

**Application to Register with the Department of Interior
as a Homestead or Beneficiary Association**

Background – In 2016, the federal government included definitions for Homestead Associations (beneficiaries in a homestead community) and HHCA Beneficiary Association (beneficiaries awaiting a homestead award), in the Code of Federal Regulations under 43 CFR 47 & 48 applicable to the Hawaiian Homes Commission Act.

Definition of Homestead Association – means a beneficiary-controlled organization that represents and serves the interests of its homestead community; has as a stated primary purpose the representation of, and provision of services to its homestead community; and filed with the Secretary (of DOI) a statement signed by the governing body, of governing procedures and a description of the territory it represents.

Definition of HHCA Beneficiary Association – means an organization controlled by beneficiaries who submitted applications to the DHHL for homesteads are awaiting the assignment of a homestead; represents and serves the interests of those beneficiaries; has as a stated primary purpose the representation of, and provision of services to, those beneficiaries; and filed with the Secretary (of DOI) a statement signed by the governing body, of governing procedures and a description of the beneficiaries it represents.

Homestead Associations and Waitlist Associations may apply to register with the Department of Interior (DOI). This form is not required to be used, however, assists Associations to submit the necessary documentation and data for the DOI to consider approval of requests to register as an HHCA Association.

I. Type of Application

Check only one box

- Register as a **Homestead Association** (representing & serving interests of a homestead community)

Describe the Territory or Geographic Area of Association: _____

- Register as an **HHCA Beneficiary Association** (representing & serving interests of waitlist)

Describe Beneficiaries Served (type, location): _____

- Register as **Both – Homestead Association & HHCA Beneficiary Association**

Describe Territory or Geographic Area & Beneficiaries Served Awaiting an Award (type, location):
STATE OF HAWAII

Land area known as Kahikinui, Maui, approximately 22,000 acres in area off grid alternative energy acres
600 waitlist on pastoral Kuleana homestead at Kahikinui and 46 lease awarded lessees and 22 vacant lots

II. About Association

Name of Association: Kahikinui Hawaiian Homestead Association Year Founded: 2020
Association Address: P. O. Box 700 Makawao, HI. 96768/physical address 480 Kenolio Road Unit G, Kihei, HI. 96753
Phone: (808)446-4171 Email: dhelekunih44@protonmail.com Website: N/A
Name of Chairman or President: Donna Sterling/President # of Governing Board Members: 5
Service Area By Island: Maui Service Area by Homestead Area: Kahikinui Maui

III. About Governance & Mission of Association

Is this Association Beneficiary-Controlled? Y N

Check all that apply

- The Enrolled Voting Members of the Association are HHCA Beneficiaries and/or HHCA Successors
 The Enrolled Voting Members of the Association Elect the Governing Board
 Individuals that are Not HHCA Beneficiaries or HHCA Successors May be Non-Voting Members
 Other (Describe): Lessees, Waitlisters, Beneficiaries

State the Mission of the Homestead or Beneficiary Association: The purpose and vision of the Kahikinui Homestead Association is to protect and carry out the intent of the Hawaiian Homes Commission Act of 1921 in an inclusive, transparent and compassionate manner, as conceived by Prince Jonah Kuhio Kalaniana'ole, for the benefit of the Hawaiian People. We consciously choose, without hesitation or doubt, to guard the kapu of this of this 'aina and our Kupuna, who are the keepers of the past.

Does this mission "represent and serve the interests of its homestead community or HHCA beneficiaries"? Y N

List Ways that the Association Represents and Serves the Interests of its Homestead Community or HHCA Beneficiaries

Check all that apply

- Association Meets Regularly and is Open to All Members
- Association Conducts Business Meetings on the Needs of Homestead Community & Beneficiaries
- Association Operates Programs or Services within the Homestead Community or for Beneficiaries
- Other (Describe): Association meets regular and open to Lessees, Waitlisters and all Beneficiaries
- Other (Describe): _____

IV. Governing Documents

Attach a Copy of Governing Documents (articles, bylaws, constitution, or other governing documents).

