



**TESTIMONY IN SUPPORT OF SB268**  
Relating to Island Burial Councils  
Senate Committee on Hawaiian Affairs

January 28, 2025

1:00 p.m.

Room 224

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

Mahalo for setting SB268, which is part of the Office of Hawaiian Affairs' (OHA's) 2025 Legislative Package, for public hearing. OHA submits this testimony in **SUPPORT of SB268** to explain OHA's background and expertise in this area, and to provide the specific analysis that supports passage of this bill.

Background

The Office of Hawaiian Affairs (OHA) is the constitutionally established body responsible for protecting and promoting the rights of Native Hawaiians.<sup>1</sup> Among its statutory duties, OHA is required to (1) serve as principal public agency in the State of Hawai'i responsible for the performance, development and coordination of programs and activities relating to native Hawaiians and Hawaiians; (2) assess the policies and practices of other agencies impacting native Hawaiians and Hawaiians; and (3) conduct advocacy efforts for native Hawaiians and Hawaiians.<sup>2</sup>

In fulfillment of its mandates, OHA has been deeply involved with protection of iwi kūpuna for decades. Under HRS Chapter 6E, Hawai'i's Historic Preservation law, and implementing administrative rules, OHA is tasked with specific kuleana including nominating candidates to serve on the island burial councils (IBCs).<sup>3</sup> OHA also regularly receives communications from its beneficiaries concerning illegal desecration of iwi, difficulties exerting their rights as cultural and lineal descendants, and other issues related to proper implementation of HRS Chapter 6E. OHA will intervene and advocate on behalf of beneficiaries to the IBCs, State Historic Preservation Division (SHPD), and private landowners, when appropriate, to encourage compliance with existing law, including the requirement to consult with cultural and lineal descendants.

Moreover, OHA convened a Burial Sites Working Group (BSWG) in 2021 in response to House Resolution 113 (HR 113) and Senate Resolution 171 (SR 171) to look at

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<sup>1</sup> Haw. Const. Art. XII § 5

<sup>2</sup> Hawai'i Revised Statutes (HRS) § 10-3.

<sup>3</sup> See HRS §§ 6E-3, 43, -43.5, 43.6; Hawai'i Administrative Rules (HAR) §§ 13-284-6(c); 13-275-6(c).

systemic and recurring issues related to SHPD's implementation of HRS Chapter 6E.<sup>4</sup> The BSWG published a Final Report in February 2023, with proposed statutory and regulatory amendments that would enhance protections for traditional burial sites that are disturbed during the course of construction, and ensure the IBCs are properly consulted concerning treatment, preservation, and disposition of such sites, among other matters.<sup>5</sup> Several bills introduced this session and last reflect recommendations made by the BSWG.

Based on these decades of work and research, OHA is aware of shortcomings in the current laws and rules, and where amendments would improve the historic preservation process.

### SB268: Honoring the Purpose of the IBCs and Facilitating Effective Oversight

The amendments to HRS Chapter 6E that created the IBCs were passed in 1990, following the disinterment of over 1,100 men, women, and children in Kapalua, Maui in the location of the proposed Ritz-Carlton Hotel. As recognized by the legislature at the time, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. Further, under the State of Hawai'i Constitution Article XII, section 7, the state has a specific trust duty to protect Native Hawaiian cultural practices, including those related to mālama iwi. The IBCs are an important means for the State to effectuate these important trust duties and to ensure protection of Native Hawaiian traditional and customary practices.

**The current provision in HRS Chapter 6E allowing up to three representatives of development and large landowner interests on each council (other than Moloka'i which designates one landowner seat) does not align with the state's trust responsibility to protect traditional and cultural practices.** While some landowner representatives have made meaningful contributions to IBC decisions, their participation in the designated landowner seat is not necessary. Culturally qualified individuals can apply independently through established nomination processes, ensuring that council members are selected based on their cultural expertise and commitment to preserving burial sites. By centering cultural knowledge and expertise, and removing the seats reserved for developer and landowner interests, this measure ensures that the councils can serve as representatives of Native Hawaiian cultural perspectives in the historic review process, as originally intended.

**Moreover, removing the designated landowner/develop seats will lower the number of council members required to meet quorum and conduct council business, increasing the effectiveness of the council system.** IBCs are comprised of unpaid volunteers

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<sup>4</sup> Although a Joint Resolution between the Senate and House was never achieved, OHA decided to underwrite and establish the BSWG in reflection of OHA's historic preservation responsibilities in both rule and statute.

<sup>5</sup> See Report of the Burial Sites Working Group to the Hawai'i State Legislature (Feb. 2023), [BSWG Report to the 2023 Legislature - Google Docs](#). As a clarification, the report was submitted to Senator Maile Shimabukuro and Representative Mark Nakashima, sponsors of the Senate and House Resolutions respectively, in December 2023, but does not appear in the 2023 Reports to the Legislature list that is available online.

who meet for long hours and quorum has historically been a roadblock to IBC decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing IBCs to do business with a smaller number of members will help relieve this backlog and ensure that descendants are able to provide their feedback and input into important decisions concerning protection and preservation of burial sites.

In closing, HRS Chapter 6E recognizes that **all** burial sites are significant and should be preserved in place whenever possible, reflecting universal norms concerning the respectful treatment of deceased persons. The law also recognizes that traditional Native Hawaiian burials are uniquely vulnerable to disinterment and desecration, and requires consultation with lineal descendants, cultural practitioners, and Native Hawaiian organizations to guide decisions regarding preservation or relocation of disturbed burials. To fulfill this kuleana, IBCs must be composed of individuals with a deep understanding of the cultural, historical, and spiritual significance of iwi kupuna, and mālama iwi practices.

Mahalo again for the Committee's consideration of this bill. On behalf of OHA, I respectfully urge the committee to **PASS** SB268.

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621  
HONOLULU, HAWAII 96809

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

CIARA W.K. KAHAHANE  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the Senate Committee on  
HAWAIIAN AFFAIRS  
Tuesday, January 28, 2025  
1:00 PM  
State Capitol Conference Room 224 & Videoconference

In consideration of  
SENATE BILL 268  
RELATING TO ISLAND BURIAL COUNCILS

Senate Bill 268 amends section 6E-43.5, Hawaii Revised Statutes (HRS), to decrease the size of the island burial councils from nine to seven members and removes the requirement for the councils to include representatives of development and large landowner interests. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department recognizes the ongoing challenge with filling each of the nine seats to which the Hawai'i (HIBC), Maui/Lāna'i (MLIBC), O'ahu (OIBC), and Kaua'i/Ni'ihau (KNIBC) Island Burial Councils are entitled. The Department notes that low membership has been causing issues with quorum, which in turn hinders the councils' ability to fulfill their responsibility of protecting Native Hawaiian burial sites. HRS section 6E-43.5(f) expressly defines quorum to do business as a majority of all members to which each council is entitled, therefore, Senate Bill 268 would subsequently reduce the number of members required for quorum to conduct business.

