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HAWAII



SUZANNE D. CASE
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BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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DEPUTY DIRECTOR - WATER

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BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
FINANCE

Wednesday, March 31, 2021
2:30 PM

State Capitol, Via Videoconference, Conference Room 308

In consideration of
SENATE BILL 1409, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS

Senate Bill 1409, Senate Draft 2, House Draft 1 proposes to prohibit council, board, and commission members from serving if a member has not completed, within the requisite time (1 year), the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility. **The Department of Land and Natural Resources (Department) opposes this bill and provides amendments.**

The Department does not believe members appointed by the Governor should be unseated for not taking the course on Native Hawaiian legal rights and suggests striking the following language (bracketed and highlighted in grey) on pages 4-5 from Senate Bill 1409, Senate Draft 2, House Draft 1:

"**[+]§10-42[+]** Training relating to native Hawaiian and Hawaiian traditional and customary rights, natural resources and access rights, and the public trust. (a) All council, board, and commission members identified in section 10-41(a) shall complete the training course administered by the office of Hawaiian affairs pursuant to this section within twelve months

of the date of the member's initial appointment[-] ~~[or~~
~~reappointment. All newly appointed or reappointed members who~~
~~fail to complete the training course within the required time~~
~~period shall be:~~

~~(1) Prohibited from serving on a permitted interaction~~
~~group or voting on a matter before their respective~~
~~council, board, or commission until the mandatory~~
~~training course is completed; and~~

~~(2) Removed from their respective council, board, or~~
~~commission at the end of the regular legislative~~
~~session following their deadline to complete the~~
~~training course; provided that members shall not be~~
~~removed if they complete the mandatory training course~~
~~or obtain the advice and consent of the senate to~~
~~continue serving on their respective council, board,~~
~~or commission by the end of the regular legislative~~
~~session following their deadline to complete the~~
~~training course.~~

~~(b) Individual votes taken by council, board, and~~
~~commission members who failed to complete the mandatory training~~
~~course may be challenged and subject to being nullified and~~
~~voided following a contested case proceeding.]~~

If the bill is enacted without this amendment, it will unnecessarily delay board business. If board and commission members are not allowed to vote, serve on permitted interaction groups, or are removed from their seats until the training requirement is completed or the Senate reaffirms their appointment, then the boards or commissions could lose quorum for an unspecified amount of

time and will be unable to do their business. This could potentially stop major public and private projects and add costs to those projects. It could also affect permits with mandated review times. This bill goes against efforts to reopen the state for business.

The language of the bill regarding when an appointment starts should be clarified, as this will impact when a non-compliant member is essentially unseated, as well as how soon he or she can be replaced or re-appointed. The Department suggests the following language:

(a) All council, board, and commission members identified in section 10-41(a) shall complete the training course administered by the office of Hawaiian affairs pursuant to this section within twelve months of the member's [initial appointment or reappointment.] first board or commission meeting.

The Department questions the need for this punitive bill, especially as board and commission members are volunteers. All parties, including those supporting the bill, point to the popularity of the classes and the high attendance rates. However, the testimony of Ka Huli Ao and OHA both point out that about a quarter of the required board or commission members have not attended the class. The Department notes that five (5) of the seven (7) Boards and commissions that are required to take this course are housed within the Department. Department records show that all members are current as of December. The Land Use Commission testified in earlier hearings that all of their members are current. This suggests that there might be record keeping differences between agencies.

To address record keeping discrepancies, the department supports the requirement for a joint annual report. However, the Department believes the language should be amended:

() The office of Hawaiian affairs and department of land and natural resources shall prepare an annual report of all council, board, and commission members who failed to meet the training requirement in this section as of September 21 of each year, as well as those who met the training requirement, which shall be made available for public inspection at the office of Hawaiian affairs and department of land and natural resources, and submitted to the governor and legislature no later than

twenty days prior to the convening of each regular session of the legislature.

The Department notes that all board and commission members are volunteers. Members of the Board of Land and Natural Resources give up two Fridays per month for board meetings which often last all day. The department feels that we need to be cognizant of volunteer time and there may be less regressive ways to ensure compliance. The Department thanks the Legislature for including recordings of the course for those members unable to attend in person.