V. Certification

For Homestead Associations. *We, the Governing Board of the Association Applying for Registration with the Department of Interior, hereby certify we are the governing body for the Association listed, and further certify that the Association is controlled by HHCA beneficiaries; represents and serves the interests of its homestead community; and has as a stated primary purpose the representation and provision of services to, its homestead community.*

For HHCA Beneficiary Associations. *We, the Governing Board of the Association applying for registration with the Department of Interior, hereby certify we are the governing body for the Association listed, and further certify that the Association is controlled by HHCA beneficiaries that submitted a land award application to DIIHL for a homestead and are awaiting assignment; represents and serves the interests of those beneficiaries; and has as a stated primary purpose the representation and provision of services to those beneficiaries.*

To Be Signed by ALL Current Governing Board of Directors on 22nd of September, 2020

<p><i>Donna D Sterling</i> Signature - Printed Name & Title NAME: Donna D Sterling TITLE: President</p> <p><i>Michael Pascua</i> Signature - Printed Name & Title Michael Pascua Treasurer</p> <p><i>Jade Alohani Smith</i> Signature - Printed Name & Title Jade Alohani Smith Director</p> <p>_____ Signature - Printed Name & Title</p> <p>_____ Signature - Printed Name & Title</p> <p>_____ Signature - Printed Name & Title</p>	<p><i>David Kawika Davidson</i> Signature - Printed Name & Title David Kawika Davidson/V.P President</p> <p><i>Kentrie Ho</i> Signature - Printed Name & Title Kentrie Ho Secretary</p> <p><i>Jade Alohani Smith</i> Signature - Printed Name & Title</p> <p>_____ Signature - Printed Name & Title</p> <p>_____ Signature - Printed Name & Title</p> <p>_____ Signature - Printed Name & Title</p>
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Completed applications and attachments should be mailed to
 U.S. Department of Interior, Office of Native Hawaiian Relations, 1849 C Street NW, MS 3561, Washington DC 20240.



KAHIKINUI HAWAIIAN HOMESTEAD ASSOCIATION

BYLAWS

ARTICLE I

PURPOSE AND VISION

The purpose and vision of the Kahikinui Hawaiian Homestead Association is to protect and carry out the intent of the Hawaiian Homes Commission Act of 1920 in an inclusive, transparent and compassionate manner, as conceived by Prince Jonah Kuhio Kalaniana'ole, for the benefit of the Hawaiian People.

We consciously choose, without hesitation or doubt, to guard the kapu of this 'aina and our Kupuna, who are keepers of the past. Our kuleana is to individually and collectively preserve, protect, and thrive through education of ALOHA in ancient Hawaiian Spiritual Beliefs, both in archaeological sites and natural resources. We will embrace daily our Aha Moku concept as intended and provided for and by the Hawaiian Homestead Commission Act of 1921.

We will Malama 'aina, respect the 'ohana, Malama Kupuna, and respect those who are centered by and through the spirit of Aloha, the greatest truth of all; and, make way for those who have not yet come.

ARTICLE II

MEMBERSHIP

The corporation is organized under the Hawaii Nonprofit Corporation act. The corporation has members.

Members shall include Lessee Members and Other Qualified Members. Lessee Members shall include those persons who possess a lease from the Department of Hawaiian Homelands at the homesteads of Kahikinui, Maui, Hawaii. Other Qualified Members shall include those persons who have qualified and are on the Waitlist of the Department of Hawaiian Homelands for a Homestead at Kahikinui, Maui, Hawaii, as well as any person who is a Qualified Beneficiary under the Hawaiian Homes Act of 1920. Waitlisted Members shall include those persons who have qualified for and are officially «waitlisted» on the waitlist of the Department of Hawaiian Homelands for a Homestead at Kahikinui, Maui.

All members, whether Lessee members or Other Qualified Members, are Members of the Corporation. Each Member shall have the right to notice and may participate at any annual or other meeting of the Members of the Corporation. The voting rights of the Members of the Corporation shall be as set forth in these Bylaws.

The Secretary shall make available to the Members of the Corporation notice (written, digital or by posting on the Website of the Corporation), setting forth an agenda of actions to be proposed to the Members, for every meeting of the Members, not less than 7 (seven) days prior to the date of meeting.