Mahalo for the opportunity to provide testimony on this measure.



January 28, 2025

TESTIMONY OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS  
To the Senate Committee on Hawaiian Affairs

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**SB 268 - RELATING TO ISLAND BURIAL COUNCILS**

Aloha Chair Richards, Vice Chair San Buenaventura, and members of the Committee:

The Association of Hawaiian Civic Club **supports** SB 268 which amends the current requirements of the Island Burial Councils composition. We find that the proposed modifications will better facilitate the important work of the councils and will amplify the voice of Native Hawaiian cultural practitioners and lineal descendants in the historic preservation process.

Founded by Prince Kūhiō in 1918, the Hawaiian Civic Club movement is the oldest Native Hawaiian community-based advocacy movement. The Association of Hawaiian Civic Clubs is a not-for-profit organization that is a confederation of 60 individual and autonomous Hawaiian Civic Clubs and 3,500 members located across Hawai‘i and across the continental United States.

We appreciate your favorable consideration of this bill.

**SB-268**

Submitted on: 1/25/2025 7:48:45 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>          | <b>Organization</b>  | <b>Testifier Position</b> | <b>Testify</b>            |
|------------------------------|--|---------------------------|---------------------------|
| Kenneth R. Conklin,<br>Ph.D. | Testifying for Center for<br>Hawaiian Sovereignty<br>Studies | Oppose                    | Written Testimony<br>Only |

Comments:

This bill would decrease the size of the Island Burial Councils from 9 to 7 members and remove the requirement for the councils to include members having development and large property owner interests.

It is probably a good idea to reduce the size of the Burial Councils, because some of those Councils have had difficulty assembling a sufficient number of members to constitute a quorum.

It is certainly true that lineal descendants of dead people should have a major role in deciding whether their remains must stay in the place where they were buried or whether they can be respectfully moved to a different place where property development will not intrude upon them. So-called cultural descendants should have a lesser right to participate in such decision-making, but a greater right than the general public.

However, it is grossly inappropriate to exclude landowners or business owners from such decision-making, because their property rights deserve respect.

Among the descendants of the dead people there should be greater rights for the lineal descendants and lesser but still significant rights for the cultural descendants. In the same way, among the property and business owners, there should be greater rights for owners who are directly connected to the lands where the bodies are buried, and lesser but still significant rights for the general class of owners whose lands or businesses are not directly connected to those particular lands. Land owners and business owners, as a general class within our society, have a right to participate in setting the rules and attitudes whereby laws affecting all property rights are enacted and then respected.

People lacking Hawaiian native blood are nevertheless citizens of Hawaii with a right to participate in making the decisions which govern us all. It would be blatantly racist to exclude them from participation on the Burial Councils.

The first sentence of the first Constitution of the Kingdom of Hawaii, proclaimed in 1840 by King Kamehameha III, contains the wisdom that should be applied: "Ua hana mai ke Akua i na lahuikanaka apau i ke koko ho'okahi, e noho like lakou ma ka honua nei me ke kuikahi a me ka pomaika'i." That sentence can be translated into modern English thusly: God

has made of one blood all races of people to dwell upon this Earth in unity and blessedness. E hana kakou. Aloha kakou. Let's all work together and love each other.

**SB-268**

Submitted on: 1/26/2025 6:07:58 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b>                  | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|--------------------------------------|---------------------------|------------------------|
| Hardy Spoehr        | Testifying for The Spoehr Foundation | Support                   | Written Testimony Only |

Comments:

Dear Legislators,

Aloha. Thank you for the opportunity to testify in support of SB 268. While reducing the number of Council members will make the review and decision making process a bit easier, the elimination of those "having development and large property owner interests" can only be a positive change. The question of burial outcomes should never be tied to economic interests or potential decision-making based on these interests, but rather one tied to the preservation of cultural beliefs and practices. Both of these changes in the legislation have the potential for enhancing the foundational way of life in our island society. Mahalo,

Hardy Spoehr, President; The Spoehr Foundation

**SB-268**

Submitted on: 1/27/2025 12:33:00 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>         | <b>Organization</b>                | <b>Testifier Position</b> | <b>Testify</b> |
|-----------------------------|------------------------------------|---------------------------|----------------|
| Melinda Healani Sonoda-Pale | Testifying for Pu'uhonua o Wailupe | Support                   | In Person      |

Comments:

**Testimony in Support of SB 268**

Submitted by Pu'uhonua o Wailupe

Date: January 27, 2025

Hearing Date: January 28, 2025, 1:00 PM

Committee: Hawaiian Affairs (HWN)

Location: Conference Room 016 & Videoconference

Aloha Chair Senator Herbert M. "Tim" Richards, III, Vice Chair Senator Joy A. San Buenaventura, and Members of the Committee,

Pu'uhonua o Wailupe strongly supports SB 268, which enhances the cultural integrity of island burial councils by removing the requirement for representatives of development and property owner interests and reducing council size.

**Our Mission:**

To protect iwi kūpuna (ancestral remains) from desecration and uphold Native Hawaiian values.

Iwi kūpuna hold profound spiritual and cultural significance. The kuleana (responsibility) of mālama iwi kūpuna is central to Hawaiian traditions. By focusing council membership on individuals with cultural knowledge, this bill ensures decisions honor the dignity and respect of our ancestors.

Including development and property owner representatives often conflicts with these priorities. SB 268 addresses this by prioritizing members with expertise in Native Hawaiian practices, aligning council composition with its purpose.

We urge the committee to pass this measure to protect iwi kūpuna and perpetuate Hawaiian traditions.

Mahalo for your consideration.

Me ke aloha,

Pu'uhonua o Wailupe



**SB-268**

Submitted on: 1/26/2025 4:16:47 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>     | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|-------------------------|---------------------|---------------------------|---------------------------|
| Johne Constance Colahan | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Support SB268

**SB-268**

Submitted on: 1/26/2025 4:18:08 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Jeremy Burns | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Mahalo for your consideration,

Jeremy Burns

Kaua'i



**SB-268**

Submitted on: 1/26/2025 4:21:33 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By   | Organization | Testifier Position | Testify                |
|----------------|--------------|--------------------|------------------------|
| Kale Kanaeholo | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**SB-268**

Submitted on: 1/26/2025 4:23:25 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

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

Comments:

Support SB268

**SB-268**

Submitted on: 1/26/2025 4:50:10 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By             | Organization | Testifier Position | Testify                |
|--------------------------|--------------|--------------------|------------------------|
| Jmi Lilinoe Bassett Asam | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Jmi Lilinoe Bassett Asam

**SB-268**

Submitted on: 1/26/2025 5:06:45 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By    | Organization | Testifier Position | Testify                |
|-----------------|--------------|--------------------|------------------------|
| Teleise Scanlan | Individual   | Support            | Written Testimony Only |

Comments:

**Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee,**

I am writing to express my strong support for SB268, which is a vital step toward preserving and uplifting Native Hawaiian cultural practices and addressing the disparities facing our lāhui. These bills represent a commitment to mālama ‘āina, mālama iwi, and the well-being of Native Hawaiians.

