

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

February 13, 2019 1:00 p.m.

ATTENDANCE:

Chairperson John Waihe'e, IV
Vice-Chairperson Kaleihikina Akaka
Trustee Leina'ala Ahu Isa
Trustee Dan Ahuna
Trustee Keli'i Akina
Trustee Brendon Kalei'aina Lee
Trustee C. Hulu Lindsey
Trustee Robert Lindsey
Trustee Colette Machado

ADMINISTRATION STAFF:

Kamana'opono Crabbe, Ka Pouhana
Sylvia Hussey, Ka Pou Nui
Anuheia Patoc, PP
Jocelyn Doane, PP
Mehana Hind, COO
Monica Morris, PP
Reyna Hayashi, PP
Wayne Tanaka, PP

BOT STAFF:

Crayn Akina
Kauikeaolani Wailehua
Lehua Itokazu
Lei-Ann Durant
Löpaka Baptiste
Maria Calderon
Melissa Wennihan
Ron Porter
Zuri Aki

GUESTS:

Walter Ritte

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, February 13, 2019 to order at **1:00 p.m.**

Chair Waihe'e notes for the record that **PRESENT** are:

MEMBERS			AT CALL TO ORDER (1:00 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	KALEIHIKINA	AKAKA	PRESENT	
TRUSTEE	LEI	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY		Arrived at 1:09 p.m.

At the Call to Order, **EIGHT (8) Trustees are PRESENT**, thereby constituting a quorum.

Chair Waihe'e would like the record to show that some materials were received more recently than 72 hours ago, and that the deadline, per practice, has been duly-waived.

II. PUBLIC TESTIMONY

None

III. APPROVAL OF MINUTES

None

IV. UNFINISHED BUSINESS

A. 2019 OHA Legislative Package Updates – Matrix 1†**

Chair Waihe'e turns it over to Ka Pou Nui Sylvia Hussey.

Ka Pou Nui Hussey calls on Public Policy Manager Jocelyn Doane to present, as well as Wayne Tanaka, Lead Advocate.

Public Policy Manager Doane: Aloha Trustees. I wanted to go over the status of our package, and the legislative calendar. Today is the 13th, this Friday is the lateral deadline which means that any bill that has more than one referral has to get through its second to the last referral; basically it can only have one more Committee Referral after this week. This week there are a flurry of hearings in order to meet that deadline. In the next two weeks there will be Committee Hearings for the last committee; that's usually reserved for WAM, Judiciary and Finance with a couple exceptions. As it relates to our package, our Public Land Trust Bill is moving in the Senate and not in the House. The 35 million dollar bill has moved both in the House and the Senate. Our Mental Health Bill is dead in the House, but can be heard within the next two weeks in the Senate. Our Bail Bill is moving really nicely, we're excited about that still. There's a Judiciary hearing on our House Bill tomorrow and then it will have to go to the money committee after that. Our Budget Bill has a decision-making hearing today at 4pm in the House so it will meet its deadline assuming it gets moved and the Senate version has already met its deadline. The resolutions just got referrals, so we're not really worried about them moving at this point.

Chair Waihe'e: *Are there any questions on the package members?* Ok hearing none, let's move into New Business.

V. NEW BUSINESS

A. 2019 OHA Legislative Positioning – Matrix 2†**

Chair Waihe'e turns it back over to Public Policy Manager Jocelyn Doane.

Public Policy Manager Doane: Ok, so I have a couple of changes that I would like to recommend on the matrix. We just got drafts yesterday and today on a bunch of bills, so that's the reason why these positions are not updated in the matrix now.

Page 5, Item 27 – HB1025 and its companion SB1251; we're recommending changing the position from Comment to OPPOSE and I'll have Wayne explain why.

Senior Public Policy Advocate Tanaka: This measure purportedly expands lease extension authority that was granted for commercial leases on Banyan Drive last year, except that this provision would apply to commercial industrial resort and government leases anywhere in the State. It would allow for 40-year lease extensions for these kinds of leases that are based on substantial improvements to the properties. The intent is to enable lessees to get financing to maintain infrastructure and facilities on these projects, but this bill would essentially allow these lessees to get 40-year extensions and there's no cap on the extensions so they could keep renewing these extensions. As we've seen, these kinds of long-term multi-generational leases often lead to the significant pressure to alienate public lands including ceded lands, so for those reasons we would recommend OPPOSE on this measure.

Public Policy Manager Doane: The next measure is on Page 87, Item 390 – SB1; This is the ALOHA Homes bill. We just had a chance to look at the amendments this morning. I think it still needs some amendments, however we've had some really good traction working with the committee on this bill and other bills, so we're recommending COMMENT. The bill as it is now clarifies that appropriate revenues are subject to OHA's pro-rata share.

Just for everybody's information we do not currently receive revenue from affordable housing projects as it relates to the rent. We do however claim receipts to any sort of commercial aspects of a project – so if there's a store in the building or a laundromat or parking receipts we would claim 20% of that. HHFDC has been saying in hearings that they give us revenue from the commercial projects, but I don't actually think they currently transfer. So the good news is that the Executive Director seems to think that at least the commercial receipts are subject to OHA's pro-rata share. I bring this up because ALOHA Homes and actually HHFDC's current projects envision both affordable housing and commercial development. HHFDC currently does that, it's usually part of the same project. It seems like that's what they're envisioning here and so the committees understood that we would continue to claim receipts from the commercial revenue. So they added a provision to note that in the special fund.

