

March 5, 2021

TO: THE SENATE, THIRTY-FIRST LEGISLATURE, REGULAR SESSION OF 2021
COMMITTEE ON HAWAIIAN AFFAIRS
Senator Maile S. L. Shimabukuro, Chair
Senator Jarrett Keohokalole, Vice-Chair
Members of the Committee

FROM: Pauline N. Namuo, Commissioner, Oahu
Hawaiian Homes Commission

Thank you for the opportunity to testify on behalf of these gubernatorial nominees.

Today, I submit my strong support for the consideration and nomination to the Hawaiian Homes Commission, Gubernatorial Nominees:

GM 578 Dennis Neves
GM 576 David Kaapu
GM 577 Michael Kaleikini

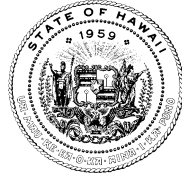
I submit this testimony in wholehearted support of these three gentlemen who have dedicated their lives to the enrichment of our Hawaiian people. As the fledgling Commissioner, I am honored to be serving with these men. I am enthralled with their banter, their intelligence, and their never ending knowledge of our culture and people in their respective locales. I am humbled in their company. We may not agree on all matters but we definitely come together for the love of our people. They are extremely worthy of their nominations and will be exemplary if you so agree.

Respectfully submitted,

Pauline N. Namuo, Commissioner, Oahu
Hawaiian Homes Commission

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

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

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF WILLIAM J. AILA, JR, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS
HEARING ON MARCH 9, 2021 AT 1:00 PM VIA VIDEOCONFERENCE

IN SUPPORT OF

GM576

for consideration and confirmation to the Hawaiian Homes Commission,
Gubernatorial Nominee, **DAVID KAAPU**,
for a term to expire 06-30-2025

March 9, 2021

Aloha Chair Shimabukuro, Vice Chair Keohokalole, and members of the Committee:

It is an honor to provide this testimony in support of Governor Ige's nomination of Mr. David Kaapu to continue his service on the Hawaiian Homes Commission (HHC). Mr. Kaapu has been serving on the Commission since his appointment in 2014 and we are grateful for his willingness to serve the maximum time allowed for a Commissioner.

Mr. Kaapu brings 33 years of law practice experience and active community participation living in Waimea, Hawaii Island to this public service. He is well established in West Hawaii as a pillar in his community and has served on the boards of the Hawaii Community Federal Credit Union, the Hawaii Community Foundation, and the Agricultural Leadership Foundation of Hawaii.

Mr. Kaapu takes his service on the Commission very seriously and is clearly qualified to serve. We respectfully ask your committee to advise and consent to this nomination, and thank you for your consideration of our testimony.

Governor's Message No. 576, Nomination of David Kaapu to the Hawaiian Homes Commission.

This letter is in response to Governor's Message No. 576, regarding your nomination to the Hawaiian Homes Commission. To assist the Senate with its constitutionally mandated responsibility to confirm gubernatorial nominees, submission of the following information is required:

- (1) A description of your experience with respect to the scope of responsibilities for the Department of Hawaiian Home Lands and the Hawaiian Homes Commission, or any related field;
- (2) An assessment of your strengths and weaknesses;
- (3) An assessment of the department's strengths and weaknesses. Please include an explanation of how the department's strengths may be best utilized, as well as how the department's weaknesses may be improved;
- (4) An overall vision for the department, specifically what goals can be accomplished within the next four years and what types of annual benchmarks can be used to evaluate the department/agency's progress towards those goals;
- (5) The department's top budgetary priority for the biennium;
- (6) An assessment of the department staff's morale, including the turnover rate for personnel; and
- (7) Any foreseeable possible conflicts of interest that could arise during your service in the department and how you would overcome them.