The Island Burial Councils serve a critical role in protecting and honoring our iwi kūpuna. SB268 strengthens their ability to fulfill this mission by centering Native Hawaiian cultural knowledge and perspectives. I support this bill for the following reasons:

- 1. Perpetuation of mālama iwi practices:**  
SB268 ensures that the councils remain focused on their primary mission of protecting iwi kūpuna by removing reserved seats for developer and large landowner interests. This change prioritizes cultural expertise and aligns with the councils' intended purpose.
- 2. Improving council effectiveness:**  
Eliminating landowner-designated seats will reduce quorum issues, allowing councils to convene and make decisions more efficiently. This will resolve delays that have historically hindered recognition of descendants and protection of burial sites.
- 3. Fulfilling the state’s constitutional trust duties:**  
The state has a responsibility to uphold Native Hawaiian cultural practices. Strengthening the councils supports this sacred trust and honors the legislature’s original intent in creating the councils in 1990.

I respectfully urge the committee to pass SB268 to strengthen the protection of iwi kūpuna and ensure that Native Hawaiian voices remain at the forefront of historic preservation.

e ulu pono, Teleise Scanlan

**SB-268**

Submitted on: 1/26/2025 5:25:03 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Michael McVay       | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Our Ancestors honor and glory!Please Support

**SB-268**

Submitted on: 1/26/2025 5:35:14 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Su Wong             | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:**SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**Su Wong**

**Kailua, HI**

**SB-268**

Submitted on: 1/26/2025 5:44:26 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| J. Kehau Lucas      | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs,

I strongly support SB268 for these reasons:

- **\*\*Protecting iwi kūpuna\*\***: SB268 strengthens burial councils by prioritizing cultural knowledge and removing developer/landowner seats, ensuring Native Hawaiian perspectives guide decisions.
- **\*\*Increasing council effectiveness\*\***: By lowering quorum requirements, this bill reduces delays in decision-making and ensures descendants have a voice in protecting burial sites.
- **\*\*Fulfilling trust duties\*\***: SB268 supports the state's constitutional duty to uphold Native Hawaiian cultural practices and the sacred trust to care for interred persons.

Mahalo for the opportunity to testify in support of SB268. I urge you to pass this important measure.

Aloha ‘Āina,

J. Kēhau Lucas

808-482-0824

jessklucas@gmail.com

**SB-268**

Submitted on: 1/26/2025 5:46:49 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>         | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b> |
|-----------------------------|---------------------|---------------------------|----------------|
| Kimmer Horsen<br>(Bighorse) | Individual          | Support                   | In Person      |

Comments:

- The island burial councils were created in 1990 following the disinterment of over 1,100 burials in the location of the proposed Ritz-Carlton Kapalua.
- The councils were created to give Native Hawaiian cultural practitioners and lineal descendants a voice in the historic preservation process.
- Unfortunately, problems continue to plague the HRS Chapter 6E historic review process, as documented by the 2022 Burial Sites Working Group in its Final Report, leading to continued desecration across the pae ‘āina.
- OHA’s bill would strengthen cultural perspectives and make it easier for councils to convene and do business by eliminating the seats designated for “development and large landowner interests.”
- Currently, up to three seats can be held by development interests on the O‘ahu, Maui/Lāna‘i, Kaua‘i/Ni‘ihau, and Hawai‘i burial councils, and one seat on the Moloka‘i burial council.

**SB-268**

Submitted on: 1/26/2025 6:14:44 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Kylie Borges        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Aloha,

My name is Kylie and I am a diasporic Kanaka currently residing in San Jose, CA. I'm submitting testimony today *in support of SB268/HB409*. I frankly was a bit alarmed to learn that there were seats designated for development/large landowner interests at all, as this seems like it poses a conflict of interest. I believe, as the Office of Hawaiian Affairs has indicated, that this bill will ultimately strengthen cultural perspectives on Island Burial Councils by eliminating the seats currently designated for people in development and large landowner interests. Please vote yes on SB268/HB409.

Mahalo Nui for your time and consideration,

Kylie

**SB-268**

Submitted on: 1/26/2025 6:18:59 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By          | Organization | Testifier Position | Testify                |
|-----------------------|--------------|--------------------|------------------------|
| Elizabeth Ann K Poire | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**SB-268**

Submitted on: 1/26/2025 7:41:35 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By   | Organization | Testifier Position | Testify                |
|----------------|--------------|--------------------|------------------------|
| Keiko Gonzalez | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Me ke aloha,

Keiko

**SB-268**

Submitted on: 1/26/2025 8:00:51 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Martha Evans | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. It is imperative to remove the requirement that allows developers and large landowners to have reserved seats on each council. This bill ensures the councils will represent Native Hawaiian cultural perspectives, as they should have done from the inception.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision-making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to conduct business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring the Hawaiian cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Martha Evans

**SB-268**

Submitted on: 1/26/2025 8:06:29 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Davian Keeno | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**Mahalo,**

**Davian Keeno**

**41-210 Hihimanu Street Waimanalo, HI 96795**

**808-864-8822**

**SB-268**

Submitted on: 1/26/2025 8:36:49 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Uilani Naipo        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I support this measure, agreeing with the findings and recommendations to the make up of council members.

Please pass this measure.

**SB-268**

Submitted on: 1/26/2025 9:46:48 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Shawn White         | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:**SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Shawn White

**SB-268**

Submitted on: 1/26/2025 8:39:10 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Simone Kamaunu      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I am in support of SB268

**SB-268**

Submitted on: 1/26/2025 10:10:06 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By    | Organization | Testifier Position | Testify                |
|-----------------|--------------|--------------------|------------------------|
| B.A. McClintock | Individual   | Support            | Written Testimony Only |

Comments:

**I support SB269** which increases funding for the Office of Hawaiian Affairs (OHA) to hire new staff and accelerate implementation of its 15-year strategic plan, Mana i Maui Ola. The state has never allocated OHA its full pro rata share due by law and therefore periodic appropriations are just, fair, and necessary to enable OHA to meet its broad mandate to better the condition of Native Hawaiians.

I also understand that OHA’s funding request will staff positions focused on leveraging partnerships with other state and county agencies and increasing transparency around OHA’s work, including progress towards meeting its mandates. This is a smart investment of taxpayer dollars to ensure collaboration between and among government entities that serve Native Hawaiians and share common goals.