They also noted in the special fund that appropriate receipts for OHA's pro-rata share could be satisfied in ways other than cash. We've had a lot of discussion over time about being open to non-cash options to satisfy our pro-rata share. This doesn't change the statute that exists now, but basically what it's doing is making a statement that in terms of these affordable housing projects, they would like to consider whether or not non-cash options are on the table. One of the things that the Chair of the Housing Committee has been mulling over is the transferring of units to OHA or DHHL. So in the initial version of SB1 there was a waiting list priority for Homesteaders and then in the proposed SD1 and the current SD1 it envisions a possibility that units would be transferred to OHA and DHHL.

We have some lingering concerns that we want to continue to make as this bill moves. It's similar to the other HHFDC bills that we've Commented on; one is the lease lengths (the 99-year leases). After doing some research we figured out that HHFDC can actually already do 99-year leases for the lands that they currently own. What we also found out was that in order to get FHA mortgages, a developer would have to have a 75-year lease. So my recommendation is that we COMMENT on the draft moving forward, recommending they cap the leases to 75 years because of the qualifications for the federal mortgage loan guarantees which make it cheaper for the developer.

The other thing that needs to be fixed in this bill is the same as the other HHFDC bills, HRS 171-64.7 which creates a process, they're not envisioning any fees to be sold. That's not what the bill is about, but we want to make sure that we close that loophole in case it ever exists. We would be making that recommendation as well. So those are the comments that we will make and we're recommending changing our position from Oppose to COMMENT because we got good feedback from the Chairs of the Committee, and they actually just amended all of the HHFDC bills yesterday.

Trustee Lee: Two things; it does say in here about establishing provisions related to sale and the other is *do we currently have a policy of accepting something other than cash?*

Public Policy Manager Doane: It envisions leasehold sales only, not in fee. We do not have a policy on that, this bill moving doesn't change our position, but what it would do is down the line, if this project moves, it would put us in a position to potentially negotiate for that. It doesn't change existing statutes and executive orders as it relates to the cash aspect. What it does is it creates a potential future conversation; that's my interpretation of the bill.

Trustee Lee: So they initiated the conversation as to *would OHA be open to taking something other than cash?*

Public Policy Manager Doane: Yes, it is related to but not conditioned upon the recommendation that we're making and that I have made in person to the Chair. Currently there's a provision in here that envisions possible transfers of units to DHHL and OHA and I had specifically recommended that they make that mandatory rather than discretionary and it was something that the Chair was interested in. So as it moves I think that will be a part of the conversation.

Trustee Lee: Since we'll be taking this measure with the full vote, I will make my comments now. I'm ok with changing it to Comment as long as it still leans very heavily on that side of *"Yes we're commenting and we're not opposing anymore, but...we have a very hard line in the sand. So don't take our opposition being off the table as a sense of ok...good OHA's on our side now."*

Public Policy Manager Doane: There are a couple different bills that, well what we've decided to do is Comment on trying to get the amendments and if the amendments don't happen then we come back to the Board to recommend Oppose, because there have been such amenable conversations I think that is appropriate here.

The next measure we're recommending a change to on the matrix is on Page 119, Item 556 – SB919; this is related to the Board of Regents. The measure slightly changed from the last bill to reduce the number of the regents from 15 to 9. It no longer creates a specific seat for a qualified practitioner, but it does require that at least one of the nine have that qualification. It was Support last week and we're recommending a position change to MONITOR for this week.

Those were the three changes that needed to be made to the matrix. Now we'll go through three new bills in the matrix that name OHA.

Senior Public Policy Advocate Tanaka: Page 5, Item 25 – HB990; the intent of this measure is to clarify that the State Department of Defense can use the revenue it generates from renting its facilities for maintenance, administration and other overhead costs with the net proceeds going to the general fund. The preamble names OHA and acknowledges that OHA may have a right to a certain share of revenues generated from these facilities, which could be helpful in terms of recognizing that we do have a right to pro-rata share from Public Land Trust lands under the Department of Defense's jurisdiction. The statutory amendments it proposes are otherwise pretty unexciting, it just clarifies what kinds of entities can rent DOD facilities and we had our Corp. Counsel look at it and we are recommending MONITOR for this bill.

Public Policy Manager Doane: Page 8, Item 35 – HB1236 it also has a companion SB1435; this bill is related to Makua Valley. It would establish a Makua Valley Task Force within DLNR to prepare for a potential transition when the general lease expires. It requires a member of OHA's Board to be on the Task Force, we are recommending a position of SUPPORT. We don't know if the lease is going to expire without an extension, but if it is we think it would be good for OHA to be on the task force to help ensure that the right community folks are engaged.

Page 10, Item 40 – HB1391; this bill is related to DHHL's Land & Asset Management Task Force, and we're recommending a position of MONITOR. Basically what's happening is, Representative Ward has asked for this task force to be created within DHHL as a result of his broken promises initiative to review their current operations and practices regarding use and distribution of land assets and provide suggestions and solutions to end the waiting list. OHA is named to be on the task force along with DHHL, as well as representatives from banking, business and loan programs.

Trustee Lee: *In the bill does it state how the task force will be funded? Are they tasking DHHL to pay for this or will the State pay for it?*

Public Policy Manager Doane: It's within DHHL, so usually when it's housed within a department they pay for the administrative cost.

Trustee Lee: We should monitor this.

