

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

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



KALI WATSON
CHAIRMAN, HHC
Ka Luna Ho'okele

KATIE L. DUCATT
DEPUTY 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 KALI WATSON, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS
HEARING ON JANUARY 30, 2024 AT 1:00PM IN CR 224

SB 2594, RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

January 30, 2024

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

The Department of Hawaiian Home Lands (DHHL) submits comments on this bill which would 1) authorize qualified successors of beneficiaries on the waiting list who died before receiving a lease to file a claim for a lease award within four years of the effective date and 2) requires the DHHL to adopt rules by a certain date.

While DHHL appreciates the intent of this bill, there are several concerns. Section 10-3-7 of the Hawaii Administrative Rules relating to priority and preference for the award of leases notes that “applicants shall be considered for award in the order in which their completed applications were received by the department.” In other words, waiting list priority has historically been by chronological application date.

Furthermore, any such program must ensure that any qualified successor of a beneficiary who died while on the waiting list is native Hawaiian, defined by the Hawaiian Homes Commission Act as DHHL is authorized to issue leases to native Hawaiians pursuant to section 207(a) of the Hawaiian Homes Commission Act, 1920, as amended.

Lastly, DHHL engages in beneficiary consultation before conducting any chapter 91 rule-making. It can take DHHL up to two years to fully complete the rule-making process.

Thank you for your consideration of our testimony.

SB-2594

Submitted on: 1/28/2024 4:09:46 PM

Testimony for HWN on 1/30/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lu Ann Faborito	Individual	Support	Written Testimony Only

Comments:

It is our legacy to pass on to the ohana, and this measure will help secure that effort.

SB-2594

Submitted on: 1/28/2024 4:19:41 PM

Testimony for HWN on 1/30/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenneth Faborito	Individual	Support	Written Testimony Only

Comments:

we can protect our legacy by ensuring this measure gets approved.

SB-2594

Submitted on: 1/29/2024 12:43:42 PM

Testimony for HWN on 1/30/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raynette P Fukui	Individual	Support	Written Testimony Only

Comments:

Written Testimony for SB2594 – Meeting date 1/30/2024

My name is Raynette Reyes Fukui, I currently live in Hilo Hawaii but was born and raised in North Kohala. **I am submitting my testimony in support of SB2594 which authorizes qualified successors of beneficiaries on the waiting list who died before receiving a lease to file a claim for a lease award within four years of the effective date. Requires the Department of Hawaiian Home Lands to adopt rules by a certain date. This measure will only work to benefit successors if the blood quantum is changed to 25%**

My mother, Marian Reyes passed away in 2022 while on the Hawaiian Homeland wait list (for almost 20 years). I could not be her successor while she was on the wait list because I am not 50% Hawaiian. My grandmother Agnes Keola Kapaona Tampos was 100% Hawaiian, and my mother, Marian R Reyes was 50% Hawaiian but that did not help me because I am only 25%. My mother's position on the Hawaiian Homes listing was posted on a public notice dated November 20, 2022, for 180 days, which was open to eligible relatives at least 18 years of age and 50% Hawaiian. No one come forward to claim my mother's position on the Hawaiian Homes listing, her name was removed from the list. All those years my mother waited for Hawaiian Homeland and now to have her name just removed is demoralizing and grossly unfair that her children cannot benefit from this program.

In our current multi-cultural state, it is difficult to find Native Hawaiians with 50 percent Hawaiian ancestry having children with 50 percent Hawaiian ancestry. We must change these laws to accommodate these changing times and allow others like me to qualify and benefit from the Hawaiian Homeland program. If we do not, DHHL will once again have a new set of Plaintiffs, as in Kalima, et al. v State, et al.

Mahalo for allowing me to provide my sincere concerns, comments, and recommendations in this testimony.

SB-2594

Submitted on: 1/29/2024 3:07:33 PM

Testimony for HWN on 1/30/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Earl S. Tenn	Individual	Support	Written Testimony Only

Comments:

Thank your for allowing me to testify. I support the intent of this bill SB 2594.

SB-2594

Submitted on: 1/29/2024 4:37:45 PM

Testimony for HWN on 1/30/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
De MONT Kalai Manaole	Testifying for Ho'omana Pono, LLC	Support	In Person

Comments:

We **STRONGLY SUPPORT** this bill. This bill goes a looooong way to rectifying the correcting the tragedies of the past.

Personally, my mother, *Catherine Emmalika Manaole* "Conner", who was pure native Hawaiian, was 30 years on the waitlist when she passed I'm 1995 from lung cancer.

I had to wait until years later, when in 2017, I had the first chance to get on the waitlist. This bill is looooong over due & does native Hawaiian waitlisters justice WE have waited for. **PLEASE PASS THIS AMAZING BILL.**