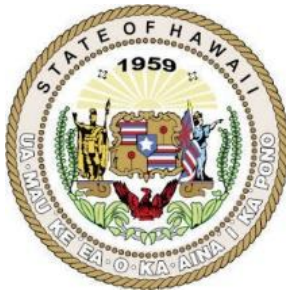


JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



MKSOA BOARD

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*KIMO ALAMEDA
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RICH MATSUDA
NOE NOEWONG-WILSON

**ex-officio*

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

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Website: <http://dlnr.hawaii.gov/maunakea-authority/>

Testimony of

DR. NOE NOE WONG-WILSON

First Vice-Chairperson

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY BOARD

and

RICH MATSUDA

Second Vice-Chairperson

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY BOARD

and

JOHN A. L. DE FRIES

Executive Director

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

**Before the House Committee on
WATER AND LAND**

Thursday, February 6, 2025

9:00 a.m.

State Capitol, Conference Room 441 and Via Videoconference

**In consideration of
HOUSE BILL 144
RELATING TO MAUNA KEA**

House Bill 144 authorizes two (2) or more members of the Mauna Kea Stewardship and Oversight Authority Board to meet during its 5-year transition period regarding any matter relating to the Authority's business, provided that no commitment to vote is made or sought and no decision-making action is taken. **The Mauna Kea Stewardship and Oversight Authority strongly supports the measure.**

With HB144, the Authority is seeking a partial exemption from the Sunshine Law. The exemption sought would allow more than two Authority Board members to meet and discuss matters, allowing engagement in learning and understanding processes, and developing relationships with each other. The members would not be permitted to solicit votes on a matter and all decision-making would remain during Authority Board meetings, with full public discussion. This exemption would be time-limited, sunseting at the end of the mandate five-year transition period, ending June 30, 2028. Thereafter, all requirements of the current Sunshine Law will be adhered to.

Act 255, which created the Mauna Kea Stewardship and Oversight Authority, recognizes that Mauna Kea is an important cultural and genealogical site to the people of Hawai'i, particularly to Native Hawaiians. The summit region of Mauna Kea is a spiritual and special place of significance. Mauna Kea is also a highly valued site for astronomical study which produces significant discoveries that contribute to the understanding of the universe. In addition, access for community, cultural practitioners, visitors, education, the study of environmental and conservation sciences and financial sustainability are some of the important topics which must be considered in a new management plan.

The Authority was created to enable a new paradigm of decision-making and governance. The membership of the Authority was specifically crafted to ensure that members with different perspectives were empaneled, bringing a new model of shared governance based on Native Hawaiian concepts, principles, and world view of natural law. These individuals were selected for their expertise in specific disciplines, cultural and lineal backgrounds, and community perspective, brought together to share their different views, understand and appreciate differing viewpoints, and ultimately seek consensus on the many issues surrounding Mauna Kea.

In addition, Authority members recognize that creating opportunities to effectively engage in dialogue with our community is critical to sharing information and gaining trust in the process. Moving forward, to gain community trust, the Authority is committed to increased communication and transparency by hosting community meetings and engaging in earnest dialogue and feedback.

The Authority appreciates and understands the intent and importance of the Sunshine Law, and is completely committed to seeking public input, as well as having full and public discussion and decision-making. However, current rules and procedures make it extremely difficult for the Authority Board members to participate in briefings and meetings to learn and understand the complexities involved in transferring governing protocols from the University of Hawai'i to the

Authority. In addition, board members are unable to engage in dialogue to draw on expertise, share, and learn from each other. Permitted Interaction Groups, while an option, remain narrowly restricted in focus by design, and limit participation which does not enable all the board members to gain information and understanding of the numerous issues in a timely manner.

The inability to discuss operational formation challenges and solutions with more than one other member hampers the necessary communication needed to achieve transition within the five-year period. Limiting discussion to formally noticed meetings or through the creation of permitted interaction groups are not practical and hamper efficient operations. Further, the inability to have informal discussions to exchange ideas, discuss novel and innovative approaches or “brainstorm” solutions on a “real-time” basis precludes needed functional discussions.

The limited exemption from the Sunshine Law will assist the Authority in meeting its goals in a timely manner, engage more earnestly with community and support a smoother and more efficient transfer of responsibility from the University of Hawai‘i.