Public Policy Manager Doane: Right, so those are the three new bills that name OHA. We'll move on to the new significant bills.

Page 3, Item 16 – HB730; this is related to Charter School lunches, it's an appropriation for Charter School meal services. This is one of those exceptions that we request to make because we're asking for support on an appropriations bill. Basically, what we know is that in terms of funding gaps, facilities is the number one funding gap, but transportation and food services are other funding gaps for the Charter Schools. The DOE also has meal service appropriations for non-Charter Schools so we can't imagine that they would not support this as well. Right now, most Charter Schools do provide some level of food sources, twenty of them participate in federally-funded programs. One is a subsidy program and another is the USDA Community eligibility program which provides free breakfast and lunch every day to six of the schools, but that leaves 17 schools that may not be accessing those federal funds. The reason in part why they may not be accessing those federal funds is because they may not have a USDA-certified kitchen. We think that lunch is an important part of school and learning, so we want to support those schools' assistance which would probably be prioritized by the commission. It may be eventually that they just need assistance accessing a USDA-certified kitchen.

Page 4, Item 22 – HB918; this is identical to SB1303 for the purposes of our recommendation of OPPOSE. Back in 2013 the legislature set up a pilot program so that the Board of Education could approve three sites where DOE schools exist on to lease out for the purposes of generating money for the 21st Century Schools program; so basically the DOE needs funds. The legislature enacted a pilot program in 2013 that would allow them to lease out DOE lands to private developers for up to 55 years. This bill would extend the maximum allowable lease term from 55 to 99 years for parcels used to implement the Act. It seems as though the revenue would be subject to OHA's pro-rata share, but there's a theme happening here where for all kinds of reasons the State is looking at really long leases of Public Lands. We don't think it's appropriate, there's no justification as far as I can see about why they need to lease out these lands for longer than 55 years. If we get more information to that point, we'll bring it back to the trustees.

Page 5, Item 24 – HB958; this measure is related to sales of individual lots in fee from HHFDC. As a reminder, the BOT has a policy to oppose the sale and fee of any ceded lands; there are a couple exceptions to that. The exceptions include HHFDC individual housing projects that were approved prior to us filing our OHA v. HHFDC lawsuit in 1994, so if a housing project started and envisioned sales and fees prior to 1994 the BOT position is that we would not oppose that. The other exception is if a project is substantially sold, so the lots listed in this measure and its Senate companion are all lots that we've vetted that either fall within one of those exceptions or are not ceded. So we're recommending a position of COMMENT.

Senior Public Policy Advocate Tanaka: Page 8, Item 34 – HB1219; we're recommending a position of COMMENT. This measure would set up the framework for statutorily created redevelopment districts and would create a redevelopment district for Waiakea in Hilo. Within these redevelopment districts there would be a planning committee that would be in charge of planning, land uses and also for negotiating and renegotiating Public Land leases in these districts. There are actually some provisions for these leases that are somewhat encouraging. For instance, they would require that lease rents be tied to inflation, require for bonds insurance, it would clarify what counts as default and what the consequences are for lessees to default. However, the leasing provisions are silent on total lease lengths, whether leases can be renewed and how leases will be appraised. Our comments would be to ask for clarification on those matters.

Page 10, Item 43 – HB1510; this is related to Agricultural Villages. We are recommending OPPOSE. Essentially what this would do is it would legitimize the development of cluster housing in the agricultural district and not require Land Use Commission review. This measure would not only remove oversight but also potentially facilitate the development and residential development of agriculture lands, which may drive up the cost of agricultural lands, the cost of farming and also impacts of food security.

Public Policy Manager Doane: Page 13, Item 55 – SB379; this is Senator Dela Cruz’s bill, it has been introduced for a couple of years now. What it would do is it would ask the Governor to reclassify and negotiate exchange of State lands within half a mile of the rail station with private developers to acquire agricultural lands and in exchange it would be State lands that would be suitable for affordable workforce and other housing. So the State lands to be exchanged will be designated as urban (at the end of the exchange), and the development on lands going to the private hands must be in compliance with State and County Health Safety and Building Permits.

For any reclassification and rezoning proposals, the Governor must submit them to the County Planning Director and the Land Use Commission, and any such reclassification shall be adopted within thirty days of receipt. So that’s different from the current process in that for reclassifications larger than 15 acres - those processes already go to the Land Use Commission. This does streamline that process and that always raises red flags for us, but because the purpose of the exchange is housing and agriculture, that slightly diminishes our concerns. However, we think that there should be concrete affordable housing requirements, so if the private landowner is going to acquire State lands then they should be required to do a minimum amount of affordable housing. Also, most of the land on the rail line is urban and there will be some agriculture. Senator Dela Cruz is envisioning that we acquire good Ag lands, so I can’t imagine that his goal here would be to get rid of good Ag lands. With that said, we do think there needs to be a little more process involved if there’s going to be an exchange. So what we’re recommending is the Land Use Commission, the County Planning Directors and the public be given an opportunity to review and comment on the reclassifications. In other words, we don’t object to the idea of minimal streamlining, but the Land Use Commission plays an important role in reviewing potential impacts to resources and practitioners and we think that even with in a streamlined fashion there needs to be some process there. So we would be recommending that there be a process included for input by the Land Use Commission specifically, the public and of course OHA.

Trustee Lee: *If I understand correctly Senator Dela Cruz has submitted this bill in previous years, what has OHA’s position been?*

Public Policy Manager Doane: Our position has been COMMENT, so this would be consistent with our position, and they’ve actually taken our recommendations in the past.