The Department would also like to point out that native Hawaiian rights ensured under the State Constitution is just one set of rights that the Land Board has to balance when making decisions. The course ensures that board and commission members are aware of these rights. But other rights also come into play, which the Department would argue is the basis for conflict, not necessarily a misunderstanding of Hawaiian rights as suggested in the bill language. For example, despite native Hawaiians' very strong beliefs in the sacredness of Mauna Kea, the Land Board has to balance native Hawaiian rights of access with the fact that Legislature has designated the summit as an astronomy preserve. These types of conflicts in use and vision for natural resources are common for our board, and require careful balancing of various interest groups, one of which is native Hawaiians.

Further, subsection (b) on page 5, lines 3-6 of the bill provides:

(b) Individual votes taken by council, board, and commission members who failed to complete the mandatory training course may be challenged and subject to being nullified and voided following a contested case proceeding.

The intent of this language is unclear. It appears to say that votes by noncompliant members "may" be challenged and that such a challenge would be by way of contested case. Subsection (a) on page 4, lines 10-13 of the bill already says that such members cannot vote. The Department suggests this subsection be removed. Even if it remains in the bill, no criteria are stated and there is no reason for the challenge to be made by way of a contested case.

Board and commission members take in a lot of information from many sources, the Office of Hawaiian Affairs course being one of them. The Department, its board and commission members and its staff all appreciate this course, and many have attended more than once. The Department notes the content of the course is diverse and provides valuable information and perspective, such as background history or desired changes to law. As to the actual applicable law in a board matter, a Deputy Attorney General from the Department of the Attorney General provides the formal legal guidance to the board.

Thank you for the opportunity to comment on this measure.


OFFICE OF HAWAIIAN AFFAIRS
‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai
Legislative Testimony

SB1409 SD2 HD1
RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS
Ke Kōmike Hale o ka ‘Oihana ‘Imi Kālā
House Committee on Finance

Malaki 31, 2021

2:30 p.m.

Lumi 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB1409 SD2 HD1. This measure would ensure greater compliance with Act 169 (Reg. Sess. 2015),¹ which requires that certain state board and commission members attend a Native Hawaiian Law Training Course within 12 months of the date of their initial appointment. Greater compliance with Act 169’s mandate will facilitate more fully-informed decisionmaking by policymakers who have substantive legal obligations to Native Hawaiians and under the public trust; **this in turn will help to ensure that the state’s fiduciary duties to Native Hawaiians and the public trust are more consistently upheld, and potentially reduce conflicts and legal challenges arising from decisions that inadvertently fail to take such duties into account.**

The Native Hawaiian Law Training Course was designed to provide important legal, historical, and cultural context for key board and commission members whose decisions directly impact Native Hawaiian traditional and customary rights, natural resource protection and cultural access rights, and the public trust. Such training is necessary because the individuals appointed to serve on these boards and commissions may not initially possess knowledge of the unique legal responsibilities they may have relating to Native Hawaiian rights and the public trust. Indeed, since the Native Hawaiian Law Training Course began as a pilot program in 2013, attendees have consistently and continually expressed their appreciation for the course and have overwhelmingly indicated that as a result of the training, they better understood the state’s and their own legal responsibilities towards Native Hawaiians and the public trust.

As an initial matter, OHA would like to express appreciation for the large number of board and commission members who have attended the Native Hawaiian Law Training Course pursuant to Act 169, as well the many others who have attended the training even without a legal mandate. However, records of training course attendance indicate that some individuals continue to neglect their training requirement. Because there are no statutory remedies for noncompliance with Act 169, such individuals are at risk of

¹ Act 169, codified in H.R.S. §§ 10-41 – 10-42, requires that members of the following entities attend the Native Hawaiian Law Training Course: the Land Use Commission; the Board of Land and Natural Resources, the Commission on Water Resources Management, the Environmental Council, the Board of Directors of the Agribusiness Development Corporation, the Board of Agriculture, the Legacy Land Conservation Commission, the Natural Area Reserves System Commission, and the Hawai‘i Historic Places Review Board.

rendering decisions that neglect to account for their legal duties and obligations to Native Hawaiians and under the public trust, which can result in significant impacts to the ‘āina and associated Hawaiian rights and practices, as well as increase the likelihood of conflict and distrust between the state government and the Native Hawaiian community.