DAVID B. KA'APU

Attorney at Law

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65-1231 Opelo Road

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February 23, 2021

Senator Maile S.L. Shimabukuro
Chair, Senate Committee on Hawaiian Affairs
Hawai'i State Capitol, Room 222
415 S. Beretania Street
Honolulu, HI 96813

Aloha Senator Shimabukuro,

Thank you for the opportunity to apply for another term as a Hawaiian Homes Commissioner. Below is my submission of information to assist the Senate with its constitutionally mandated responsibility to confirm gubernatorial nominees:

Question 1)

I am an attorney by profession have served on the Hawaiian Homes Commission for the past seven years. I currently serve as Vice Chair for the Commission and fill in for the Chairman when he cannot be there. When Chair has been conflicted for contested case hearings, I have conducted the contested cases including conducting hearings and drafting findings of fact and conclusions of law. I have a good grounding in the Hawaiian Homes Commission Act, the Hawaii Administrative Rules applicable to the Commission and our Commission Policies and Procedures. I have also been asked to serve on many permitted interaction committees over the years and currently serve on the Pastoral Committee, Investment Committee, and the King's Landing Committee. I believe that my experience provides necessary institutional knowledge to other commissioners who have not served as long and if confirmed, I look forward to assisting in whatever capacity I can.

Question 2)

My law practice is focused on real estate, title issues and business law so I bring 33 years of that experience to the table and see that as a strength. In addition, I see my previous seven years of service on the Commission as a strength because I have been involved in so many aspects that affect the Commission and Department. Although we only meet once a month generally, I do volunteer much more time in working with Committee assignments and responding to beneficiaries' concerns.

I think my weaknesses include the inability to commit more time to the Commission efforts and spending more time listening to beneficiaries, due to my workload.

Question 3)

Department strengths include committed employees and a commitment to carry out Commission policies. We have made great strides in completing new administrative rules which are designed to bring consistency to treatment of beneficiary issues.

Department weaknesses concern the inability to fill positions thus being short staffed. As such, priority projects take much longer to complete than they should. For example, the roll out of administrative rules for ROE's has taken longer than expected. The good news is that they have been completed and we will be looking forward to awarding these to beneficiaries in the near future.

Question 4)

I would like to see the Commission review the waitlist, prioritize waitlist categories and create policies to address each category. For example, 60% of those on the waitlist are owners of fee simple property. Many beneficiaries have leases but are waitlisted for agricultural lots or pastoral lots. I would like to see a priority for those who have never received an offer and who do not currently own fee simple land. I would also like to see those with "pending" designation on their applications have a determination as to whether they are beneficiaries or not. The above would help to clarify the priorities of the Commission in addressing the waitlist and hopefully assist those who need the help the most.

I would like to see an implementation of our investment policy as I think that this provides the Department with an additional revenue stream.

With the rollout of subsistence ag lots program, I believe that the Department will be able to provide hundreds if not thousands of beneficiaries with lots .

Finally, the Commission recently authorized a pilot project utilizing NHRF funds to provide down payments for beneficiaries to purchase fee simple properties which would further diminish the waitlist. This effort would allow more monies to go directly to beneficiaries and reduce the need for the considerable amounts of monies as would be required to build out a new subdivision infrastructure. I am hopeful that the legislature and the Federal Government can further support this effort.

Question 5)

The Department's top budgetary priorities always concern providing lots and housing for our beneficiaries and loans to support same. We have also supported beneficiaries who are interested in agriculture.

Question 6)

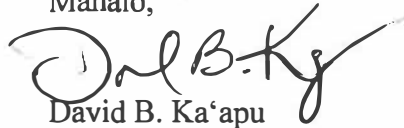
Generally, I believe that the morale is fairly good especially considering the staff shortages, archaic computer infrastructure and the need to complete numerous Commission directives. I feel that the staff does the best they can with what they have and as Commissioner, I appreciate what they are able to accomplish.

Question 7)

I do not foresee any conflicts of interest. I do have clients that are beneficiaries; however, I then recuse myself from any discussion and/or decision making. The same would apply to any business clients who were interested in doing business with the Department.

If you need further information, please feel free to contact me. I appreciate the opportunity to continue serving as a Commissioner with the Hawaiian Homes Commission.

Mahalo,

A handwritten signature in black ink, appearing to read "D. B. Ka'apu". The signature is fluid and cursive, with a large initial "D" and "B".