Senior Public Policy Advocate Tanaka: Page 18, Item 83 – SB1370; we’re recommending a position of SUPPORT on this. This measure would establish a grant program to assist DHHL lessees with cesspool upgrades. There’s currently a statute that requires all cesspools to be upgraded by 2050 so this would help our beneficiaries with the cost of that mandate. The grants program would also help address some of the water pollution issues, especially for our beneficiaries in coastal homesteads.

Page 19, Item 84 – SB1482; we're recommending a position of COMMENT on this measure. This would set up a Harbors Authority; kind of like the Airport Authority to manage our commercial harbors. It would remove lands under the Harbors Authority jurisdiction from the definition of Public Lands under 171-2, but it does reinsert those lands into 171-64.7 which is the statute requiring legislative approval before any sale of Public lands.

Trustee Lee: *Have we had a position on this before? Was it OPPOSE?*

Public Policy Manager Doane: No, we had a position of OPPOSE on the Airport Corporation Bill until they incorporated the language that is in this bill. So the Department of Transportation envisioned that we would react to this bill and they put the language that we had asked for in the Airport Corporation Bill into this one as well. The language that ended up in the Airport Corporation Bill was really a compromise, we wanted them to insert the provisions in the statute itself and they did not. If we were being consistent with the Airport Corporation position then we would've been satisfied, but because we actually receive money from Harbors, which we don't actually receive from the airport, my concern about the leasing provisions is heightened. This was deferred yesterday, but as we know deferred bills can come back.

Page 19, Item 86 – SB1501; this bill would provide General Obligation (GO) bonds to DHHL for FY20 & FY21 for \$214 million and \$224 million for CIP projects, which would include lot development, loans and rehabilitation projects. Last biennium was the first time that we know of, in a long time, that DHHL received Capital improvement funds. They got \$46 million and almost \$28 million, so this is substantially more than that. According to DHHL, this money would lead to development of over 1,300 lots and mortgage capitalization for low-to-moderate income families. We are recommending a position of SUPPORT.

The next two measures are GMs; Page 19, Item 88 – GM511 we're recommending a position of MONITOR on the Water Commission appointment.

Senior Public Policy Advocate Tanaka: This GM would nominate Wayne Katayama from Kaua'i to the Water Commission. He would take the seat of Michael Buck who is a farmer from Waimanalo. Currently Mr. Katayama is the President of the Kaua'i Coffee Company. We would like to monitor for possible conflicts of interest in that regard. He has been the Planning Commission Chair and has overseen some water issues such as the Kaua'i Springs issue where the Planning Commission denied building and use permits for a water bottling company because of lack of consistency with the Public Trust, so that is somewhat encouraging. It isn't really clear whether he'll be a strong advocate for Native Hawaiian interests in the Water Commission.

Public Policy Manager Doane: Page 19, Item 89 – GM571; This is for Alapaki Nahale-a to the Board of Regents for the Hawai'i County seat. We're recommending a position of SUPPORT. He is a Kamehameha graduate, a UPENN grad and a former Hawaiian Homes Commission Chair. His past community, educational and volunteer work makes him highly qualified.

We have a few Bill Position Changes in the matrix. Page 20, Items 90 & 91 – HB591 & SB1325; We're recommending changing our position from Oppose to MONITOR.

Senior Public Policy Advocate Tanaka: This measure originally would've prohibited the DLNR from establishing or amending watershed projects without the approval of the Game Management Advisory Commission (GMAC). We recommended the position of Oppose last week because even though GMAC has an important advisory role in terms of representing the hunting interest including the subsistence hunting interests of the public and our beneficiaries, they may not necessarily have the full expertise needed to properly evaluate these watershed management proposals. The amendments to both of these measures now just provides that the DLNR should provide GMAC with notice of new watershed management plans and amendments, so we recommend changing our position from Oppose to MONITOR.

Public Policy Manager Doane: Page 21, Item 92 – HB1347; We're recommending changing our position from Monitor to SUPPORT. Basically the current Charter School Law requires Charter Schools to do annual independent financial audits, and the schools choose the auditor. The original version of this bill which we only Monitored because it was quite intrusive. What it would do is it would require Charter Schools to provide access of its records to the authorizer, which is the Commission right now, the legislature and other state agencies like B & F and DOE. It also required the annual Charter School audits to be performed by an auditor that the authorizer selects.

So what's happening is the Commission isn't getting access or information from the auditor because their client is the school and not the Commission. So this bill was amended to remove the access to the legislature and the State agencies, but still require annual Charter School audits to be performed by an auditor that is selected by the authorizer. This position may not be super popular with some of our Charter School friends, however the Commission in its testimony to the House Finance Committee noted that the US DOE Inspector General is currently investigating two schools for possible financial irregularities including comingling of State and Federal funds and potentially comingling of private funds. The Commission has a lot of discretion about where they house their funds. They basically deposit State appropriations and other funds into private bank accounts which the Commission doesn't have access to. We think this is a good bill not targeted at any school specifically. It would result in more transparency and accountability against the misuse of funds.

