: maliolani69@yahoo.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
ASTI MERINO	Individual	Support	No

Comments:

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To: HWNTestimony
Cc: KANOELEHUA11@GMAIL.COM
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
KANOE MERINO	Individual	Support	No

Comments:

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To: HWNTestimony
Cc: rsmarciel@gmail.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Marciel	Individual	Support	No

Comments:

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MAULILI W. G. DICKSON
65-1234 Puu Opelu Road
Kamuela, HI 96743
PH: 808 885-8676

February 4, 2017

Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

Re: SB 849 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.

**To the Committee Chairs and Members of the Senate Committees on Hawaiian Affairs and
Ways and Means:**

Aloha cCommittee Chairs and Members:

My name is Maulili Dickson. I am a long-time member of the Hawaiian Civic Club movement and I write in strong support of SB 849 under consideration by your committees for the following reasons:

1. It meets with Prince Jonah Kuhio's original intent for his people, namely, a 1/32 blood quantum;
2. It will keep Hawaiians, raised on Hawaiian Homes lands by their Kupuna and families on the land supporting the ohana, fostering a continuing support system that is part of Hawaii;
3. It will allow transfers of land to beneficiaries who are family but are outside the strict requirements currently prescribed in the Hawaiian Homes Act;
4. It will significantly decrease Hawaii's homeless situation by keeping Hawaiians with their families on family lands;
5. It would not take available lands away from those already qualified and on the waiting list;
6. So much was taken from the Hawaiian people in the overthrow and annexation. Healing and wholeness for the Hawaiian people will come from being with family on precious land intended for Hawaiian people.

I am grateful for this opportunity to submit testimony to your esteemed committees.

Mahalo nui loa,
Maulili Dickson
65-1234 Puu Opelu Road
Kamuela, HI. 96743

EDITH KAWAI
65-1234 Puu Opelu Road
Kamuela, HI 96743
PH: 808 987-6288

February 5, 2017

Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

Re: SB 849 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.

**To the Committee Chairs and Members of the Senate Committees on Hawaiian Affairs and
Ways and Means:**

Aloha kakou and greetings from the chilly Kipu`upu`u swept hills of Waimea! My name is Edith Kawai. My grandparents, Harry and Lehua Kawai, were Hawaiian Home awardees in the very first Hawaiian Homes award grants in the Nienie area on the slopes of Mauna Kea. My brother, their beneficiary, continues to make his home there on the ranch some 66 years after they received their award. Like so many other families, my grandparents, parents, siblings, children and nephew, we have all invested our aloha and mana into the life of the land. The richness of the memories, family traditions and way of life cannot be valued except in our hearts through the generations.

I write in strong support of SB 849. As the co-drafter of the Waimea Hawaiian Civic Club's Resolution 16-3 to the Association of Hawaiian Civic Club's 2016 convention, in **SUPPORT THE REDUCTION OF THE MINIMUM HAWAIIAN BLOOD QUANTUM REQUIREMENT OF CERTAIN TRANSFEREES OF AND SUCCESSORS TO LESSEES OF HAWAIIAN HOME LANDS FROM ONE-QUARTER TO ONE-THIRTY-SECOND**, which passed unanimously, I believe that there are many reasons to support them. Chief among the reasons is that at least two more generations of my family will be able to have a foundation in and with their ohana on the land. The trend of intermarriage over the generations since Prince Kuhio first introduced what would be a life-changing measure for his people, has seen fewer and fewer people of Hawaiian blood able to share in Kuhio's dream. Because land is so expensive and hard to come by, an "us against them" dis-ease has grown up amongst our people. How sad to be pitted against each other for limited resources when our numbers as Hawaii Maoli are dwindling. Aloha nō! With the successful passing of this bill and its House companion, HB 451, more of those already on the land would be able to open their arms to a broader range of ohana, people who would have no chance at all to enjoy this gift, people who would be displaced but for this measure. Hawaiian families could become stronger in themselves; rehabilitation as Kuhio intended it.

I know the `eha that Hawaiians already many years on the waiting list feel when they believe that the land that might have been returned to the available award lands will be denied to them. There is hope for those on the list now and in the future: Many thousands of acres yet remain which are part of the Hawaiian Homes lands and the DHHL has a duty to develop these lands to carry out the intent of the Hawaiian Homes Act.

The Hawaii State legislature recognizes, through the Admissions Act of 1959, §4, that the State of Hawaii has a fiduciary duty to support the rehabilitation of the Hawaiian people, in part by ensuring long-term tenancies to beneficiaries, transferees, and successors of beneficiaries under the Hawaiian Homes Commission Act, 1921, as amended.

