

HB-600

Submitted on: 1/31/2019 10:01:54 AM

Testimony for WLH on 2/1/2019 10:30:00 AM

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

Comments:

It's past time to recognize and honor the people with kuleana lands.

HB-600

Submitted on: 1/31/2019 11:19:37 AM

Testimony for WLH on 2/1/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
M. Healani Sonoda-Pale	Individual	Support	Yes

Comments:

BEFORE THE HOUSE COMMITTEE ON WATER, LAND AND HAWAIIAN AFFAIRS

February 1, 2019

House Bill No. 600

Relating to Actions for Quiet Title

Aloha Chair Yamane, Vice Chair Todd and Members of the Committee,

KPAC submits the following testimony in SUPPORT of House Bill 600 which provides that where a quiet title action involves kuleana land, any defendant may request mandatory mediation to attempt to resolve the dispute and request consolidation into a single action. However, we do have suggested amendments to strengthen this bill so that it may better fulfill the original intent which is to provide additional protections to traditional Kuleana land owners.

Kuleana lands were granted to Kanaka Maoli tenant farmers between 1850 and 1855 and include gathering, access, and agricultural rights as well as the right to build a dwelling. Only 8,205 Kanaka Maoli received Kuleana lands that account for less than 1 percent of Hawaiian Kingdom lands. Many of these awards were adversely possessed by corporations like sugar and pineapple plantations but a precious few are still in the same families today keeping their ancestral tie to their lands. The Kanaka Maoli peoples own some of the worst socio economic, health and education statistics in the state. For

example, we make up almost 40% of the houseless population. Therefore, it is imperative that the State of Hawai'i help Kanaka Maoli stay on their ancestral lands. As people of the land, the well-being of Kanaka Maoli is intrinsically tied to the 'Ā• ina.

HB600 helps keep Kanaka Maoli families on their lands by alleviating the economic stress of defending themselves against Quiet actions. Having paid fees and taxes for these lands for 170 years many of these families don't have the economic means of hiring attorneys for costly court cases to defend their lands. KPAC supports the mandatory provisions in this measure for the following reasons:

1. Providing mandatory mediation helps to narrow down issues in dispute lowering costs of litigation especially for parties without attorneys. The sheer number of family members that are usually involved makes this avenue a better route rather than going directly to court.

2. Consolidating separate quiet title actions into one for the same kuleana land award will keep costs down for the defendants and prevent the Plaintiff from saying one thing in one case and another in another case.

3. Language that states that the Plaintiffs shall bear the cost of mediation or other court fees. There should be no situation where the defendants should have to bear the cost of mediation in order for someone trying to quiet title or "legally steal" their lands.

KPAC respectfully request that the House Water, Land, and Hawaiian Affairs strengthens this measure even more with the following amendments:

1. On page 1 line 6 after Kuleana Lands please add "due to their special status under Kingdom law and the state constitution"

2. Please delete everything after "mediation" on line 3 on page 5 OR delete lines 3 to 6 on page 5 altogether.

3. Make it mandatory for persons bringing quiet title action against Kuleana land owners to own at least 50% interests in the kuleana land.

Respectfully submitted,

M. Healani Sonoda-Pale

Chair, KPAC

HB-600

Submitted on: 1/31/2019 1:26:04 PM

Testimony for WLH on 2/1/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert P Aldrich	Individual	Comments	No

Comments:

I believe action on this bill should be delayed. The bill is way to vague. For example, It does not define if Hawaiian families are plaintiffs or is it the current landowner who wants to "clear" kuleana claims off of the title?