David B. Ka'apu

March 9, 2021

COMMITTEE ON HAWAIIAN AFFAIRS

Senator Maile S.L. Shimabukuro, Chair

Senator Jarrett Keohokalole, Vice Chair

RE: GM 576 Submitting for consideration and confirmation to the Hawaiian Homes Commission, Gubernatorial Nominee, DAVID KAAPU, for a term to expire 06-30-2025

Aloha e Senator Shimabukuro, Chair, Senator Keohokalole, Vice Chair and members of the committee,

My name is Homelani Schaedel, a beneficiary of the Hawaiian Homes Commission Act of 1920, as amended (HHCA).

Commissioner Kaapu's presence on the Commission since June 2014 has provided much needed continuity; that he is willing to extend for another term reflects his strong commitment to serve beneficiaries of the HHCA.

In the past 12 years I have gone before the Hawaiian Homes Commission to address and request assistance on issues of importance to my homestead and our ahupua'a, supported or opposed various projects, and testified on agenzized items. Commissioner Kaapu is professional, respectful, and not afraid to ask the hard questions.

As the West Hawai'i Commissioner, he has been an essential and contributing member of the Commission offering invaluable expertise and insight on issues related to land and water, with a genuine interest and concern for beneficiaries in this district.

Commissioner Kaapu's intellect, fairness, and willingness to stand firm on his conviction, coupled with his upbeat personality and a sprinkle of humor leaves an unforgettable impression.

It is my pleasure to offer my strong support for Commissioner Kaapu's confirmation to the Hawaiian Homes Commission.

Mahalo for the opportunity to share my mana'o.

LATE

COMMITTEE ON HAWAIIAN AFFAIRS

Senator Maile S. L. Shimabukuro, Chair

Senator Jarrett Keohokalole, Vice-Chair

Members of the Committee

HEARING DATE: Tuesday, March 9, 2021

Support for Hawaiian Homes Commission, Gubernatorial Nominees:

GM 576 David Kaapu

GM 577 Michael Kaleikini

GM 578 Dennis Neves

Aloha Madame Chair and Senators of the Hawaiian Affairs Committee,

I work for the Department of Hawaiian Home Lands, but today I am testifying as an individual. I am a native Hawaiian, a beneficiary of the Trust (O'ahu Residential Waitlist #7320), raised on a homestead in Hoolehua, Molokai.

Public service in any area is no small feat, but a volunteer policy-maker for the betterment of native Hawaiians is special. Commissioners are asked to accomplish an almost impossible task, affecting thousands of native Hawaiians and their familial legacies. With limited resources and a growing beneficiary class, the charge is daunting.

All three of these gentlemen have proven worthy advocates of the Trust's beneficiaries and continue to do their best to improve the policies that affect them.

I strongly support the confirmation of David Kaapu, Michael Kaleikini, and Dennis Neves Hawaiian Home Lands.

Leatrice W. Burrows-Nuuanu

wailaahia@gmail.com

LATE

GM-576

Submitted on: 3/8/2021 5:03:14 PM

Testimony for HWN on 3/9/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rayne Kauhi	Individual	Support	No

Comments:

I Strongly Support Mr. Kaapu.

LATE

3-8-2021

COMMMITEE ON HAWAIIAN AFFAIRS

TO : SENATOR MAILE SHIMABUKURO, COMMITTEE MEMBERS
FROM : RANDY AWO - SUBMITTAL OF WRITTEN TESTIMONY
REGARDING : **GM 576** CONSIDERATION AND CONFIRMWATION FOR THE HAWAIIAN HOMES
COMMISSION, **GUBANATORIAL NOMINEE DAVID KA'APU**

WRITTEN TESTIMONY

Aloha Senator Shimabukuro, Committee Members.

Please accept this document as written testimony in support of **DAVID KA'APU** to be confirmed to the Hawaiian Homes Commission to serve for a term to expire June 30, 2025.

Mahalo – Randy K. Awo

GM-576

Submitted on: 3/8/2021 11:20:58 PM

Testimony for HWN on 3/9/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Kauhi	Individual	Support	No

Comments:

Strongly Support