The “federal government set aside public lands to be considered Hawaiian home lands, to be utilized in the rehabilitation of native Hawaiians, thereby undertaking a trust obligation benefitting the aboriginal people, and the State of Hawaii assumed this fiduciary obligation upon being admitted into the union as a state. See Ahuna v. Department of Hawaiian Home Lands, 64 Haw. 327, 640 P.2d 1161 (1982).

On behalf of my children, grandchildren and nā kamalei yet to be born, I mahalo you for even considering this bill. I implore you to support it in its entirety. Almost everything was taken from the Hawaiian people, their lands and their sovereignty. The successful passing of this Bill is a response directly to Kuhio for his people.

Mahalo iho nō,
Edith Kawai
EDITH KAWAI

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 5, 2017 4:06 PM
To: HWNTestimony
Cc: moikehajr@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments: Please support this bill giving successorship to those of 1/32nd blood quantum. It is what Prince Jonah Kuhio envisioned when he fought for the Hawaiian People to get lands for them to live and thrive on. Thank you for seeing his vision for the Kanaka Maoli.

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To: HWNTestimony
Cc: dkanealii02@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Kanealii	Kailapa Community Association	Support	No

Comments: Please support SB 849 which reduces the blood quantum from 1/4th to 1/32nd for successorship. This allows beneficiaries on the land to pass it down to their children and grandchildren which is meant to keep the families on the land for perpetuity as Prince Kuhio wanted. It IS the right thing to do. Mahalo

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To: HWNTestimony
Cc: mkkapuniai@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments: /Users/Kanani/Desktop/Users/Kanani/Desktop/AOHCC Resolution 16-3 001-2 (dragged).tif/MK SB849.docx/Users/Kanani/Desktop/AOHCC Resolution 16-3 001.tif
There are 3 documents: 1 - Testimony 2 & 3 AOHCC Certified Resolution 16-3 Please contact if you have not received them. Thank you!

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To: HWNTestimony
Cc: lady.flach@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/5/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments: The blood quantum requirement should be eliminated entirely. We have genealogy that is more reflective of who is Hawaiian and who is not.

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Sent: Saturday, February 4, 2017 9:50 PM
To: HWNTestimony
Cc: rosiedavis777@yahoo.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/4/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Rosie F Davis	Individual	Support	No

Comments:

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Sent: Friday, February 3, 2017 5:42 PM
To: HWNTestimony
Cc: jflowers7733@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jerry Wayne Flowers Jr	Individual	Support	No

Comments: I am For this Bill due to it will help our Hawaiians who are less than 25% be able to stay on their Hawaiian Land and even their children have a chance to become a DHHL Recipient as well.

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To: HWNTestimony
Cc: naregion9@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments: In support of SB849.

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Sent: Friday, February 3, 2017 1:57 PM
To: HWNTestimony
Cc: hynmahi@yahoo.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
carol lee kamekona	Individual	Support	No

Comments: I am strongly in support of the lowering of the blood quantum for successors of leases of Hawaiian Homelands as issued through the Hawaiian Homes Commission Act of 1920. With the many inter-racial marriages of our Kanaka Maoli, beneficiaries/lessees should feel comforted knowing their descendants will maintain leases in perpetuity. This I feel can be proven through lineage/mo'okū'auhau. Mahalo for your consideration.

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Shane Nelsen
82-6026 Manini Beach Road
Captain Cook, HI 96704
shane.nelsen@gmail.com

SUPPORT SB 849
RELATING TO THE HAWAIIAN HOMES COMMISSION ACT

February 7, 2017 1:15PM Conference Room #016

Aloha Chair Shimabukuro and members of the Hawaiian Affairs Committee,

As a member and Chair to the Association of Hawaiian Civic Clubs' Benefits and Trusts Committee that advocates and monitors for the Ali'i and Public Trusts, to which we meet with clubs Nationwide annually to discuss and adopt topics impacting the Native Hawaiian community. The Association of Hawaiian Civic Clubs adopted a resolution¹ that **SUPPORT SB 849** in addition; I would like to encourage this committee to review and amend Section 208(5) of the Hawaiian Homes Commission Act of 1920, which is not mentioned in this measure, and would like to ensure consistency within the Hawaiian Homes Commission Act.

The resolution adopted by the Hawaiian Civic Clubs mentions that, "pursuant to the recent Federal Register Rules and Regulations regarding Land Exchange Procedures and Procedures to Amend the Hawaiian Homes Commission Act, 1920, 43 CFR Parts 47 and 48, RIN 190-AA-98, effective July 12, 2016, encourages the State of Hawai'i [to] enact a law reducing the minimum Hawaiian blood quantum requirement from one-quarter to one thirty-second pursuant to [both] Sections 208 and 209 of the Hawaiian Homes Commission Act".