HB-600

Submitted on: 1/31/2019 2:46:27 PM

Testimony for WLH on 2/1/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments:

I SUPPORT HOUSE BILL 600:-Only 8,205 Kanaka Maoli received Kuleana lands that account for less than 1 percent of Hawaiian Kingdom lands. Many of these awards were adversely possessed by corporations like sugar and pineapple plantations but a precious few are still in the same families today keeping their ancestral tie to their lands.

yes

I SUPPORT HOUSE BILL 600:- Having paid fees and taxes for these lands for over 170 years many of these families don't have the economic means of hiring attorneys for costly court cases to defend their lands.

yes

I SUPPORT HOUSE BILL 600:- Mandatory mediation and consolidation of quiet title actions helps to reduce costs for Kanaka Maoli Kuleana land owners.

yes

I SUPPORT HOUSE BILL 600:-On page 1 line 6 afte Kuleana Lands please add "due to their special status under Kingdom law and the state constitution"

yes

I SUPPORT HOUSE BILL 600:-Please delete everything after "mediation" on line 3 on page 5 OR delete lines 3 to 6 on page 5 altogether.

yes

I SUPPORT HOUSE BILL 600:-Please amend this bill to only allow those with at least 50% interests in the Kuleana lands to take quiet title action.

yes

Additional Comments: Keep Kuleana safe

Form Host <http://www.123formbuilder.com/form-3601262/support-kuleana-land-owners-hb-600>

The message has been sent from 75.85.66.29 (United States) at 2019-01-31 07:01:05

Matthew Brederson
Charmaine Bugado
Wikolia Kaluna-Palafox
Kaniloa Kamaunu
Sheries Spencer
Nadine Mahiai
Trina Bashem
Chelseamay Pupuhi
Terry Miller
Joanne Samisoni
Varna Nakihei
Hilary Hacker
Shannon Rudolph
Cynthia Massa
Bradford Lum
Brian Jahn
Pernell Hanoa
Ke'eaumoku Kapu
Terry Shackleford Ho'okano
Theodora Akau-Gaspar
Kale'iliahi Lindsey
LeAnne Stephens
Phillip Stephens
Paul Robinson
Mokihana Iida
Ihikapalamaewa Maui
Lopaka Lonoaea
Hank Fergerstrom
Mapuana Lukela
Noelani Ahia
Raul Goodness
Wendy Green
Cheryl Burghardt
Mavis Oliveira-Medeiros
Jennifer Mitchell
Will Caron
Tina Nakone
Purdyka Wahilani
Theresa Fernandez
Linda Clark
Healani Pale
Shane Pale
Kaiulani Lambert
Joshua Vincent
Michale Hutchinson Sr.

LATE

HB-600

Submitted on: 1/31/2019 11:34:47 PM

Testimony for WLH on 2/1/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
A Kathleen Lee	Individual	Support	No

Comments:

Aloha Protectors of Hawai'i. This is your only real job ~ Protecting the citizenry of this great State! How many times do our real Hawaiian land the owners have to defend their land • "â" this is an absolute must . The basis of all democracy is the private ownership of land or we're completely gone into a communistic state!

Support the Principle of Justice,

April Lee

North Kohala

todd1 - Harrison

From: 123ContactForm <noreply@123formbuilder.io>
Sent: Thursday, January 31, 2019 7:26 AM
To: klhpoliticalactioncommittee@gmail.com; Rep. Ryan Yamane; Rep. Chris Todd; Rep. Sharon Har; Rep. Nicole Lowen; Rep. David A. Tarnas; Rep. Tina Wildberger; Rep. Cynthia Thielen; WLHtestimony
Subject: Testimony in SUPPORT of HB600



Dear House Water, Land and Hawaiian Affairs Committee-Chair Yamane yes

Dear House Water, Land and Hawaiian Affairs Committee-Vice Chair Todd yes

Dear House Water, Land and Hawaiian Affairs Committee-Representative Har yes

Dear House Water, Land and Hawaiian Affairs Committee-Representative Lowen yes

Dear House Water, Land and Hawaiian Affairs Committee-Representative Tarnas yes

Dear House Water, Land and Hawaiian Affairs Committee-Representative Wildberger yes