As a Native Hawaiian beneficiary and voter, I am excited to see that OHA’s leadership is bringing innovative approaches to problems that have persisted for generations. The strategic direction undertaken by OHA is worthy of support from the legislature as we work together to provide opportunity and progress for all Hawai’i’s residents.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB269. Mahalo.**

**SB-268**

Submitted on: 1/26/2025 10:14:43 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Tadia Rice          | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

I support SB268 for many reasons:

SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

It is important to mālama iwi practices and allow councils to ensure that descendants have a voice in the protection and preservation of burial sites.

Further, the state has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices and ensure that Native Hawaiian cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to pass SB268.

Tadia Rice

**SB-268**

Submitted on: 1/26/2025 10:48:39 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Scott Amona  | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

*Scott W. Kekama Amona*

*swamona@gmail.com*

**SB-268**

Submitted on: 1/26/2025 11:04:20 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By       | Organization | Testifier Position | Testify                |
|--------------------|--------------|--------------------|------------------------|
| Mackenzie Plunkett | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

*-Mackenzie Plunkett (Wahine Hawai‘i, Master's of Public Administration Student at UHM, & concerned community member)*

**SB-268**

Submitted on: 1/26/2025 11:23:37 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Jordan Hester-Moore | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs,

I am writing to express my strong support for SB268 for the following reasons:

**Preserving mālama iwi practices:**

SB268 empowers island burial councils to better fulfill their essential mission of protecting and caring for iwi kūpuna. By prioritizing cultural knowledge and expertise while removing the requirement for developers and large landowners to hold designated seats on the councils, this bill ensures that the councils will more authentically reflect Native Hawaiian cultural values and perspectives.

**Improving burial council effectiveness:**

This bill addresses longstanding quorum challenges by reducing the number of members required for the councils to convene and removing landowner seats from this requirement. These changes will help overcome delays that have previously impeded decision-making, allowing councils to more effectively address critical matters such as recognizing lineal and cultural descendants. Streamlining the structure will promote timely action and ensure descendants' voices are heard in safeguarding burial sites.

**Upholding the state's trust obligations:**

When the burial councils were created in 1990, the legislature recognized the importance of treating interred persons with respect and acknowledged this as a sacred public trust. Moreover, the state has a constitutional duty to protect Native Hawaiian cultural practices, including mālama iwi. The burial councils play a vital role in ensuring these cultural practices are upheld and that Native Hawaiian perspectives guide decisions.

Thank you for the opportunity to testify in support of this essential measure. I respectfully urge the committee to pass SB268.

Mahalo nui loa

**SB-268**

Submitted on: 1/27/2025 1:15:26 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Wayne Tanaka        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

The burial councils' chronic inability to make quorum helps no one, developers and landowners included. This measure will help to address this problem while ensuring that burial councils can focus on their critical work. Mahalo!

**SB-268**

Submitted on: 1/27/2025 3:55:24 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Sonya H Davis       | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I strongly support SB268.**

As a Native Hawaiian, it is vital that our cultural ways are preserved. We have lost so much already. Although, I was raised on the Mainland, my love for my Hawaiian roots has never diminished. When I visit Hawaii now, the Islands are literally crying out to me. They are exhausted from all the "taking" and desperately need our help.

Please listen to our motherly ancestors and pass this bill.

Mahalo.

Sonya H Davis

## SB268 Burial Council

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state's trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

*William L Kapaku Jr*

*DHHL Wait List*

**SB-268**

Submitted on: 1/27/2025 6:52:01 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By        | Organization | Testifier Position | Testify                |
|---------------------|--------------|--------------------|------------------------|
| P Hauoli'ipo Wright | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB269** which increases funding for the Office of Hawaiian Affairs (OHA) to hire new staff and accelerate implementation of its 15-year strategic plan, Mana i Maui Ola. The state has never allocated OHA its full pro rata share due by law and therefore periodic appropriations are just, fair, and necessary to enable OHA to meet its broad mandate to better the condition of Native Hawaiians.

I also understand that OHA's funding request will staff positions focused on leveraging partnerships with other state and county agencies and increasing transparency around OHA's work, including progress towards meeting its mandates. This is a smart investment of taxpayer dollars to ensure collaboration between and among government entities that serve Native Hawaiians and share common goals.

As a Native Hawaiian beneficiary and voter, I am excited to see that OHA's leadership is bringing innovative approaches to problems that have persisted for generations. The strategic direction undertaken by OHA is worthy of support from the legislature as we work together to provide opportunity and progress for all Hawai'i's residents.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB269**.

- P Hau'oli ipo Wright

**SB-268**

Submitted on: 1/27/2025 7:25:41 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Lina Park    | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians' cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Lina Park (she/her) - linapark15@gmail.com - (808) 295-1860

**SB-268**

Submitted on: 1/27/2025 7:47:58 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| leilani spencer     | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I support SB268 because it helps protect and care for Native Hawaiian burial sites. The bill makes sure that people with cultural knowledge lead the councils that make decisions about these sites, instead of requiring spots for developers and landowners.

It also makes the councils work better by letting them have meetings with fewer people. This change will help fix delays and make sure important decisions, like recognizing family members connected to the burial sites, are made faster.

Finally, SB268 helps the state keep its promise to protect Native Hawaiian traditions and burial sites.

Thank you for thinking about this important law. Please pass SB268!

**SB-268**

Submitted on: 1/27/2025 7:50:57 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By     | Organization | Testifier Position | Testify                |
|------------------|--------------|--------------------|------------------------|
| Gabrielle Igarta | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

*Gabrielle Igarta*

**SB-268**

Submitted on: 1/27/2025 8:08:05 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Richelle Kim        | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Richelle Kim

**SB-268**

Submitted on: 1/27/2025 8:32:27 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Malia Marquez       | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Aloha Kākou,

We need better protections for our iwi kupuna. Reducing the number of members and excluding any large property owners/developers helps to better protect our ancestors. NO one would be going to Punchbowl to develop, dig and/or disrupt those buried there? Our iwi need the same protections as ANY place of eternal rest. PLEASE support SB268.

Mahalo, Malia Marquez

**SB-268**

Submitted on: 1/27/2025 8:34:29 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Davielynn Briones   | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**SB-268**

Submitted on: 1/27/2025 8:46:13 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b> |
|----------------------|---------------------|---------------------------|----------------|
| Kawaiohawaiki Garran | Individual          | Support                   | In Person      |

Comments:

Decrease the size of the Island Burial Councils from 9 to 7 members. Remove the requirement for the councils to include members having development and large property owner interests.