Each Member of the Corporation must pay, in a timely manner in order to maintain his or her membership and qualification to vote, as a Member of the Corporation, an annual payment of Member dues in order to provide the Corporation with funding to accomplish its goals. The amount of the annual dues payment shall be established initially at the first membership meeting by vote of the Members; and, adjusted, by vote of the Members, at a meeting at which the amount of dues is listed as an agenda item, in the future by vote of the Members, as provided in these Bylaws. If a Member has not paid their dues, they will not have the right to vote at a Membership meeting. The President presides over meetings of the Members.

ARTICLE III

DIRECTORS

SECTION 2.1 : NUMBER, ELECTION AND TERM OF OFFICE

The overall direction and management corporation shall be overseen by a Board of Directors. The total number of the persons serving on the Board of Directors shall be five (5). The members of the Board of Directors shall serve for one year terms and they shall be elected as follows : Three (3) of the members of the Board of Directors shall be elected by a majority of the Lessee Members present at the annual meeting of the Corporation ; and, two (2) of the members of the Board of Directors shall be elected by a majority of the Other Qualified Members, present at the annual meeting of the Corporation. A Member may be elected to serve as a Director for more than a single term of office.

A. Designation of Officers

A Member may serve more than one term of office as an Officer of the Corporation.

SECTION 2.2 : VACANCIES

Any vacancy in the Board of Directors (occurring before the normal expiration of a term of Director) shall be filled by a majority vote of the remaining directors. A director appointed to fill such a vacancy shall be appointed for the unexpired term of his/her predecessor

SECTION 2.3 :

MEETINGS

The Board of Directors shall hold an annual meeting once a year. At the initial meeting of the Board it shall elect, by a majority vote, a Director to act as the Chairperson of the Board to preside over and conduct the meetings of the Board for the year. Additional meetings of the Board of Directors may be held at the call of the Chairperson of the Board as may be held necessary to conduct the affairs and activities of the Corporation.

The Secretary shall give each member of the Board of Directors notice (written or digital), together with an agenda of proposed actions for consideration by the Board, of every meeting, not less than seven (7) days prior to the time fixed for the meeting. Meetings of the Board of Directors present shall be governed by Robert's Rules of Order. The Chairperson shall preside at meetings of the Board of Directors. A majority of Directors shall constitute a quorum for the transaction of business at meetings of the Board of Directors. Directors shall vote in person and not by proxy. The Chairperson in his or her discretion, may invite persons who are not Directors to attend meetings to provide expertise or information that may assist the Board Members in carrying out their duties and the activities of the Corporation. In the interest of transparency, any Member may attend and observe at any meeting of the Board. Attendance of a director at a meeting of the Board of Directors shall constitute a waiver of notice of such meeting. The Board of Directors may conduct a meeting by means of a conference telephone call or similar electronic communication method by means of which all persons participating in the meeting can hear each other at the same time, and be heard. Participation by such means shall constitute presence in person at that meeting.

SECTION 2.4 : AUTHORITY

The overall management, guidance and supervision of the Officers and of the affairs, business and property of the Corporation shall be vested in the Board of Directors.

SECTION 2.5 : COMMITTEES

The Board of Directors shall have the power to create such committees with respect to the management of the activities and goals of the Corporation as they from time to time may decide to be in the best interests of the Corporation. Any reports or recommendations from any such committees shall be kept by the Secretary together with the other records and minutes of the Corporation.

SECTION 2.6 : COMPENSATION OF DIRECTORS

Directors shall be entitled to receive reimbursements from expenses necessary to carry out the activities of the corporation approved by the Board of Directors. The Board shall receive no compensation for their services as members of the Board of Directors.