Dear House Water, Land and Hawaiian Affairs Committee-Representative Thielen yes

My name is-First Michael

My name is-Last Hutchinson Sr

I reside at Kapolei, Oahu

I am-non-Kanaka Maoli aka non-Native Hawaiian yes

I am-Registered to vote in Hawaii. yes

I SUPPORT HOUSE BILL 600:-
Kuleana lands were granted to Kanaka Maoli tenant farmers between 1850 and 1855 and include gathering, access, and agricultural rights as well as the right to build a dwelling. yes

I SUPPORT HOUSE BILL 600:-Only 8,205 Kanaka Maoli received Kuleana lands that account for less than 1 percent of Hawaiian Kingdom lands. Many of these awards were adversely possessed by corporations like sugar and pineapple plantations but a precious few are still in the same families today keeping their ancestral tie to their lands.

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Additional Comments: Keep Kuleana safe

Form Host <http://www.123formbuilder.com/form-3601262/support-kuleana-land-owners-hb-600>

The message has been sent from 75.85.66.29 (United States) at 2019-01-31 07:01:05

Kaylene Sheldon

Manoha Kaeo

Janelle Kanekoa

Donna Sterling

Gandharva Mahina Hou Ross

Kahaka Patolo

Tammy Lynn Ross

Jahanna Naganuma

WLHtestimony

From: 123ContactForm <noreply@123formbuilder.io>
Sent: Friday, February 1, 2019 6:47 AM
To: WLHtestimony
Subject: Testimony in SUPPORT of HB600

LATE

Dear House Water, Land and
Hawaiian Affairs Committee-
Chair Yamane yes

LATE

Dear House Water, Land and
Hawaiian Affairs Committee-
Vice Chair Todd yes

Dear House Water, Land and
Hawaiian Affairs Committee-
Representative Har yes

LATE

Dear House Water, Land and
Hawaiian Affairs Committee-
Representative Lowen yes

Dear House Water, Land and
Hawaiian Affairs Committee-
Representative Tarnas yes

Dear House Water, Land and
Hawaiian Affairs Committee-
Representative Wildberger yes

Dear House Water, Land and
Hawaiian Affairs Committee-
Representative Thielen yes

My name is Kyle Nakanelua

My email is kyle.nakanelua@gmail.com

I reside at Haiku Maui

I am-Kanaka Maoli aka Native
Hawaiian yes

I am-Registered to vote in
Hawaii. yes

I SUPPORT HOUSE BILL 600:-
Kuleana lands were granted to
Kanaka Maoli tenant farmers
between 1850 and 1855 and yes
include gathering, access, and
agricultural rights as well as the
right to build a dwelling.

I SUPPORT HOUSE BILL 600:-

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yes

I SUPPORT HOUSE BILL 600:-

Please delete everything after "mediation" on line 3 on page 5 OR delete lines 3 to 6 on page 5 altogether.

yes

I SUPPORT HOUSE BILL 600:-

Please amend this bill to only allow those with at least 50% interests in the Kuleana lands to take quiet title action.

yes

Kyle Nakanelua
Kapua Keliikoa-Kamai
Meredith Buck
Paul Keahi
Danielle Lyman
Sharron Cushman
KÄhealani Alapaâ€™i
Rhonda Vincent
Kauluwehiokalani Eli
Mary Pale
Kyle Nakanelua
Kapua Keliikoa-Kamai
Meredith Buck
Paul Keahi
Danielle Lyman
Noe Kauhaahaa
Jocelyn Pupuhi
Kehaulani Nahooikaika
September Keahi
Clayton=Paul Nahooikaika
RoseMary Malihini Keahi-Heath
Shayne Nameaeea Hoshino
Beverly Shamblin
Tanya Pale
Krystal Buck
Kailana Moa-eli
mapuana pali
Marguerite Etemad
jacqueline hala
Rochelle Kapu
Dwight Baldwin
Jacob Kaneakua
kaponu kahanaloa-Antunez
Hana Malaqui
Jacob Kapu