SB1409 SD2 HD1 will reinforce the state’s legal commitments to the Native Hawaiian community by providing statutory remedies for the failure to attend the Native Hawaiian Law Training Course. In doing so, this measure will better ensure that the existing training course requirement is fulfilled by all board and commission members subject to the requirement, which in turn will ensure better informed and more legally responsible decisionmaking with regards to Native Hawaiian rights and interests. **OHA notes that the proposed remedies provide ample opportunity for noncompliant board and commission members to be made aware of and to fulfill their training course attendance requirement, with the most significant sanction – a required reconfirmation by the Senate – delayed until the end of the legislative session following their one-year attendance deadline, providing such members with two full years to attend a training course.**

Therefore, for the reasons described above, OHA respectfully urges the Committee to **PASS** SB1409 SD2 HD1. Mahalo nui loa for the opportunity to testify on this measure.

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Unity, Equality, Aloha for all



To: HOUSE COMMITTEE ON FINANCE

For hearing Wednesday, March 31, 2021

Re: SB 1409 SD2 HD1 RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS.

Prohibits newly appointed or reappointed council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian rights. Require OHA and DLNR to compile an annual report of members who have failed to complete their training course requirement. Require OHA to record the training courses and make the recordings available to those who were unable able to attend the training course. Effective 7/1/3021. (HD1)

TESTIMONY IN OPPOSITION

IMPORTANT NEW ISSUE FOR CONSIDERATION

This committee appears to be the last stop on the way to passage of this bill. Even if you ignore all the rest of this testimony in opposition, please add language to this bill to require OHA to make easily available

to the public, for download free of charge, the recordings mandated in Section 1 item (4); and to maintain at all times on OHA's website a prominently visible link to download those recordings.

OHA, and supporters of this bill, believe it is extremely important that numerous members of other government agencies must be forced to take courses presenting OHA's views about the special rights of Native Hawaiians.

Surely, OHA and supporters of this bill must also believe it would be good for the general public to be given the same valuable information. And of course we all believe it's good for government to be open and accountable; therefore the public should be able to see exactly what are the contents of those courses which government money is being used to create and to deliver, so we can provide corrections to errors and recommendations for improvement. Isn't that right?

Suggested rewording for item (4) is:

The purpose of this Act is to: ...

(4) Require the office of Hawaiian affairs to record the training courses and make the recordings available to the public and to those who were unable able to attend the training course; and require the office of Hawaiian affairs to maintain at all times on its website, in a prominently visible place, a clickable link with the following language: "Many members of other State government councils, boards, and commissions are required to take training courses created by OHA presenting OHA's views on the State's legal responsibilities to native Hawaiians and Hawaiians, Hawaii's political history, the public land trust, native Hawaiian and Hawaiian traditional and customary rights, Hawaii's water laws and the public trust doctrine, and laws relating to native Hawaiian and Hawaiian burials. Recordings of those courses can be downloaded free of charge by clicking [HERE](#)"

And to implement that purpose of this Act, add SECTION 2, new item (h) as follows:

The office of Hawaiian affairs, at its own expense, shall record the training courses and make the recordings available on its website to the public and to those who were unable able to attend the training courses; and shall maintain at all times on its website, in a prominently visible place, a fully operational clickable link to those recordings with the following language: "Many members of other State government councils, boards, and commissions are required to take training courses created by OHA presenting OHA's views on the State's legal responsibilities to native Hawaiians and Hawaiians, Hawaii's political history, the public land trust, native Hawaiian and Hawaiian traditional and customary rights, Hawaii's water laws and the public trust doctrine, and laws relating to native Hawaiian and Hawaiian burials. Recordings of those courses can be downloaded free of charge by clicking [HERE](#)"

TESTIMONY PREVIOUSLY PROVIDED TO THE SUBJECT-MATTER COMMITTEES IN THE SENATE AND HOUSE

In 2017 OHA cajoled the legislature into passing a law that forced heads of specified state and county departments to take a training course whose content and instructors are dictated by OHA. In 2018 OHA expanded its empire by requiring more government employees of additional departments to endure the OHA training. This year OHA seeks to subjugate even more bureaucrats. Today Hawaii, tomorrow all of America. Woo-HOO!! Penalties for non-compliance will now include public naming and shaming, and loss of job.

Make no mistake about what's going on here. OHA has certain views on controversial political issues and wants to make sure that decision-makers and employees of other government agencies get brainwashed to believe in OHA's propaganda, with no presentation of opposing views. Would any member of a state or county department dare to ask a question in class that challenges the correctness of what the OHA-designated teacher is saying, or disagrees with the opinions being presented? Please realize that many people feel moral revulsion at the

concept of taxpayer funded racial entitlements. So by analogy, imagine the situation of a middle-school student from a Christian fundamentalist family being forced to attend a sex-education course which graphically describes anal sex as normal behavior, and whose parents are denied the right to opt-out their kids.