In January 23rd 2025 The board of trustees for the Office of Hawaiian affairs has nominated me for the island burial council. This bill is extremely important. The requirement for the council to include members that have the interest of large property owner needs to be removed!!

**SB-268**

Submitted on: 1/27/2025 9:05:26 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Tiare Smith         | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Tiare Smith

Email: Lahela79@yahoo.com

**SB-268**

Submitted on: 1/27/2025 9:42:57 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By   | Organization | Testifier Position | Testify                |
|----------------|--------------|--------------------|------------------------|
| Cheryl Bellamy | Individual   | Support            | Written Testimony Only |

Comments:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**SB-268**

Submitted on: 1/27/2025 10:13:24 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Kristy Lam   | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

*Kristy Lam*

*kristylam808@yahoo.com*

**SB-268**

Submitted on: 1/27/2025 10:44:36 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Ronnie N Inagaki    | Individual          | Support                   | Written Testimony Only |

Comments:

**\*\*Testimony in Support of SB268 – Relating to Island Burial Councils\*\***

Aloha, Senator Herbert M. "Tim" Richards, III, Chair, Senator Joy A. San Buenaventura, Vice Chair, and Members of the Committee,

Mahalo for the opportunity to submit testimony in strong support of SB268, which seeks to amend the composition and responsibilities of the Island Burial Councils (IBCs). This bill represents a critical step toward ensuring that the care and protection of iwi kūpuna (ancestral remains) remain grounded in Native Hawaiian values, cultural practices, and spiritual beliefs.

As noted in the bill, iwi kūpuna hold profound spiritual and cultural significance for Native Hawaiians. The kuleana (responsibility) of mālama iwi kūpuna (caring for ancestral remains) is deeply rooted in the traditions and practices of our people, and it is a sacred duty that reflects our connection to our ancestors and the ‘āina (land). Island Burial Councils serve as vital stewards in preserving these practices by providing oversight and guidance on matters related to the treatment and protection of iwi kūpuna.

**### \*\*Why SB268 is Necessary\*\***

The current composition of Island Burial Councils includes representatives from development and large property owner interests. While these representatives may serve other administrative or economic purposes, their inclusion in the IBCs detracts from the councils’ ability to prioritize the spiritual and cultural responsibilities associated with iwi kūpuna. Developers and landowners may face inherent conflicts of interest when decisions involve balancing cultural preservation with financial or development goals. To align the councils with the kuleana of mālama iwi

kūpuna, it is essential to remove these positions and ensure that council members have a deep understanding of Native Hawaiian culture, history, and burial practices.

Moreover, the proposed reduction in council size from 9 to 7 members (5 for Moloka‘i) will streamline decision-making processes while maintaining cultural integrity. By prioritizing individuals with the necessary cultural competency, SB268 ensures that the councils remain focused on their primary mission: the respectful care and protection of ancestral remains.

#### ### \*\*Key Benefits of SB268\*\*

##### 1. \*\*Cultural Integrity and Preservation:\*\*

- By removing landowner and developer representatives, the Island Burial Councils will be composed entirely of individuals who prioritize the spiritual and cultural significance of iwi kūpuna.

- This change reflects the recognition that the care of iwi kūpuna is a sacred duty that cannot be compromised by competing interests.

##### 2. \*\*Conflict-of-Interest Mitigation:\*\*

- This bill eliminates potential conflicts of interest that arise when landowner and developer representatives are involved in decisions about burial sites.

- It ensures that the focus of the councils remains on cultural preservation and respect for ancestral remains, rather than economic or development priorities.

##### 3. \*\*Alignment with Hawaiian Values:\*\*

- SB268 acknowledges the unique and irreplaceable role of Native Hawaiian cultural practices in the stewardship of iwi kūpuna.

- It empowers the Hawaiian community to take a leadership role in matters that directly impact their cultural heritage.

4. **Efficient Governance:**

- Reducing the size of the councils encourages more efficient decision-making while maintaining broad regional representation.

- The reduction does not compromise the councils' ability to represent geographic diversity but instead reinforces their focus on cultural expertise.

### **Conclusion**

SB268 is not merely a legislative adjustment; it is a reaffirmation of the State of Hawai'i's commitment to Native Hawaiian values, cultural preservation, and the sacred responsibility of mālama iwi kūpuna. By ensuring that Island Burial Councils are composed of individuals with deep cultural knowledge, this bill upholds the spiritual and cultural integrity of these councils and safeguards the ancestral heritage of Hawai'i's people.

I respectfully urge the committee to pass SB268 and honor the kuleana of protecting and preserving iwi kūpuna for future generations. Mahalo for your time, consideration, and commitment to this important issue.

Me ka ha'aha'a (with humility and respect),

Ronnie Inagaki

**SB-268**

Submitted on: 1/27/2025 10:46:18 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Nanea Lo     | Individual   | Support            | Written Testimony Only |

Comments:

Hello Chair, Vice Chair, and Members of the Committee,

My name is Nanea Lo, and I am writing in **strong support** of SB268, which seeks to remove the landowner membership requirements for the Island Burial Councils (IBCs) and reduce the number of members needed to make quorum. I am a former O‘ahu Island Burial Council member from 2021-2024.

The work of the Island Burial Councils is essential to safeguarding **iwi kūpuna**, a sacred responsibility that embodies the deep cultural values and traditions of Kānaka Maoli (Native Hawaiians). However, the longstanding issue of meeting quorum has significantly compromised the ability of the councils to perform their duties effectively. This problem has delayed critical decisions, leaving iwi kūpuna vulnerable to harm and stalling efforts to balance cultural preservation with development interests. Which I have witnessed first hand of quorum being insufficient and many times have had setbacks in burial council members in doing their volunteer jobs in the full function that is needed.

By removing the landowner membership requirements, SB268 addresses a key structural barrier that has limited the council's functionality. Furthermore, reducing the quorum requirement ensures that decisions can be made in a timely and thoughtful manner, providing the opportunity for Indigenous voices and perspectives to be prioritized in protecting iwi kūpuna.

This bill represents a step toward recognizing the importance of cultural preservation in Hawai‘i and honoring the kuleana we have to uphold the dignity and safety of our ancestors. It also helps ensure that development aligns with the values and priorities of our communities.

I urge the committee to pass SB268 to empower the Island Burial Councils to fulfill their critical role in protecting iwi kūpuna while promoting balance and collaboration between cultural preservation and development.

Mahalo for the opportunity to testify on this important measure.

me ke aloha ‘āina,

Nanea Lo, Mō‘ili‘ili, HI 96826



**SB-268**

Submitted on: 1/27/2025 10:57:51 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By  | Organization | Testifier Position | Testify                |
|---------------|--------------|--------------------|------------------------|
| Kilihea Inaba | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

This testimony is in support of **SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Mahalo nui,

Kilihea Inaba- Kaloko, Kona, Hawai'i

**SB-268**

Submitted on: 1/27/2025 11:44:24 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|----------------------|---------------------|---------------------------|---------------------------|
| Dawn Hegger-Nordblom | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I support 268 SB RELATING TO ISLAND BURIAL COUNCILS.