Moving on to some updates. Page 70, Item 313 – HB1114; This is the Public funding bill. Basically it will increase the amount of Public funding available to OHA Trustee Candidates, but places OHA Candidates in the same category as those for the State Legislature. The Campaign Spending Commission looked at the fundraising of the different Trustee Candidates and made a recommendation based on their findings, their calculation is that \$21,000 will be available rather than the current \$1,500. That's a significant increase, but also not the really high amount that's available to the Governor. It also increases the minimum qualifying contributions from \$1,500 to \$5,000. We still have a position of SUPPORT on this measure as it moves.

Trustee Lee: I just want to make a comment about us supporting this measure, not that I'm against it but I'm not really happy with the message that it sends. We run a statewide race so we should be entitled to statewide funds.

Public Policy Manager Doane: I defer to the Trustees regarding their position on this.

Trustee Lee: It's giving us access to more money, but it's not giving us access to fair money; there's a difference.

Trustee Hulu Lindsey: Our office is not as important as the Governor or Lieutenant Governor.

Trustee Lee: Then let us run legislative races.

Chair Waihe'e: Maybe we should change it to COMMENT?

Trustee Hulu Lindsey: Let's COMMENT!

Trustee Akaka: Yes, to COMMENT would be best.

Trustee Lee: I agree.

Chair Waihe'e: Does everyone agree with changing our position from Support to COMMENT?

The Committee is in consensus.

Public Policy Manager Doane: Ok, we'll move on to the next item Page 70, Item 315 – HB1116; this is the Randomizing of Ballots bill. That measure is moving, so is the measure that would randomize ballots for all elections.

Chair Waihe'e: *Why is OHA being singled-out, out of all the races on the ballot?*

Trustee Hulu Lindsey: I actually think that one of the candidates of OHA probably asked for the introduction of this bill.

Public Policy Manager Doane: *So the difference between the OHA race and every other race besides the County races is that it's non-partisan right? So they're going to be really long lists, particularly in the primary so it is slightly different. The most analogous race to the OHA race is the Maui County race, where the County members have to live in every district, but yet everybody can vote. We know that these bills were introduced at the request of a beneficiary. It may be unneeded if Senator Rhoads' bill, which would apply to all the races, moves anyway.*

Page 112, Item 522 – SB727; this is the bill that has the Collective Bargaining component in it. I just checked if the updated version was available before I came over, it was not. It looks like some of our concerns were addressed and others were not so there's still some work that we'll need to do and I'll review the draft when it becomes available and we'll see if we'll have a different recommendation for next week.

Page 136, Item 653 – SB1446; this bill is the one that would require Trustees to hire the CFO, HR Manager and the Corporation Counsel and that we had a position of OPPOSE for. They had deferred this bill when we were at the hearing last week, but it's being scheduled for decision-making tomorrow. We had made comments based on our Corp. Counsel's assessment that we were concerned that the bill was potentially unconstitutional and I think they got an opinion from the AG suggesting it's not. So we're going to see if we can get a copy of that.

Page 143, Item 672 – SB1514; this bill is the one that would prohibit all State agencies from forming a corporate entity and the bill moved with amendments yesterday. We haven't gotten a draft yet of what the amendments were.

Senior Public Policy Advocate Tanaka: Page 30, Item 136 – HB265; this is the bill regarding the axis deer in Maui County. The amendments clarify that eradication isn't the ultimate goal of the appropriations, it should be for management. Axis deer is still in the bill, but there's specific language to axis deer to say that resources should be focused on management as opposed to eradication.

Public Policy Manager Doane: So we're still recommending a position of MONITOR on that. That's all we had for this week, unless anyone had questions.

Chair Waihe'e: *Ok members, is there any discussion or questions about the Positioning Matrix?*

There are no responses.

Vice-Chair Akaka moves to approve Administration's recommendations on *NEW BILLS (Items 1 - 89) and BILL POSITIONS FOR RECONSIDERATION (Items 90 - 92), where Item 92, HB1347 changes from Monitor to SUPPORT along with the following revisions:*

CHANGE Items:

- 27 / 77; HB1025 / SB1251 from Comment to **OPPOSE**;
- 313 / 523; HB1114 / SB728 from Support to **COMMENT**;
- 390; SB1 from Oppose to **COMMENT**; and
- 556; SB919 from Support to **MONITOR**

on the OHA Legislative Positioning Matrix dated February 13, 2019, as amended.

Bills that were discussed					
ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			New Bills		
1	HB188	RELATING TO TRANSPORTATION.	Establishes a task force to provide for the orderly transfer of jurisdiction over state highways to the county in which the highway is located, provided that the county has a population greater than five hundred thousand.	MONITOR	
2	HB261	RELATING TO AGRICULTURE.	Clarifies definition of "qualified agricultural costs." Extends through the 2029 taxable year the time in which the Department of Agriculture may certify important agricultural lands qualified agricultural cost tax credits. Applies to taxable years beginning after 12/31/2019.	MONITOR	