ARTICLE IV

OFFICERS

SECTION 3.1: DESIGNATION OF OFFICERS

- A. The President, Vice-President, Secretary and Treasurer shall be the Principal officers of the corporation, and each of them shall be appointed by and shall serve at the pleasure of the Board of Directors in a term of one year. A Member may serve more than one term of office as an Officer of the Corporation.
- B. The Board of Directors, in its discretion, may from time to time create one or more offices of Vice-President, one or more offices of Assistant Secretary, and one or more offices of Assistant Treasurer. The Board of Directors may appoint such persons to such offices as they believe to be qualified, and each of them shall serve at the discretion of the Board of Directors.
- C. The Board of Directors may at any time and for any reason, with or without cause, remove from office or discharge any of the principal or subordinate officers.
- D. Any Director may also serve as one or more officer of the Corporation as decided by the Board of Directors.
- E. Officers shall be entitled to receive reimbursements for expenses they may incur which are necessary to carry out the activities of the Corporation and as approved by the Board of Directors. The Officers of the Corporation shall not receive any compensation for their services as Officers of the Corporation.

SECTION 3.2 : PRESIDENT

The President shall exercise general supervision and direction of the day to day activities and affairs of the corporation. The President shall also have the power and duties customarily incidental to such office or as may be assigned to him by resolution of the Board of Directors in order to carry out the goals, purpose and activities of the Corporation.

SECTION 3.3 : VICE-PRESIDENT

The Vice-President shall assume and perform the duties of the President when that office be vacant or whenever the President, for any reason, be unable to perform the duties of his office.

Section 3.4 : SECRETARY

The Secretary shall keep the minutes of all meetings of the membership committees and the Board of Directors of the corporation. The Secretary shall keep and maintain the Articles of Incorporation, and these Bylaws, any other contracts or other documents of the Corporation, except for the financial records of the Corporation which shall be kept by the Treasurer. The Secretary shall have the powers and duties as stated in these Bylaws. Any Member shall have the right to review and make copies of any documents or minutes possessed by the Secretary upon reasonable notice and convenience.

SECTION 3.5 : TREASURER

The Treasurer shall be responsible for the money, credit and securities of the corporation. The Treasurer shall organize, maintain and present the books and records of account and financial reports for the corporation. The Treasurer shall have the powers and duties customarily incidental to such office, and such other powers and duties as may be assigned by the President or by resolution of the Board of Directors. The Treasurer shall present a report of the financial condition of the Corporation at each annual meeting of the members and Board of Directors

ARTICLE V

INTERNAL CORPORATE RELATIONSHIPS

SECTION 4.1 : INDEMNIFICATION

The corporation shall indemnify every director, officer or employee and any former director, officer or employee (hereinafter called « indemnitee », and their respective heirs, executors and administrators, against reasonable costs and expenses, including judgments, fines, penalties, amounts paid in settlement and attorneys's fees (hereinafter called « expenses »), incurred in connection with which an indemnitee shall be made a party by reason of his being or having been a director officer or employee of the corporation, to the fullest extent permitted, and as provided by the Hawaii Nonprofit Corporation Act.

Section 4.2 : EXECUTION OF INSTRUMENTS

All checks, notes, bonds, deeds, leases, contracts, documents and instruments of the corporation authorized by the Board of Directors, shall be executed on behalf of the corporation by any two of the following officers: President, Vice-President, Treasurer, and Secretary, or some other subordinate officer of the Corporation as the Board of Directors may designate for such purpose.

ARTICLE VI

AMENDMENT AND REPEAL OF BYLAWS

Any amendment or repeal of these Bylaws shall be effective upon the adoption of a resolution by members at a meeting of the Board of Directors, written notice of which shall have stated the amendment of Bylaws a part of the agenda of the meeting.

I certify that this is a true and correct copy of the Bylaws which were adopted by the initial directors of the corporation at the organizational meeting duly held on the ____ day of _____, 2020, at Kahikinui or by digital means Zoom, Hawaii.

Dated at _____ This _____ day of _____, 2020.

Secretary

Kahikinui Hawaiian Homestead Assn.

I certify that this is a true and correct copy of the Bylaws which were adopted by the initial directors of the corporation at the organizational meeting duly held on the 30th day of August, 2020, at Kahikinui or by digital means Zoom, Hawaii.

Dated at Kahikinui Maui This 2nd day of September, 2020.

Donna Dean Sterling

Donna Dean Sterling

President

Kahikinui Hawaiian Homestead Assn.