For these reasons, the Mauna Kea Stewardship and Oversight Authority requests that the Committee pass House Bill 144.

Mahalo for the opportunity to provide testimony in support of this measure.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oiip@hawaii.gov

To: House Committee on Water & Land

From: Carlotta Amerino, Director

Date: February 6, 2025, 9:00 a.m.
State Capitol, Conference Room 411

Re: Testimony on H.B. No. 144
Relating to Mauna Kea

Thank you for the opportunity to submit testimony on this bill, which would allow any number of members of the Mauna Kea Stewardship and Oversight Authority to talk about the Authority's board business privately outside a meeting, so long as the Authority later holds a Sunshine Law meeting to make any decisions. The Office of Information Practices (OIP) offers **comments** about the breadth of this exemption from the Sunshine Law, part I of chapter 92.

The proposed exemption would leave the Authority effectively exempt from the Sunshine Law for the three remaining years of its transition period, except that it would be required to hold a Sunshine Law meeting to actually vote to take a proposed action. While the Authority's members would be precluded from voting or committing to vote a certain way outside a meeting, the decision-making meeting could be simply a formal adoption of decisions that had already been fully hashed out in private to a point just short of asking each member to confirm whether he or she would be voting in favor.

OIP notes the stated purpose of this measure to allow the Authority "some flexibility" to develop management and financial plans, establish a framework for

astronomy-related development, develop administrative rules, and so forth, and recognizes the concern that the Sunshine Law's requirements are not conducive to the "frank and open discussions" with stakeholders the purpose section calls for. However, this proposed exemption from the Sunshine Law for everything but the Authority's actual decision-making is not a "narrowly tailored" one as suggested in the purpose statement. Rather, it is an almost full exclusion of the public from the Authority's discussions and deliberations, contrary to the statutory intent of the Sunshine Law in section 92-1, HRS, to "protect the people's right to know."

OIP thus has serious concerns about the proposed Sunshine Law exemption, but given the stated intent of the measure and the controversial nature of the subject matter, OIP leaves it to the Legislature to determine whether the advantages of allowing the Authority to resolve disagreements through private discussions between the Authority members and stakeholders outweighs the cost to the public in lost access to the Authority's discussions and deliberations and lost opportunity to potentially influence those discussions and deliberations through public testimony.

Thank you for considering OIP's testimony.



House Committee on Water and Land
Honorable Mark J. Hashem, Chair
Honorable Rachele F. Lamosao, Vice Chair

RE: Testimony in Opposition to H.B. 144, Relating to Mauna Kea
Hearing: February 6, 2025 at 9:00 a.m.

Dear Chair and Members of the Committee:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency. Thank you for the opportunity to respectfully submit testimony in **opposition** to H.B. 144.

H.B. 144 authorizes members of the Mauna Kea Stewardship and Oversight Authority (Authority) to meet and conduct board business – outside of duly-noticed public meetings and without public comment or participation – during the five-year transition period provided by Hawai‘i Revised Statutes (HRS) § 195H-6.

Some of the Authority’s most critical work is to be done during the transition period. This includes the development of “a management plan” to govern land uses, human activities, and overall operations. HRS § 195H-6(b). The Authority is also tasked during this period with developing a financial plan that strives for “financial self-sustainability.” HRS § 195H-6(c).

Given the foundational nature of this work, the cultural significance of Mauna Kea, and the sustained public interest in its management, transparency and public participation during the transition period are paramount to the success of the Authority. Yet this bill allows that work to be done in secret. The only guardrails on these secret meetings – that members do not make any decisions or commitments to vote – are illusory. Observing the *process* is critical to trusting the result.

Moreover, there is no need to suspend the Sunshine Law here. Existing law provides a robust toolkit that enables the Authority to conduct business effectively. *E.g.*, HRS § 195H-9 (authorizing “advisory groups”); HRS § 92-2.5 (allowing permitted interactions); HRS § 92-3.1 (authorizing limited meetings under certain circumstances); and HRS § 92-4 (allowing closed meetings for limited purposes).

While we appreciate the stated purpose of overcoming “decades of distrust” and the need for “frank and open discussions,” that can fully coexist, in harmony, with the Sunshine Law. Contrary to this intent, H.B. 144 threatens to erode trust in the



House Committee on Water and Land
February 6, 2025
Page 2

Authority's work, and further divide our community on a significant matter of statewide concern.