**SB-268**

Submitted on: 1/27/2025 12:52:05 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|----------------------|---------------------|---------------------------|---------------------------|
| Rene Kehau Schofield | Individual          | Support                   | Written Testimony<br>Only |

Comments:

SB268/HB409 (Island Burial Councils)

Hello,

My name is Rene Kehaulani Schofield and I live in **Pahoa, Hawaii**. I'm submitting testimony today *in support of SB268/HB409*. I frankly was a bit alarmed to learn that there were seats designated for development/large landowner interests at all, as this seems like it poses a conflict of interest. I believe, as the Office of Hawaiian Affairs has indicated, that this bill will ultimately strengthen cultural perspectives on Island Burial Councils by eliminating the seats currently designated for people in development and large landowner interests. Please vote yes on SB268/HB409.

Thank you for your time and consideration,

**Rene Kehaulani Schofield**

**LATE**

**SB-268**

Submitted on: 1/27/2025 4:43:33 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b>                        | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|--|---------------------------|---------------------------|
| Uilani Kapu         | Testifying for Aha Moku<br>O Maui, Lahaina | Support                   | Written Testimony<br>Only |

Comments:

Aloha Kakou

On behalf of Aha Moku O Maui, Lahaina Moku. We stongly support this bill, our burial council either has no quoruim do to large land owners having to recuse themselves when there project comes up or we have no quoruim.

We need to correct things that are not working so that our Iwi Kupuna are not waiting so long to be put back to rest.

Mahalo

U'ilani Kapu

Aha Moku O Maui, Lahaina Moku Chair

**LATE**

**SB-268**

Submitted on: 1/27/2025 1:19:58 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Bobby Camara        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

While I approve of the intent of SB268, I trust that Burial Council members selected from the Districts of Moku o Keawe will have excellent, comprehensive geographic knowledge, as well as knowledge of burial practices.

mahalo for the opportunity to comment,

**LATE**

**SB-268**

Submitted on: 1/27/2025 1:51:03 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>    |
|----------------------|---------------------|---------------------------|-------------------|
| Kapua Keliikoa-Kamai | Individual          | Support                   | Remotely Via Zoom |

Comments:

**Aloha Hawaiian Affairs Chair Richards, Vice Chair San Buenaventura, Committe and others,**

I am Kapua Keliikoa-Kamai and I Stand in STRONG SUPPORT of SB268 - RELATING TO ISLAND BURIAL COUNCILS. Decreases the size of the Island Burial Councils from 9 to 7 members. Removes the requirement for the councils to include members having development and large property owner interests.

This Bill allows those with a reverence, knowledge, practice and kuleana of Hawaiian spiritual and cultural practices to make sound decisions regarding our 'iwi kupuna. Removing the requirement for developers and those with property interest is appropriate and should be passed out of this committee, mahalo.

Me ke aloha,

Kapua Keliikoa-Kamai

Concerned Hawaiian Resident from Wai'anāe

**LATE**

**SB-268**

Submitted on: 1/27/2025 2:06:50 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| carol lee kamekona  | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I support sb268. Many developments have taken the mindset that Iwi Kupuna can be disinterred and put in a mass grave. The Grand Wailea Resort on Maui was built on a graveyard. The Resort is currently in an expansion Phase. There is a burial preserve located on the North end of the property. The Resort is looking to add another Wing which will mean the new infrastructure (Utility lines, sewer lines etc) will need to be placed under the North preserve. This is hewa! Along with the fact that our kupuna will NEVER rest again as the patrons of that intended new Wing would be overlooking the preserve with no adequate buffer.

i am in huge support of this Bill! Mahalo!

carol lee kamekona

kahului, maui

**LATE**

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

I support SB268 for the following reasons:

Perpetuation of mālama iwi practices: SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise and by removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

SB268 would also increase the effectiveness of burial councils by lowering the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

When the burial councils were created in 1990, it was recognized by the legislature that the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to pass SB268.

Respectfully,

Pua Chin  
Resident, Kauai

**LATE**

**SB-268**

Submitted on: 1/27/2025 3:36:08 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Keke Manera  | Individual   | Support            | Written Testimony Only |

Comments:

|                           |
|---------------------------|
| <b>PROTECT IWI KŪPUNA</b> |
|                           |

**LATE**

**SB-268**

Submitted on: 1/27/2025 4:05:20 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Ella Aki            | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Aloha,

I strongly support SB268. Thank you for considering my support.

Mahalo piha,

Ella H. Aki

**LATE**

**SB-268**

Submitted on: 1/27/2025 4:22:52 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Jennifer Mather     | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee,

Mahalo for the opportunity to provide testimony in SUPPORT of SB268, a bill that honors the sacred responsibility of mālama iwi kūpuna by restructuring the composition of the Island Burial Councils.

As a kanaka 'ōiwi, I understand the profound significance of iwi kūpuna to our culture, our history, and our identity as a people. Iwi kūpuna are not mere physical remnants but carry the mana and ancestral connection that root us to our 'āina. This kuleana to care for our kūpuna is an act of honoring their eternal presence and our intergenerational ties and the kūlana should be that of those who have the best understanding of that.

This bill is an important step toward ensuring that Island Burial Councils are composed of individuals whose understanding of and dedication to Native Hawaiian burial practices align with their sacred purpose. The removal of representatives with development and large property owner interests is critical, as their inclusion often presents conflicts of interest that undermine the councils' primary mission to protect iwi kūpuna and uphold cultural protocols.

The changes proposed in this measure, including decreasing the size of the councils and emphasizing the appointment of members with deep cultural knowledge, reflect a commitment to restoring and upholding Native Hawaiian values. By centering the councils on those who carry a true understanding of the cultural, spiritual, and historical importance of iwi kūpuna, we ensure that decisions are made with reverence, respect, and aloha.

I urge you to pass this measure and uphold the sanctity of Native Hawaiian traditions. Mālama iwi kūpuna is not only a cultural responsibility but a testament to the resilience and strength of our people and our connection to our ancestors.

Mahalo nui loa for your time and consideration.

