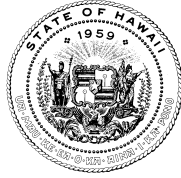


**JOSH GREEN, M.D.**  
GOVERNOR  
STATE OF HAWAII  
*Ke Kia 'āina o ka Moku 'āina 'o  
Hawaii 'i*

**SYLVIA J. LUKE**  
LT. GOVERNOR  
STATE OF HAWAII  
*Ka Hope Kia 'āina o ka Moku 'āina  
'o Hawaii 'i*



**IKAIKA ANDERSON**  
CHAIRMAN DESIGNATE, HHC  
*Ka Luna Ho 'okele*

**KATIE L. DUCATT**  
DEPUTY DESIGNATE TO THE  
CHAIRMAN  
*Ka Hope Luna Ho 'okele*

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

*Ka 'Oihana 'Āina Ho'opulapula Hawaii 'i*

P. O. BOX 1879  
HONOLULU, HAWAII 96805

**TESTIMONY OF IKAIKA ANDERSON, CHAIRMAN-DESIGNATE  
HAWAIIAN HOMES COMMISSION  
BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS  
HEARING ON FEBRUARY 9, 2023 AT 2:00PM IN CR 325**

**HB 1058, RELATING TO ADOPTION**

February 9, 2023

Aloha Chair Tarnas, Vice Chair Takayama, and members of the Committee:

The Department of Hawaiian Home Lands (DHHL) strongly supports this bill allowing an adopted individual who would qualify to be a successor to maintain their relationship through a natural parent in order to qualify for a homestead lease or in order to be designated as a successor in accordance with the Hawaiian Homes Commission Act, 1920, as amended, and/or DHHL's administrative rules. This measure would thus allow the adopted individual and the individual's natural family to continue having the same familial relationship for the purpose of successorship, despite the legal effect of adoption, which alters how such individuals are related and thus may disqualify an otherwise qualified successor due to an adoption. This bill was approved by the Hawaiian Homes Commission and included in the Governor's administrative package by request of our department.

Pursuant to HRS § 578-16(b), "The former legal parent or parents of an adopted individual and any other former legal kindred shall not be considered to be related to the individual as provided in the Uniform Probate Code except as provided in this section." As an unintended consequence of HRS § 578-16, DHHL finds that lessees and waiting list applicants who have biological children who were adopted by another individual, cannot transfer a lease or lease award to their biological children who were adopted. In another example, DHHL finds that lessees and waiting list applicants who were adopted cannot transfer a lease to their natural family member(s), or designate a lease or lease award to their natural family member(s) to inherit after their death.

The amendment to HRS § 578-16 proposed in House Bill 1058 would allow beneficiaries to benefit from both adoptive and natural relationships. This bill recognizes both the familial and legal relationships of the noted adopted individuals for the purposes of successorship and lease transfer. This bill does not affect the blood quantum requirements under the Hawaiian Homes Commission Act, 1920, as amended, and/or DHHL's administrative rules.

Thank you for your consideration of our testimony.

**HB-1058**

Submitted on: 2/7/2023 5:19:13 PM

Testimony for JHA on 2/9/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

support

**HB-1058**

Submitted on: 2/8/2023 12:51:06 PM

Testimony for JHA on 2/9/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marion K A Kapuniai	Individual	Oppose	Written Testimony Only

Comments:

Requires full FULL BENEFICIARY CONSULTATION which shall include DHHL's verification process and status of all requests for including those individuals of Hawaiian Ancestry who have been adopted, who will qualify for Successorship as a Spouse, etc.

Also, if and when passed by the Legislature, this bill shall be subject to Department of Interior's consideration for U. S. Congressional Approval.

We need to talk story - in the meantime, the adopted individual is experiencing the benefits of living on Hawaiian Homes Land with their loving 'ohana.

Thank you, M Kapuniai