3	HB344	RELATING TO PUBLIC ACCESS.	Provides that where public access is required as a condition of a subdivision, either the county must accept dedication of and maintain the access or identify an entity to own and maintain the access. Authorizes the county to require the subdivider to establish a stewardship fund for maintenance purposes.	MONITOR	
4	HB374	RELATING TO THE STATE COORDINATOR ON HOMELESSNESS.	Establishes the position of state coordinator on homelessness and requires the state coordinator on homelessness to report directly to the lieutenant governor. Makes an appropriation.	MONITOR	
5	HB375	RELATING TO URBAN AGRICULTURE.	Requires the counties to incorporate urban agriculture principles and policies in land use planning.	MONITOR	
6	HB458	RELATING TO SMALL BOAT HARBORS.	Authorizes the transfer of operations, administration, management, and maintenance of the Kihei Launch Ramp from BLNR to the Kaho'olawe Island Reserve Commission. Preserves DLNR authority to issue permits and collect fees due to the Boating Special Fund.	MONITOR	
7	HB473	RELATING TO HOMELESSNESS.	Establishes the long-term rental assistance pilot program to be administered by the department of health. Appropriates funds for the administration of the pilot program.	MONITOR	
8	HB479	RELATING TO HOUSING.	Establishes the ALOHA homes authority to facilitate the development of low-cost homes for sale to Hawaii residents on state-owned and county-owned land near rail stations of the Honolulu rail transit system, to be known as the urban redevelopment district. Establishes guidelines within the urban redevelopment district. Establishes provisions related to the sale of leasehold interest of ALOHA homes.	OPPOSE	
9	HB545	RELATING TO TRANSPORTATION.	Specifies that a government agency does not assume ownership or jurisdiction over a disputed road solely through maintenance or repair activities. Authorizes the State to quitclaim ownership of roads in favor of counties.	MONITOR	
10	HB547	RELATING TO FARMS.	Creates an exclusion from income tax for the lesser of fifty-one per cent of gross annual income or \$50,000 of gross annual income earned by a farmer from farming activities.	MONITOR	
11	HB568	RELATING TO HOUSING.	Establishes a three-year pilot program which authorizes nonprofit organizations in a county with a population of 500,000 or more to provide shelter to homeless persons, including by hosting temporary encampments on property owned by the organization. Prohibits the host county from enacting ordinances designed to deter the provision of shelter. Limits county liability.	COMMENT	

12	HB574	RELATING TO HOMELESSNESS.	Appropriates funds to the outreach program, rapid re-housing program, housing first program, family assessment centers, law enforcement assisted diversion program, and coordinated statewide homelessness initiative. Establishes and appropriates funds for a short-term rental assistance pilot program and a long-term rental assistance pilot program.	MONITOR	
13	HB643	RELATING TO HOMELESSNESS.	Appropriates funds to the outreach program, rapid re-housing program, housing first program, family assessment centers, law enforcement assisted diversion program, and coordinated statewide homelessness initiative. Establishes and appropriates funds for a short-term rental assistance pilot program and a long-term rental assistance pilot program.	MONITOR	
14	HB684	RELATING TO THE GOVERNOR'S COORDINATOR ON HOMELESSNESS.	Establishes in statute the position of Governor's Coordinator on Homelessness. Attaches the Governor's Coordinator on Homelessness to the Department of Human Services for administrative purposes, but requires the position to report to the Governor. Appropriates funds.	MONITOR	
15	HB685	RELATING TO GROUP LIVING FACILITIES.	Specifies that until the department of health establishes the clean and sober homes registry, group living facility operators shall be permitted to operate upon providing notice of operation to the applicable county.	MONITOR	
16	HB730	RELATING TO CHARTER SCHOOLS.	Appropriates funds to the public charter school commission to allocate to charter schools for meal service costs.	SUPPORT	
17	HB849	RELATING TO PUBLIC ACCESS TO THE SHORELINE IN SOUTH MAUI.	Requires the Department of Land and Natural Resources, in collaboration with the county councilmember representing the south Maui residency area, Kihei Community Association, and 'Aha Moku O Kula Makai, to develop a master plan to expand public access to the shoreline in south Maui, particularly state-owned land. Appropriates funds.	MONITOR	
18	HB876	RELATING TO HOMELESSNESS.	Directs the department of human services to develop and implement residential campgrounds for the homeless.	COMMENT	
19	HB882	RELATING TO HOMELESSNESS.	Appropriates funds to the Department of Human Services for the Coordinated Statewide Homeless Initiative. Requires the Department to procure the services of a master contractor to manage subcontracts and expenditures for services provided through the initiative.	MONITOR	

20	HB903	RELATING TO THE JUDICIARY.	Requires the Judiciary to implement a program that offers any qualifying person the option to fulfill any court-ordered financial obligation through: (1) installment payments in a payment plan; or (2) the performance of community service. Prohibits the courts from taking certain actions against a person solely because of that person's inability to pay if the person has entered into and is in compliance with the programs. Reinstates driver's licenses that were suspended for nonpayment under certain circumstances.	MONITOR	
21	HB910	RELATING TO BANYAN DRIVE.	Requires the Office of Planning to conduct a study on the infrastructure of the Banyan Drive area on the Waiakea Peninsula on the island of Hawaii. Appropriates funds.	MONITOR	
22	HB918	RELATING TO PUBLIC SCHOOL LANDS.	Extends the lease term for public-school lands from 55 to 99 years. (HB918 HD1)	OPPOSE	
23	HB933	RELATING TO CRISIS INTERVENTION.	Creates a crisis intervention and diversion program in the department of health to divert those in need to appropriate health care and away from the criminal justice system.	MONITOR	
24	HB958	RELATING TO LANDS CONTROLLED BY THE STATE.	Exempts from legislative approval the sale of the leased fee interest in certain affordable leasehold developments by the Hawaii Housing Finance and Development Corporation.	COMMENT	
25	HB990	RELATING TO DEPARTMENT OF DEFENSE FACILITIES.	Allows the Department of Defense to recoup operating costs when the Adjutant General permits temporary facility use of department facilities to the public. Currently, the law requires that "all moneys received from the rentals shall be deposited into the general fund of the State."	MONITOR	
26	HB998	RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.	Excludes from the definition of "public lands" in section 171-2, Hawaii Revised Statutes, lands set aside by the governor to the Hawaii Public Housing Authority (HPHA) or lands to which the HPHA holds title. Requires legislative approval of the sale of lands to which the HPHA holds title.	MONITOR	
27	HB1025	RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.	Authorizes the Board of Land and Natural Resources to extend leases of public lands for commercial, industrial, resort, or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements. Sunsets on June 30, 2029. (HB1025 HD1)	COMMENT	Comment > OPPOSE
28	HB1031	RELATING TO USE PERMITS FOR SMALL BOAT HARBOR FACILITIES.	Clarifies that certain fees for state small boat harbors shall be established by appraisal by a state-licensed appraiser approved by the Department of Land and Natural Resources and shall be set at fair market value. Clarifies fees charged for vessels used for commercial purposes.	MONITOR	