Me ka ha'aha'a,  
Jen Mather

**LATE**

**SB-268**

Submitted on: 1/27/2025 4:25:17 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Wendy Waipa  | Individual   | Support            | Written Testimony Only |

Comments:

January 27, 2025

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**Me ka 'oia'i'o,**

**Wendy Waipa**

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I wholeheartedly support SB268** for the following inspiring reasons:

**Perpetuation of mālama iwi practices:** SB268 empowers island burial councils to embrace their sacred mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise and removing the requirement for developers and large landowner interests to hold reserved seats on each council, this bill ensures that the councils will truly reflect Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 will also simplify the process for councils by reducing the number of individuals needed to meet, thus eliminating the landowner seats. Quorum has historically posed challenges to council decision-making, leaving crucial community issues unaddressed, including the recognition of lineal and cultural descendants. Enabling councils to operate with a smaller number of members will help overcome this backlog and ensure that descendants' voices are heard in protecting and preserving burial sites.

**Implementing the state's trust duties:** As acknowledged by the legislature when the burial councils were established in 1990, the public holds a deep and sacred interest in the disposition of its interred persons. This is a trust that benefits us all. The state bears a constitutional duty to safeguard Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils serve as a powerful vehicle for the state to fulfill these trust duties by ensuring that Native Hawaiian cultural perspectives resonate deeply in council decisions.

Mahalo for the opportunity to testify in support of this crucial measure. I respectfully urge the committee to pass SB268.

Mālama,  
Millie Ho

**SB-268**

Submitted on: 1/27/2025 6:58:35 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By   | Organization | Testifier Position | Testify                |
|----------------|--------------|--------------------|------------------------|
| Gerald Montano | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

*Gerald Montano*

**LATE**

SB 268

Companion: HB409

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 SUPPORT

## **Cultural Significance of Burial Sites and Iwi Kūpuna in Hawaiian Culture**

For Native Hawaiians, burial sites and the remains of ancestors—known as *iwi kūpuna*—hold profound cultural, spiritual, and historical significance. These sacred places are not just physical spaces but integral to the Hawaiian worldview, where the past, present, and future are deeply interconnected.

---

### **1. Connection to Ancestry and Identity**

- *Iwi kūpuna* are seen as the physical embodiment of the ancestors, connecting living descendants to their heritage and land (*'āina*). This connection is central to Native Hawaiian identity, spirituality, and cultural practices.
  - Honoring *iwi kūpuna* is a way to show respect for the ancestors, who are believed to guide and protect their descendants.
  - Disturbing burial sites is viewed as a violation of this ancestral connection, causing deep pain and a sense of spiritual harm to families and communities.
- 

### **2. The Concept of the 'Āina (Land)**

- In Hawaiian culture, the land is more than a resource—it is a living entity that sustains life and is considered family (*'ohana*). Burial sites are a physical and spiritual bond between the people and the land, symbolizing stewardship and rootedness.
  - Protecting burial sites reflects a responsibility to care for both the land and the ancestors who rest there.
- 

### **3. Sacred Spaces and Spiritual Practices**

- Burial sites are often viewed as sacred (*wahi pana*) and are tied to traditional rituals, prayers, and ceremonies.
  - The disturbance of burial grounds can disrupt spiritual harmony (*pono*) and create negative energy or misfortune (*hewa*).
-

#### 4. History of Disrespect and Colonization

- Throughout Hawaii's history, particularly during colonization and the growth of tourism and development, burial sites were frequently desecrated. For example:
    - Construction projects unearthed remains, often without proper protocols or consultation with Native Hawaiian communities.
    - Burial sites were displaced or destroyed to make way for resorts, golf courses, and other developments.
  - These actions compounded historical trauma, leading to a resurgence in efforts to protect burial sites and assert Native Hawaiian rights.
- 

#### 5. Legal Protections and Advocacy

- The establishment of Island Burial Councils was a step toward giving Native Hawaiians a say in the protection of *iwi kūpuna*. These councils play a crucial role in identifying and safeguarding burial sites, particularly in areas where unmarked graves may exist.
  - However, balancing the councils' responsibilities with the interests of developers has been a longstanding challenge, underscoring the cultural vs. economic tension.
- 

#### 6. Modern Cultural Revitalization

- Today, many Native Hawaiians are reclaiming and revitalizing cultural practices that honor *iwi kūpuna*. This includes:
    - Community-led efforts to identify and preserve burial sites.
    - Educational campaigns to raise awareness about the cultural and spiritual importance of these sacred spaces.
    - Legal battles to challenge developments that threaten burial grounds.
- 

By reducing the influence of development interests in burial councils, the proposed changes aim to prioritize the cultural and spiritual importance of *iwi kūpuna*. This could help address historical injustices while reinforcing the Hawaiian value of *aloha ʻāina*—love and respect for the land.

Mahalo,

\_\_\_\_\_/s/\_\_\_\_

Cindy Freitas

**LATE**

**SB-268**

Submitted on: 1/27/2025 7:28:18 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By  | Organization | Testifier Position | Testify                |
|---------------|--------------|--------------------|------------------------|
| heaven kupahu | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:**SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

*Do what's Pono for our burials. Do not build on my Ohana, do not bulldoze a mile from beaches.*

*I am Kahu Hewahewas great great great great Granddaughter Heaven Kupahu. it is a desecration to disturb gravesites. Stop building near Beaches and sand dunes. Leave these as green spaces for me and my Ohana to visit Iwi and have access to the ocean so we can hunt for*

*food. Stop destroying ponds and diverting streams , fresh springs because here also lies my  
ohanas Bones.*

*may the wrath of my Kupuna stop anyone disturbing our family Iwi. Would you like a  
cooperation bulldoze over your family plots and grave yards at Hawaii's Cemetery's. No right,  
so do not do it to my Families graves. Make all of Hawai'i and every island have green spaces  
around the entire island. At least a mile from every shoreline.*

*relocate all the beach houses and hotel to go up mauka. Bulldoze all the beach house and make  
green spaces for all of Hawai'i to enjoy.*

*may all my ancestors have justice for all you politicians. Do what's Pono for once in your life.  
Do your job and protect Hawaii. You guys not Hawaiian that's why you greedy.*

*Chicago is a fine example of what is green spaces! Google it. One mile from shore lines.  
aloha Heaven Kupahu a sophomore at Kamehameha High school.*

*sophomore at Kamehameha High School.*

**LATE**

**SB-268**

Submitted on: 1/27/2025 7:36:09 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| sunnie Kupahu       | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state's trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

**sunnie Kupahu**

**LATE**

**SB-268**

Submitted on: 1/27/2025 7:44:29 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| Submitted By  | Organization | Testifier Position | Testify                |
|---------------|--------------|--------------------|------------------------|
| manuel kupahu | Individual   | Support            | Written Testimony Only |

Comments:

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**I support SB268** for the following reasons:

**Perpetuation of mālama iwi practices:** SB268 strengthens the ability of island burial councils to fulfill their primary mission: to protect and mālama iwi kūpuna. By centering cultural knowledge and expertise, and removing the requirement that developer and large landowner interests have reserved seats on each council, this bill ensures the councils will represent Native Hawaiian cultural perspectives.