The proposed measure may be confused with those on the "wait-list". When dealing with generational families of Native Hawaiian ancestry on Hawaiian Homes, it is their culture to pilina (connect) with the land. To uproot these families would mean to disconnect them from generational legacies and traditions and economic sustainability. The "wait-list" issue can be addressed by other departmental objectives such as the need for infrastructure and financial literacy and asset building for beneficiaries to qualify for mortgages. However, the need to lower the blood quantum for successor-ship would support economic and housing stability for future generations.

Therefore, I ask this committee to support SB 849. Mahalo for your time and consideration to hearing this testimony.

¹ Association of Hawaiian Civic Clubs Resolution No. 16-3; SUPPORT THE REDUCTION OF THE MINIMUM HAWAIIAN BLOOD QUANTUM REQUIREMENT OF CERTAIN TRANSFEREES OF AND SUCCESSORS TO LESSEES OF HAWAIIAN HOME LANDS FROM ONE-QUARTER TO ONE-THIRTY-SECOND. http://www.aohcc.org/images/stories/2016/Resolutions_FINAL_2016/AHCC-2016-Final-Resolutions-1---7.pdf

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 3, 2017 12:16 PM
To: HWNTestimony
Cc: rossdavis777@yahoo.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Gene Ross K. Davis	Individual	Support	Yes

Comments: I support SB849, HHL leases should be given in perpetuity to native Hawaiians who have met the requirements of the HHCA 1921. native Hawaiians need Legislative assistance through continued proper funding to implement rehabilitative program.

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To: HWNTestimony
Cc: micahalameda@gmail.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments:

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To: HWNTestimony
Cc: puanani67@aol.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/3/2017

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Submitted By	Organization	Testifier Position	Present at Hearing
Puanani Etcheverry	Individual	Support	No

Comments:

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Sent: Friday, February 3, 2017 10:15 AM
To: HWNTestimony
Cc: lilia@papakolea.org
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lilia Kapuniaia	Individual	Support	No

Comments: Aloha Chair Shimabukuro, Vice Chair Galuteria, and Committee Members: I am submitting testimony in STRONG SUPPORT OF SB849 RELATING TO THE HAWAIIAN HOMES COMMISSION ACT. I understand that the purpose of SB849 is to reduce the blood quantum of lessee successors from one quarter to one thirty-second. I am a third generation lessee, and upon my death, my 'ohana will be displaced from Papakōlea, and our other ancestral homestead lands that we call home. This bill will support the intent and purpose of the Hawaiian Homes Commission Act, as introduced by Prince Jonah Kuhio Kalaniana'ole. For these reasons, I submit this testimony in STRONG SUPPORT. Mahalo for the opportunity to submit testimony on SB849. E malama pono, Lilia Kapuniaia

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 3, 2017 9:55 AM
To: HWNTestimony
Cc: lawrence@molokaicommunityfcu.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lawrence K. Lasua	Kalamaula Homesteaders Association	Support	No

Comments: I'm in support of the blood quantum being lowered that will help all the homesteaders like myself and have my grand-children preserve our lineage with the benefits that My grandfather was able to start in 1920 as one of the original homesteaders on the island of Molokai in the district of Kalamaula. Lawrence K. Lasua 3rd Generation Kalamaula Homesteader Kalamaula, Molokai

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Sent: Friday, February 3, 2017 9:45 AM
To: HWNTestimony
Cc: rietfors.m@gmail.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Rietfors	Individual	Support	No

Comments: As a DHHL beneficiary I support this bill. While my husband is also Hawaiian, he has not been able to prove a high enough percentage on paper to allow us to pass on our home to our children. The purpose of Hawaiian Homelands is to get the people back on the land, correct? Well we finally got our land! Yet bc of improper documentation 4 generations ago we cannot keep this hawaiian land in our hawaiian family? Something is wrong with that notion. I am fine if original leases are still handed out to those 50% or higher, but allow us to pass on our land to our keiki, and our mo'opuna. Allow us to keep our invested time, effort, renovations, and literal blood sweat and tears invested in our home and our land within our family line! Keep the hawaiian people on the land and allow this lowering of blood quantum, allow us to live and thrive on our land! Thank you.

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Sent: Friday, February 3, 2017 7:38 AM
To: HWNTestimony
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for SB849 on Feb 7, 2017 13:15PM*

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

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

Comments:

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Sent: Friday, February 3, 2017 2:25 AM
To: HWNTestimony
Cc: mjellings@hawaii.rr.com
Subject: Submitted testimony for SB849 on Feb 7, 2017 13:15PM

SB849

Submitted on: 2/3/2017

Testimony for HWN on Feb 7, 2017 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Carl M Jellings Sr	Individual	Support	No

Comments: In Support Mahalo Carl P Jellings Sr

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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

For hearing Tuesday, February 7, 2017

Re: SB849 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!

SB849 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