Thank you again for the opportunity to testify in opposition H.B. 144.



House Committee on Water & Land

Thursday, February 6, 2025, 9 AM Hearing in Conference Room 411 on
HB 144, Relating to Mauna Kea

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Hashem, Vice Chair Lamosao, and Committee Members:

The League of Women Voters of Hawaii opposes HB 144.

The Sunshine Law requires boards to provide the public with notice of meetings, meeting agenda, the opportunity to review written documents distributed for meetings, the opportunity to submit testimony at meetings, the opportunity to monitor board deliberations, and the opportunity to review meeting minutes. HB 144 exempts the Mauna Kea Stewardship and Oversight Authority from all of these requirements during a five year “transition period”. Regardless of alleged “legislative findings” in Section 1 of HB 144, this bill actually prevents meaningful public participation and facilitates secretive “vote trading” prior to public meetings at which the Authority makes formal decisions.

Thank you for the opportunity to submit testimony.

HB-144

Submitted on: 2/4/2025 4:16:18 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Melinda Healani Sonoda-Pale	Ka Lahui Hawaiʻi	Oppose	Remotely Via Zoom

Comments:

Testimony of Ka Lāhui Hawaiʻi In Strong Opposition to HB144 House Committee on Water & Land Hearing Date: [Insert Date]

Aloha Chair **Mark J. Hashem**, Vice Chair **Rachele F. Lamosao**, and Members of the Committee,

Ka Lāhui Hawaiʻi, a Kanaka Maoli grassroots organization advocating for the rights and self-determination of the Hawaiian people, submits this testimony in **strong opposition** to **HB144**, which seeks to **exempt** the Mauna Kea Stewardship and Oversight Authority from key provisions of Hawaiʻi's **Sunshine Law (HRS Chapter 92)** during its transition period.

HB144 Undermines Transparency and Public Trust

The Sunshine Law was enacted to ensure **open government and accountability**. It provides the public—including Kanaka Maoli—with the right to participate in decisions affecting our **‘āina (land), culture, and future**. **HB144 seeks to weaken this fundamental right by allowing quorum-level discussions to occur in private, without public oversight.**

For decades, the management of Mauna Kea has been marred by **a lack of transparency, exclusion of indigenous Hawaiian voices, and decisions that have prioritized corporate and scientific interests over our cultural and environmental concerns**. Granting the Stewardship Authority the ability to hold non-public meetings will only deepen the historical distrust and exacerbate community tensions.

This is especially concerning given that the Authority's newest member, **Mayor Alameida, has publicly stated his support for the "latest version" of the Thirty Meter Telescope (TMT)**. This raises serious questions about whether these private discussions could lead to unilateral decisions that further marginalize Native Hawaiian concerns.

Violates the Principles of Good Governance

The justification given for this exemption is that the **Sunshine Law is too “inflexible”** for the Authority to carry out its duties. This argument is flawed. The law already allows for exceptions

in limited situations (HRS §92-2.5), but it does not permit **deliberations outside of public scrutiny**—and for good reason.

By exempting the Authority from these essential safeguards, HB144:

- **Creates a dangerous precedent** that may be exploited by other agencies seeking to avoid public accountability.
- **Contradicts Hawai‘i’s commitment to open government** as enshrined in HRS §92-1, which mandates that policy decisions be conducted as openly as possible.
- **Weakens the very mission of the Authority**, which is to **restore trust and ensure a balanced approach** to Mauna Kea’s stewardship.

Disempowers the Native Hawaiian Community

Mauna Kea is **a sacred summit** and a critical part of Kanaka Maoli identity, culture, and spiritual practice. Past mismanagement has led to severe environmental degradation and the alienation of our people from meaningful decision-making processes.