This bill places one state agency, OHA, in a position of authority over other state agencies by requiring employees to pass a course whose purpose is to brainwash them with the political views of OHA. Dozens -- perhaps hundreds -- of state and county department heads would now be placed under the direct authority and supervision of OHA, knowing that if they refuse to kow-tow to their OHA instructor they will be forced out of class or given a failing grade in this mandatory course and will then be ineligible to continue in their job. Does any state agency other than OHA exercise comparable authority over other agencies?

OHA has certain views regarding who owns the ceded lands and whether the state has a right to sell parcels of ceded lands. The Hawaii Supreme Court made a 5-0 decision upholding OHA's views. But on appeal, the U.S. Supreme Court ruled 9-0 that OHA's views are wrong. Can we expect OHA to teach correct information about who owns the ceded lands and whether the state can sell them?

OHA has certain views about the Hawaiian revolution of 1893 that overthrew the monarchy, and points to the Blount Report of 1893 and the U.S. apology resolution of 1993 to bolster OHA's views. But those views are controversial, and are disproved by the Morgan Report issued by the U.S. Senate in 1894 and by the majority report of the Native Hawaiians Study Commission issued by a joint Senate/House commission in 1996. Can we expect OHA to provide both sides of this controversy, or will OHA brainwash state employees by teaching only the views OHA endorses?

This bill would require government employees to learn about, and give deference to, the ancient Hawaiian religion as the justification for

various state laws and practices regarding water rights for taro, protection of ancient burials, etc. It would constitute an establishment of religion contrary to the First Amendment of the U.S. Constitution; and it would also force employees who have no Hawaiian blood to bow to a religion which portrays people who do have Hawaiian blood as possessing an inherent God-given right to rule these islands.

This bill requires government employees to learn about "traditional and customary rights" of Native Hawaiians to ensure that in carrying out their duties, the employees will give respect and deference to Native Hawaiian beliefs and cultural values. For example, we might expect employees to be trained regarding sacred places, the reasons why taro patches are given special guarantees of access to water, the reasons why ancient burials must not be disturbed, etc.

Those topics, and many others, are based in the ancient Hawaiian religion, which has a creation legend which today's sovereignty activists (incorrectly) describe as portraying Native Hawaiians (and only Native Hawaiians) as genealogically the children of the gods and the brothers to these islands, and the younger brothers of the taro plant, in a way nobody ever can be who lacks a drop of native blood.

The Hawaiian religion is the only one to be given special deference under the terms of this bill; thus this bill would be a government establishment of religion. Under terms of this legislation, government money will be used to indoctrinate government employees with a religious belief. Furthermore, the way that belief is likely to be taught can best be described as religious fascism because it provides a theological justification for giving governmental authority over land-use decisions to a particular racial group.

In 1819, the year before the American missionaries came to Hawaii, the sovereign King Liholiho Kamehameha II, with his birth mother Keopuolani and his regent stepmother Queen Ka'ahumanu, and with Kahuna Nui (High Priest) Hewahewa, exercised self-determination on

behalf of all native Hawaiians to abolish the ancient religion, and ordered the destruction of the heiaus and burning of idols. Those ethnic Hawaiians who try to resurrect the ancient religion for political purposes disrespect the decision of their ali'is and ancestors. By seeking to elevate that ancient religion above all other religions, they disrespect the right to freedom of religion possessed by all Americans.

This committee should not disrespect the mainstream majority of today's ethnic Hawaiians, and the multiracial, multicultural people of Hawaii, by passing this bill. Please vote "No."

By the way, this committee utterly fails to exercise its fiduciary responsibility to the public to provide much-needed oversight and correction to OHA. Instead of forcing administrators of other departments to subjugate themselves to training by OHA, how about forcing OHA administrators and board members to be trained by the state Auditor and the Ethics Commission regarding what the laws require regarding compliance with accounting and procurement procedures.



Testimony Before The
House Committee on Finance
IN SUPPORT OF SB 1409 SD2 HD1
March 31, 2021, 2:30PM, Rm. 325

Aloha members of the House Committee on Finance,

We are Kevin Chang and Miwa Tamanaha Co-Directors of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups -fishers, farmers, families- to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being.