**Increasing the effectiveness of burial councils:** SB268 would also lower the number of individuals necessary for the councils to meet by removing the landowner seats. Quorum has historically been a roadblock to council decision making, leaving important community issues—including the recognition of lineal and cultural descendants—unresolved. Allowing councils to do business with a smaller number of members will help relieve this backlog and ensure that descendants have a voice in the protection and preservation of burial sites.

**Implementing the state’s trust duties:** As recognized by the legislature when the burial councils were created in 1990, the public has a vital interest in the disposition of its interred persons, which is in the nature of a sacred trust for the benefit of all. The state also has a constitutional trust duty to protect Native Hawaiian traditional and cultural practices, including those related to mālama iwi. The island burial councils are an important means for the state to effectuate these trust duties by ensuring Native Hawaiians cultural perspectives are properly reflected in council decisions.

Mahalo for the opportunity to testify in support of this important measure. I respectfully urge the committee to **pass SB268**.

Manuel Kupahu

**LATE**

**SB-268**

Submitted on: 1/27/2025 8:11:07 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Lehua Hanaike       | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Kākou and Mahalo everyone for being here, for being present near or far, to allow us the opportunity to provide our heartfelt sentiments in regards to SB 268.

Please count this as 5 votes to support (‘Ae) as we are writing this together, as one ohana.

As Kānaka ‘Ōiwi, it is our kuleana to protect our ‘iwi and sacred spaces at all costs. As haole (foreigners), for those making decisions that are not of Hawaiian descent, it is your PRIVILEGE to have any say as to how our ancestors or nation as a whole are treated. It’s your RESPONSIBILITY, to enforce the respect to our ‘āina, iwi kūpuna, Kai, Wai, and all precious resources. Your job protect these rights and do the job people hired to do. Please listen to the WHY’s as testimonies are heard and read. Here's the rest of ours...

We ask that you please consider the cries of our kūpuna, to listen with your hearts, use your mind and god-given abilities to know right from wrong, and don't let a collapsing dollar value trigger your actions. Let the real value of Hawai'i speak, and that's our kūpuna. RESPECT OUR IWI KŪPUNA and let them rest in peace and with the utmost care.

Testimony provided by Leahua Hanaike, on behalf of her ohana; mother Mahealani Hanaike, brother Gordon Block, sons Ikaika and Kainoa Howell, and 10 yr old daughter ‘Ālana Hanaike. We understand the WHY's. Will you? Mahalo

**LATE**

**SB-268**

Submitted on: 1/27/2025 10:16:47 PM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>     | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|-------------------------|---------------------|---------------------------|------------------------|
| Alexander K.D. McNicoll | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha,

I am in STRONG support of **SB268**.

Mahalo.

**LATE**

**SB-268**

Submitted on: 1/28/2025 12:41:20 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>    |
|---------------------|---------------------|---------------------------|-------------------|
| Alfred Medeiros     | Individual          | Support                   | Remotely Via Zoom |

Comments:

Aloha mai kākou 'O Alfred Keaka Hiona Medeiros ko'u inoa no Wai'anae mai au. The protection of our 'Iwi Kūpuna or bones of our ancestors should be of most importance, as that's who and where we as Kānaka Maoli and people of Hawai'i come from...but our kūpuna continue to be disturbed and displaced, even when their dead! To have any developer a part of the process to protect our ancestors bones, should be a conflict of interest, because as we all know...they don't care about our kūpuna, are history or culture. These developers only care about the money and they'll do whatever it takes to get it, even dig out the bones of our ancestors and throw them on the side as if they're trash. Desecration is a crime and we need more protection for our 'Iwi Kūpuna and one way, is by passing SB268 and removing the requirement for representers of development and property owners interest and reducing council size. I myself had to physically stop desecration multiple times and I'm willing to give my life to protect the ones that gave us this life we live today. If it's not okay to dig out somebody from Punchbowl Memorial...it shouldn't be okay to do so to any of our kūpuna through Ko Hawai'i Pae 'Āina! Please do what is right, make things better for the protection of our ancestors and to ensure that the desecration stops or we'll continue to give our lives to protect them by any means necessary. Mahalo nui a me Mālama I Nā 'Iwi Kūpuna!

**LATE**

**SB-268**

Submitted on: 1/28/2025 5:48:26 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b>      | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>       |
|--------------------------|---------------------|---------------------------|----------------------|
| Keomailani Hanapi Hirata | Individual          | Oppose                    | Remotely Via<br>Zoom |

Comments:

Aloha,

My name is Keomailani Hanapi Hirata. I am a generational kupa'aina from the island of Molokai, where I can trace my family geneology to time immemorial. I am also a generational caregiver of our ancestors iwi kupuna for Molokai.

I will be submitting testimony remotely via zoom, in opposition of SB268, only for the island of Molokai.

Although Molokai appreciates the intent of SB268, this will not work for the Molokai Island Burial Council.

Mahalo

**SB-268**

Submitted on: 1/28/2025 11:42:34 AM

Testimony for HWN on 1/28/2025 1:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Michelle Pescaia    | Individual          | Comments                  | Written Testimony Only |

Comments:

Aloha,

I believe the IBCs were designed to create safe space for productive dialog to take place, for both large landowners and Native Hawaiians to sit and discuss, to share their perspectives and collaborate, to learn and improve planning and design of development projects in consideration of iwi kupuna. As a former chair of the Molokai island Burial Council, I know we struggled to meet quorum because filling the large land owner seat was difficult, and on our island, they tend to completely trust native Hawaiians in the process. However, if we do not hold large landowners accountable for participating in these processes, and engaging in the conversations on behalf of the development or stewardship industries, how will we elevate this practice? I believe doing so would be proactive and address the backlog of cases awaiting SHPD review. Let's help stop creating cases in the first place.

If the Office of Hawaiian Affairs is charged with providing qualified Native Hawaiian nominees, is there an entity that can provide the same kind of list for the large landowners seats? Much like being called for jury duty. Everyone should participate in some way to support these processes. What other state office can make appropriate candidate suggestions or at least assist SHPD/DLNR in the recruitment efforts?

**LATE**

January 28, 2025

Aloha e Chair Richards, Vice Chair San Buenaventura, and Members of the Committee on Hawaiian Affairs:

**We support SB268** for the following reasons:

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Mahalo for the opportunity to testify in support of this important measure. We respectfully urge the committee to **pass SB268**.

*Lehua Kaulukukui, President*

*Keli'ipio-Kuamo'o Foundation, Inc.*

*P.O. Box 38-5653*

*Waikōloa, HI 96738*

*[kananilehua@kuamoofoundation.org](mailto:kananilehua@kuamoofoundation.org)*

*<https://www.kuamoofoundation.org> and*

*<https://www.kukuipahu.com>*