



BEFORE THE HOUSE COMMITTEE ON TRANSPORTATION AND LABOR & PUBLIC
EMPLOYMENT

March 16, 2018

Senate Bill No. 2996 SD3

Relating to an Airports Corporation

Aloha Chair Aquino, Vice Chair Quinlan, Chair Johansen, Vice Chair Holt, and Members of the
Committees:

KPAC submits the following testimony in opposition to SB 2996 SD3 exempting lands to which the
Hawai'i airports corporation from the definition of "public lands" in chapter 171, Hawai'i Revised Statutes.

This proposal to exempt lands held by the Hawai'i Public Housing Authority is contrary to its
intended purpose as detailed below and could also potentially be determined to be a breach of trust.

By way of background, Professor Williamson Chang of the UH Law
School has detailed his analysis that the Joint Resolution was incapable of acquiring
Hawai'i at http://blog.hawaii.edu/aplpj/files/2015/09/APLPJ_16_2_Chang.pdf.
Despite this analysis, the former Crown and government lands of the Kingdom
of Hawai'i were illegally transferred to the US and as a condition of Statehood was
transferred to the State of Hawaii to be held as a public trust for 5 purposes
including the betterment of the conditions of native Hawaiians as defined in the
Hawaiian Homes Commission Act, 1920. The Admissions Act further states
that any other object besides the 5 purposes shall constitute a breach of trust
for which suit may be brought by the United States. The Article XII Constitutional
provisions further establish that the lands are held as a public trust for native
Hawaiians as defined in the Hawaiian Homes Commission Act, 1920 and
should be used solely for that purpose.

The Ka Lāhui Hawai'i Political Action Committee (KPAC) affirms and defends our
Hawaiian peoples' right to over 1.8 million acres of our national lands.

Respectfully submitted,

M. Healani Sonoda-Pale
Chair, KPAC