KUA employs a community-driven approach that currently supports a network of more than 36 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 40 fishpond projects and practitioners called the Hui Mālama Loko I'a, and a growing hui of Limu practitioners all from across our state.

KUA and the E Alu Pū network were founded by rural Native Hawaiian cultural and subsistence practitioners who have long understood and worked to affirm the mandates of our state constitution to uphold their traditional and customary practices. A primary function of KUA includes development of the 'auwai, a stream of resources tools, bridges and networks that help to cultivate and take our communities' work to greater levels of collective impact. A core source of the flow in this 'auwai includes leadership within government that are enlightened to the constitutional mandates and purposes behind among other things, Article XII Section 7.

KUA strongly supports SB 1409 SD2 HD1. This bill prohibits council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to Native Hawaiian traditional and customary rights, Native Hawaiian natural resource protection and access rights, and the public trust, including the State's fiduciary responsibility.

For too long the constitutional pathway toward affirming Native Hawaiian traditional and customary practices has been dammed. The current system though laudable could be greatly improved by having all public officials who make constitutionally impactful decisions be informed as to what our constitution says and means. Indeed, failure to understand our constitution at the highest decision-making levels have seeded community division based on this failure. Ignorance of our constitution also lies at the heart of the difficulties our community has in coming to terms with our collective and political history. The environment toward reconciliation and civic stewardship is hardened when the leadership of a community continues to be ignorant of the values we wish to hold.

Indeed, we agree, as this legislature acknowledges, that courts have held that the State "must take the initiative in considering, protecting, and advancing public rights in the resource at every stage of the planning and decision[-]making process." *In re Water Use Permit Applications*, 94

Hawai'i 97, 143, P.3d 209, 255 (2000). Therefore, this measure strengthens the requirement of training and will ensure greater recognition and incorporation of Native Hawaiian knowledge, values, and rights in land use and resource management decision-making.

Please pass this bill out of your committee and mahalo for this opportunity to testify.

Aloha 'Āina Momona.



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MĀNOA

HOUSE COMMITTEE ON FINANCE
ATTN: CHAIR SYLVIA LUKE & VICE CHAIR TY J.K. CULLEN
Testimony in Support of SB 1409, SD2, HD1
Relating to Training in Native Hawaiian Rights
March 31, 2021, 2:30 p.m.
Via Videoconference

Dear Chair Luke, Vice Chair Cullen, and Members of this Honorable Committee:

Mahalo for this opportunity to testify in support of SB 1409, SD2, HD1, Relating to Training in Native Hawaiian Rights. My name is Mahina Tuteur, I am a Post-Juris Doctor Fellow at Ka Huli Ao Center for Excellence in Native Hawaiian Law. Ka Huli Ao first partnered with the Office of Hawaiian Affairs (“OHA”) to provide Native Hawaiian Law Training Courses to State and County decisionmakers in 2013, and I have helped to facilitate these gatherings since 2016. At Ka Huli Ao, we appreciate the crucial importance of ensuring that those entrusted with managing Hawai‘i’s natural and cultural resources understand both the law and the responsibility to mālama the ‘āina, kai, wao akua, and wao kanaka.

Since the passage of Act 169 in 2015, we have conducted a total of twelve Training Courses, including in-person trainings on Kaua‘i, Maui, and Hawai‘i Island. As you know, Act 169 requires members of the State Land Use Commission, Environmental Council, Board of Land and Natural Resources, Hawai‘i Historic Places Review Board, Legacy Land Conservation Commission, Natural Area Reserves System Commission, and Commission on Water Resource Management to take the Training Course within one year of appointment.¹ Our records indicate that as of January 2021, an estimated 23 of roughly 81 appointees to whom Act 169 applies have yet to attend a Training. Of the 23 people who have not attended, all are members who were appointed on or after July 1, 2015 and are thus subject to Act 169’s mandate.² Of these 23 people, however, only 15 are delinquent because the others were appointed in 2020. Thus, about three-fourths of those who are required by Act 169 to attend a Training Course have done so, while about one-fourth have not. As you know, however, there is currently no enforcement mechanism to ensure that the members of the relevant councils, boards, and commissions actually take the Training Course as mandated by Act 169.

The Native Hawaiian Law Training Course includes an overview of Hawaiian history, and presentations on the public land trust, water and the public trust, traditional and customary

¹ Although the Hawai‘i State Board of Health (“BOH”) was named in Act 169, on July 2, 2019, Act 210 was signed into law abolishing the BOH and removing it from the statute at issue here.