29	HB1032	RELATING TO STATE BOATING FACILITIES.	Allows the Board of Land and Natural Resources (Board) to lease any existing state boating facility in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation. Requires the Board to make a finding regarding certain sea level rise factors before awarding any such lease. Clarifies that legislative approval is not required to award a lease, except that the Board may request approval from the Legislature in extraordinary circumstances, by concurrent resolution, where the Board has not made findings regarding sea level rise factors. Repeals fast lands and submerged lands lease requirements specific to Ala Wai Boat Harbor.	COMMENT	
30	HB1088	RELATING TO SCHOOL IMPACT FEES.	Exempts affordable housing units, additions to existing dwelling units, accessory dwelling units, ohana dwelling units, housing developed by the Hawaii Public Housing Authority, and certain housing units developed by self-help housing nonprofit organizations from school impact fee requirements. (HB1088 HD1)	MONITOR	
31	HB1100	RELATING TO EMERGENCY ACCESS TO SHELTER.	Prohibits public establishments from denying shelter to any person when an emergency alert advises the public to immediately seek shelter. Clarifies that any remuneration paid to owners of private property for services or incidental commodities during the disaster does not void the exemption from civil liability afforded to these owners except where owners increase the sale price of any service or incidental commodity. (HB1100 HD1)	MONITOR	
32	HB1117	RELATING TO STATE LANDS.	Requires the Board of Land and Natural Resources, Board of Agriculture, and the Agribusiness Development Corporation to ensure the timely collection of lease payments, track lessees that are in arrears of lease payments, and offer payment plans for lessees in arrears. Prohibits land leased by the Agribusiness Development Corporation from being assigned or sublet without corporation approval. (HB1117 HD1)	MONITOR	
33	HB1128	RELATING TO TRANSITIONAL HOUSING.	Requires the Department of Human Services to establish, construct, and operate a transitional shelter comprising micro units beneath the Nimitz Viaduct or other areas on the island of Oahu, and to submit a report on the establishment of the transitional shelter to the Legislature. Makes an appropriation.	MONITOR	
34	HB1219	RELATING TO PUBLIC LANDS.	Authorizes the designation of areas or regions of public lands classified as commercial, industrial, resort and hotel, and the establishment and implementation of guidelines for the redevelopment of the areas or regions that will: (1) modernize the policies for the management of public lands in the designated area; (2) establish a plan for the designated area, including district-wide improvements, that is coordinated with state and county land use and planning policies; and (3) implement asset and property management concepts that can optimize income from the properties and evolve in response to changing principles of property administration. Designates the public lands on the Waiakea peninsula on the island of Hawaii as the Waiakea Peninsula Redevelopment District. Repeals the Waiakea Peninsula Redevelopment District on 6/30/2029. Appropriates funds.	COMMENT	
35	HB1236	RELATING TO MAKUA VALLEY.	Establishes a Makua Valley Task Force to prepare for the transition of the Makua Military Reservation from the United States Army upon the expiration of the Army's lease for the land.	SUPPORT	