Act 255 (2022) established the Mauna Kea Stewardship and Oversight Authority **as a response to these very concerns**, aiming to provide a more just and inclusive governance model. **HB144 runs counter to this progress by removing the very mechanisms that ensure accountability and Native Hawaiian participation.**

If the Authority truly seeks to build trust and reconciliation, then it must do so with the utmost transparency. **HB144’s exemption will not foster understanding—it will erode any remaining faith in the process.**

Conclusion

Ka Lāhui Hawai‘i **strongly urges this Committee to reject HB144**. If enacted, this bill will set back efforts to repair the harm done to Mauna Kea and its people. **True reconciliation can only be achieved through transparency, accountability, and genuine public engagement—not through closed-door meetings that exclude the very community most impacted.**

We call upon the legislature to uphold its duty to **all** the people of Hawai‘i and **reject any attempt to erode open government principles.**

Mahalo for the opportunity to testify.

Respectfully submitted,

Healani Sonoda-Pale
Spokesperson
Ka Lāhui Hawai‘i



PROTECTING

NATIVE HAWAIIAN

CUSTOMARY &

TRADITIONAL RIGHTS AND

OUR FRAGILE

ENVIRONMENT

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www.KAHEA.org
kahea-alliance@hawaii.rr.com

KAHEA: the Hawaiian-Environmental
Alliance is a non-profit 501(c)3 working
to protect the unique natural and
cultural resources of the Hawaiian
islands. KAHEA translates to English
as "the call."

February 5, 2025

**Testimony of KAHEA: THE HAWAIIAN-ENVIRONMENTAL
ALLIANCE in opposition to HB 144**, exempting the Mauna Kea
Stewardship and Oversight Authority from the Sunshine Law

Hearing: February 6, 2024 at 9:00 a.m.

To the House Judiciary and Hawaiian Affairs Committee,

KAHEA: The Hawaiian-Environmental Alliance (KAHEA), a Hawai'i nonprofit established in 2000, is asking you to oppose HB 144, which would exempt the Mauna Kea Stewardship and Oversight Authority (authority) from Hawaii's Sunshine Law, HRS chapter 92, during the critical five year transition period from 2023 through 2028.

We appreciate the intent of the bill. The authority apparently needs more time to address issues before it. The answer, however, is to better support the authority by, amongst other things, enlarging the transition period, and not to compromise the open process of deliberation. "Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest." HRS §92-1.

Last year in regard to the similar HB 2692, this bill accurately finds: "Many people perceived that Mauna Kea was being managed without sufficient and genuine consultation with the Native Hawaiian community, which had the cumulative effect of degrading trust between the community and those entrusted with managing Mauna Kea." Exempting the authority from the sunshine law, however, will further degrade trust with the community.

Members of the public, including communities with constitutional rights at stake in the authority's decisions made about Mauna Kea lands, are afforded the ability to witness and observe *deliberations* and not only the result of having already-addressed issues as would be allowed under HB144.

Authority members are not the only "stakeholders" who require "frank and open discussions to reach an understanding." HB 144 §1. Instead of prioritizing communities as "stakeholders," HB144 prioritizes "trust and engagement" between authority members.

As proposed, the most critical period for which the authority was installed - to manage the transition from the University of Hawai'i management - would be shielded from meaningful scrutiny and without any way of enforcing limitations on seeking votes or making

decisions.

We appreciate the need for the authority's individual members to build trust amongst each other through lengthy private discussion. They are free to do so with less than quorum (5 or fewer members, in this instance) present, as allowed by the Sunshine Law. The Sunshine Law already permits less than a quorum of authority members to meet outside of open meetings and for myriad purposes. *See* HRS §§ 92-2.5 (permitted interactions); 195H-3(b) ("A majority of all members to which the authority is entitled shall constitute a quorum to do business"). The authority has twelve members. Although the guardrails for permitting discussions, such as disclosures and report-back requirements for some such meetings requires further work, this work does not outweigh the need for public scrutiny and trust in the process.

Further, authority members may serve for three year terms. HRS §195H-3(d). Resolving disputes in private between individual members may not have an effect if and when those members are replaced in a few years.

Inasmuch as individual authority members may have disputes that have led to "decades of distrust", they may submit these matters to mediation, the communications from which are privileged from disclosure. HRS §658H-3(a).