² This number includes: ex-officio members; members whose terms or reappointments began on or after July 1, 2015; and members who were originally not subject to the mandate but were subsequently reappointed after the July 1, 2015 enactment of Act 169.

rights, and iwi kūpuna or ancestral remains. The Training initially began in 2013, and almost 1,300 people have attended a Training Course since its inception. Since the passage of Act 169 in 2015, 1,019 people have attended a Training Course. This count includes special Training Courses for the Governor's Cabinet and Executive Staff in 2016 and for the University of Hawai'i Board of Regents, President, and Senior Staff in 2017. Most Training Course attendees have been members of State and County councils, boards, and commissions as well as staff members. Moreover, a significant number of State legislators, County councilmembers, and staff members have also attended.

The response to the Training Course has been overwhelmingly positive. For the last training alone, for example, evaluations indicate that over 93% of those responding believed that the Training Course had increased their understanding and knowledge of the State's trust duties and responsibilities in each of the subjects covered by the Training. When asked to identify the most important "take-aways," responses included:

- Importance of reviewing and developing kuleana; need for reliable resources to address important Native Hawaiian issues; despite complexity, solutions are possible.
- How much I do not know. I need to continue to seek further knowledge and education on these issues. Great resource documents.
- Everyday justice is still justice (and very important).
- There's a lot of information and history to be learned. That we have a duty to recognize Hawai'i culture and history. That there are many different ways to exercise our duty to appreciate Hawai'i history and culture.
- (1) Hawaiian Law is unique from US Law; (2) The 1978 Constitutional Convention was extremely important for Native Hawaiian rights; (3) The State has a fiduciary obligation to uphold the law for the rights of Hawai'i's people especially Native Hawaiians.
- We must be good stewards. We must do a thorough job when approving permits. There's a lot of broad language in laws that have to be interpreted.
- (1) The level of duty government duty owed to Native Hawaiians; (2) Native Hawaiian history of sustainability pre-arrival; and (3) the different types of rights.

We are confident that the Training has greatly increased the understanding of those who have participated and has given attendees the knowledge and tools to help in making difficult decisions. One additional benefit of the Training is that attendees from different agencies and departments have been able to interact and share concerns and possible solutions with each other, building common understanding and increasing cooperation among agencies and departments.

We are encouraged by, and support the efforts expressed in, SB 1409, SD 2, to add effectiveness to Act 169's mandate that all members of the relevant councils, boards, and commissions attend the Native Hawaiian Law Training Course.

Ka Huli Ao has been honored to partner with OHA in this endeavor. We believe that it is important, particularly for newly-appointed members of councils, boards, and commissions to be required to attend Training sessions on areas of law crucial to Hawai'i's natural and cultural resources and the Native Hawaiian community. **Mahalo for this opportunity to share our support for SB 1409, SD2, HD1!**

SUPPORT ENFORCING TRAINING REQUIREMENTS WITH SB1409

Chair Sylvia Luke
Chair, Committee on Finance
Hawaii State Capitol
Room 306

Aloha Chair Luke, Vice Chair Cullen, and Members,

I write in strong support of SB 1409 which ENFORCES already established training requirements. This bill does not create new requirements, it makes sure individuals actually take the training they are required to do, and that is paid for with taxpayer money.

This is a critical need for our members of the BLNR and LUC. They have, in their hands the stewardship of our sacred and historic natural resources. Thank you for your consideration.

Mahalo nui loa,

Daniel Lee



TESTIMONY IN STRONG SUPPORT of SB1409 Relating to the HAWAIIAN TRAINING

Chair Sylvia Luke
Committee on Finance
415 S. Beretania Street
Honolulu, HI 96813

Mahalo piha Chair Luke and Committee Members for hearing this bill.

I write in **strong support** for enforcing training that is already required and paid for by the state, for members of the BLNR and LUC. I find it hard to believe that we are expending funds and also requiring this training to these members, and yet these individuals do not complete this training.

Hawaiian perspectives are crucial for making the decisions that these individuals need to make. The training provided is extremely helpful, well done, and is eye opening. We are not like the continent, or any other place on earth. There is only one Hawai'i in the world, and these commission members have the power and responsibility in their hands to steward our natural resources and protect Native Hawaiian interests.

Thank you for your consideration.

With Aloha,

Rikako Ishiki