Me ke aloha,

2025 Board and Staff of KAHEA: The Hawaiian Environmental Alliance

HB-144

Submitted on: 2/5/2025 2:37:29 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kailana Moa-eli	The Queens Court	Oppose	Written Testimony Only

Comments:

"Aloha, We the Queens court oppose HB144 the Thirty Meter Telescope's construction on Mauna Kea. We As Kanaka Maoli we deeply concerned about desecrating our sacred land, disregarding our rights, and prioritizing science over cultural and environmental concerns. I urge you to consider our values and protect Mauna Kea for future generations." The sunshine law Exists to protect the Public to know with what ever goes on Period with that being said Mauna Kea Future must be Decided in the open and the Authorities dose not represent the stakeholders we will stand for What is Pono.

HB-144

Submitted on: 2/5/2025 4:00:16 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jonah Cummings (Hilina'i)	The queens court	Oppose	Written Testimony Only

Comments:

Aloha my name is Hilina'i along with the queens court WE OPPOSE / WE DO NOT AT ALL SUPPORT THIS BILL HB144. Mahalo

HB144

Companion: SB7702/06/25 9:00A

411 VIA VIDEO CONFERENCE

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.

I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I'm in OPPOSITION to HB144

Which seeks to exempt the Mauna Kea Stewardship and Oversight Authority (the Authority) from Hawaii's Sunshine Law, HRS Chapter 92, during the critical five-year transition period from 2023 through 2028. While I recognize the intent to provide the Authority with additional time to address the complex issues before it, removing the transparency and public participation guaranteed by the Sunshine Law is not the solution.

The Sunshine Law is a fundamental safeguard that ensures open governance, public accountability, and trust between state agencies and the communities they serve. As stated in HRS §92-1:

“Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest.”

Exempting the Authority from this essential law will only further degrade trust, particularly among Native Hawaiian communities who have long sought genuine and meaningful consultation regarding the stewardship of Mauna Kea. The bill itself acknowledges this concern in its findings, citing that:

“Many people perceived that Mauna Kea was being managed without sufficient and genuine consultation with the Native Hawaiian community, which had the cumulative effect of degrading trust between the community and those entrusted with managing Mauna Kea.”

Rather than removing public transparency, the state should focus on strengthening the Authority by extending the transition period while maintaining its accountability to the people of Hawai'i. The Authority's decisions impact not only its members but also Native Hawaiian cultural practitioners, environmental advocates, and the broader public who have constitutional rights and vested interests in the future of Mauna Kea. These communities must not be reduced to mere “stakeholders” with limited access to decision-making processes.

If the true goal is to build trust and engagement, it must start with transparency, not secrecy. I urge this committee to reject HB144 and instead support measures that enhance public participation, ensuring that all deliberations affecting Mauna Kea are conducted openly and with full community involvement.

Mahalo,

Cindy Freitas

HB-144

Submitted on: 2/5/2025 11:23:53 AM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Keoni DeFranco	Individual	Support	Written Testimony Only

Comments:

I am writing in support of this bill, its important that we allow MKSOA to move efficently as they set their agency up in an effort to protect Mauna Kea.

HB-144

Submitted on: 2/5/2025 12:22:46 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice K T Shiira	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 144

HB-144

Submitted on: 2/5/2025 2:07:17 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marion McHenry	Individual	Oppose	Written Testimony Only

Comments:

I oppose any sunshine exemption Relting to Mauna Kea. This is a very sensitive area and topic for our population.

HB-144

Submitted on: 2/5/2025 2:09:34 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

MORE Sunshine, not less!

Please OPPOSE HB144 - Mauna Kea Oversight Authority

HB-144

Submitted on: 2/5/2025 3:16:38 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dianne Deauna	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 144, which at it's core, will allow MKSOA quorum-level meetings to occur without public oversight. Some questions:

1. The introducers of the bill acknowledge that: *"Many people perceived that Mauna Kea was being managed without sufficient and genuine consultation with the Native Hawaiian community, which had the cumulative effect of degrading trust between the community and those responsible for managing Mauna Kea."* and yet would like to pass a law that would allow: *"two or more members of the authority, including a number of members that would constitute a quorum of the authority, may meet during the transition period described in section 195H-6 regarding any matter relating to the authority's business;"* - WITHOUT public notice and participation. Wouldn't this bill futher degrade trust between the community and those responsible for managing Mauna Kea?

2. The introducers of the bill insist this is necessary because: *"The legislature also recognizes that the authority has a limited amount of time to resolve the issues before it: Section 195H-6, Hawai'i Revised Statutes, provides for a transition period of five years, during which the authority must develop detailed management and financial plans, establish a framework for astronomy-related development, adopt administrative rules, and prepare to assume full management of Mauna Kea."* MKSOA was established on July 1, 2023, and it has been 1.5 years, with about 3.5 years remaining for MKSOA to accomplish it's mandate. What are the aspects of MKSOA's working plan that will only be accomplished if this bill is put into place? Would those aspects actually never materialize because of the restrictions placed by the Sunshine Law?

3. Finally, this bill says: *"The legislature believes that to promote trust and engagement between these stakeholders, the stakeholders must be able to have frank and open discussions to reach an understanding. The task of crafting reconciliation will likely require countless hours of open discussion and education."* Does MKSOA not see the value of deep learning and education brought about by fully engaging with the community? It's as if the aspect of needing to adhere to the Sunshine Law, where members of the public should be informed or and can attend meetings is treated as a nuisance, rather than a vital component of any discussion regarding the future of Mauna Kea.

HB-144

Submitted on: 2/5/2025 4:47:42 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheena Lopes	Individual	Oppose	Written Testimony Only

Comments:

Transparency matters and Mauna Kea matters, especially ones involving the stewardship needs to be of public scrutiny. The state's history of mismanagement and broken trust only further highlights why allowing two or more members to meet in secrecy is not pono at all. Do better, be better, and obey the sunshine rule already set in place.

HB-144

Submitted on: 2/5/2025 6:12:54 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Valerie Barnes	Individual	Oppose	Written Testimony Only

Comments:

There is no basis for exempting meetings regarding Mauna Kea from Sunshine laws. This is one of the most difficult issues facing the state. I understand it's inconvenient to have the public know what the group is doing, risking the interruptions in meetings, the demonstrations, and so on. But you OWE IT to the public to make every bit of this public because that's the law and because it's so important to so many of us. Sheesh, David Tarnas, what's the matter with you?

HB-144

Submitted on: 2/5/2025 6:34:19 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Faylene Mahina Paishon	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao and Members of House Committee on Land & Water:

Thank you for the opportunity to express my **SUPPORT** of HB144 to enable Mauna Kea Stewardship Authority Board members to participate in briefings and meetings to learn and understand the complexities involved in transferring governing protocols from the University of Hawai‘i to the Authority. By supporting HB 144, you will enable board members to effectively engage in dialogue to draw on expertise, to share, and learn from each other, which are essential ingredients for any high functioning board.

In discussing HB 144 with individual Authority members on seperate occassions, it was conveyed to me that Permitted Interaction Groups, while an option, remain narrowly restricted in focus by design, and limit participation which does not enable all the board members to gain information and understanding of the numerous issues in a timely manner.

The inability to discuss operational formation challenges and solutions with more than one other member hampers the necessary communication needed to achieve transition within the five-year period. Limiting discussion to formally noticed meetings or through the creation of permitted interaction groups are not practical and hamper efficient operations. Further, the inability to have informal discussions to exchange ideas, discuss novel and innovative approaches or “brainstorm” solutions on a “real-time” basis precludes needed functional discussions.

The limited exemption from the Sunshine Law will assist the Authority in meeting its goals in a timely manner, engage more earnestly with community and support a smoother and more efficient transfer of responsibility from the University of Hawai‘i. In doing so, this Board will be better equipped to meet its charge on behalf of the people of Hawai‘i to care for the long-term health of Mauna Kea.

Mahalo for the opportunity to provide testimony in **SUPPORT** of this measure.

HB-144

Submitted on: 2/5/2025 6:39:42 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Kau'i Young	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB144 because it will largely exclude the community that will be impacted by the proposed building of TMT. The Sunshine Law exists to protect the people's right to know. Mauna Kea's future must be decided in the open. Ua mau ke ea o ka 'āina i ka pono.

HB-144

Submitted on: 2/5/2025 8:20:52 PM

Testimony for WAL on 2/6/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalai Hanohano	Individual	Oppose	Written Testimony Only

Comments:

Aloha kaua,

I oppose this bill which weakens government transparency and bypasses sunshine law requirements to protect public transparency. This bill disempowers the community, kanaka and non-kanaka, in fully participating in the decision-making process of telescope construction on Mauna Kea.