36	HB1311	PROPOSING AMENDMENTS TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF HAWAII TO AMEND THE MANNER IN WHICH JUSTICES AND JUDGES ARE APPOINTED, CONSENTED TO, AND RETAINED.	Proposes amendments to the Constitution of the State of Hawaii relating to the appointment and retention of justices and judges. Changes the required time frames from thirty to ninety days for the process to appoint and consent to a justice or judge. Harmonizes the senate consent procedures for district court judgeship nominees to mirror the senate consent procedures relating to supreme court justices and intermediate court of appeals and circuit court judges. Authorizes the senate to approve or reject subsequent terms of office for justices and judges.	MONITOR	
37	HB1314	RELATING TO STATE PLANNING.	Includes objectives and policies and implementation guidelines for planning for the lei of green in the Hawaii state plan.	MONITOR	
38	HB1375	RELATING TO THE STATE OF HAWAII MUSEUM OF NATURAL AND CULTURAL HISTORY.	Increases the amount of transient accommodations tax revenues allocated for the tourism special fund. Allocates \$1,500,000 of the tourism special fund for the operation of the State of Hawaii Museum of Natural and Cultural History. Requires the Department of Business, Economic Development, and Tourism to calculate an adjusted allocation each year. Appropriates funds.	MONITOR	
39	HB1390	RELATING TO IOLANI PALACE.	Phases out parking of motor vehicles on the grounds of Iolani Palace. Requires DAGS to remove the blacktop, parking area, and parking meters adjacent to Iolani Palace. Requires DLNR to develop and maintain a pedestrian area adjacent to Iolani Palace. Requires DAGS and DLNR to report cost analysis to the legislature.	COMMENT	
40	HB1391	RELATING TO DEPARTMENT OF HAWAIIAN HOMELANDS.	Establishes a task force to examine the current operation and practices of the Department of Hawaiian Homelands, particularly as it relates to use and distribution of its land assets, and to further provide suggestions and innovative solutions to end the waitlist issue and assist with initiatives designed to increase self-funding through better leveraging of assets.	MONITOR	
41	HB1407	RELATING TO THE ENVIRONMENT.	Expands the scope of the carbon offset program and authorizes six new positions within the program. Establishes a carbon offset revolving fund to assist in the fulfillment of the purposes of the carbon offset program. Appropriates funds. (HB1407 HD1)	MONITOR	
42	HB1413	RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST E OLA MAU NA LEO O KEKAHA.	Authorizes the issuance of special purpose revenue bonds (SPRB) to assist E Ola Mau Na Leo O Kekaha with the acquisition, remediation, and development of the old Kekaha Sugar Mill in Kekaha, Kauai, Hawaii.	MONITOR	
43	HB1510	RELATING TO AGRICULTURAL VILLAGES.	Authorizes an applicable county planning commission to issue special permits for agricultural villages without approval from the Land Use Commission.	OPPOSE	

44	HB1551	RELATING TO PUBLIC SAFETY.	Establishes a minimum-security housing program in a county with a population of more than 750,000 for short-term adult offenders. Provides capacity for a furlough program. Appropriates funds. (HB1551 HD1)	COMMENT	
45	HB1567	RELATING TO HOMELESSNESS.	Establishes the fifteen-year Hale Kokua Project and Hale Kokua Special Fund under the Department of Human Services with the aim of incentivizing homeowners to provide rental units to homeless persons. Amends the basis and rate of tax, and disposition of the conveyance tax to support the Hale Kokua Special Fund.	MONITOR	
46	SB39	RELATING TO STATE FACILITIES.	Short form bill.	MONITOR	
47	SB44	RELATING TO HIGHER EDUCATION.	Specifies that the attorney general shall represent the University of Hawaii in any litigation, render legal counsel to the university, and draft legal documents for the university. Repeals the authority of the board of regents of the University of Hawaii to appoint or retain general counsel independent of the attorney general to provide legal services for the university. Repeals the general counsel of the University of Hawaii. Appropriates funds. (SD1)	MONITOR	
48	SB45	RELATING TO THE BOARD OF REGENTS.	Short form bill.	MONITOR	
49	SB46	RELATING TO FINANCES AT THE UNIVERSITY OF HAWAII.	Short form bill.	MONITOR	
50	SB218	RELATING TO BROADBAND.	Requires the Hawaii technology development corporation to seek to establish a public-private partnership to plan, build, and manage key strategic broadband infrastructure and attract cloud based companies to Hawaii. Makes an appropriation to establish an open access, carrier neutral cable landing station.	MONITOR	
51	SB229	RELATING TO HOMELESSNESS.	Authorizes \$125,000,000 in general obligation bonds to be expended for purposes set forth in section 201H-202, Hawaii Revised Statutes; appropriates \$75,000,000 from the general fund to be expended by the Hawaii housing finance and development corporation to build new low-income rental housing units or to apply funds to existing programs or projects targeting the chronically homeless or low-income renters facing eviction.	MONITOR	

52	SB241	RELATING TO PUBLIC SAFETY.	Prohibits public establishments from denying shelter to any person when an emergency alert advises the public to immediately seek shelter. Clarifies that remuneration or expectation of remuneration paid to owners of private property for goods or services other than emergency access to land, shelter, or subsistence, including services or incidental commodities to the emergency access, does not void the exemption from civil liability afforded to these owners except where owners increase the sale price of the service or incidental commodities.	MONITOR	
53	SB313	MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII.	Makes an appropriation for two full-time equivalent positions for the wayfinding education program at the imiloa astronomy center.	MONITOR	
54	SB344	RELATING TO HARBORS.	Authorizes the Board of Land and Natural Resources to sell long-term leasehold interests for berths at the Keehi Boat Harbor and Ala Wai Boat Harbor.	COMMENT	
55	SB379	RELATING TO LAND EXCHANGE.	Allows the governor to negotiate land exchanges to acquire lands that are suitable for long-term diversified agricultural production. Requires a report to the legislature.	COMMENT	
56	SB381	RELATING TO AGRICULTURAL LANDS.	Requires the counties to adopt supplemental rules on condominium property regimes, including those that involve agricultural lands.	MONITOR	
57	SB471	RELATING TO HOMELESSNESS.	Appropriates funds to the outreach program, rapid re-housing program, housing first program, family assessment centers, law enforcement assisted diversion program, and coordinated statewide homelessness initiative. Establishes and appropriates funds for a short-term rental assistance pilot program and a long-term rental assistance pilot program.	MONITOR	
58	SB526	RELATING TO HUMAN SERVICES.	Appropriates funds for the Department of Human Services to purchase, staff, and operate two mobile clinics to serve the homeless persons residing in ohana zones. Requires matching funds.	MONITOR	
59	SB559	RELATING TO STATE SMALL BOAT HARBORS.	Requires moorage fees for non-commercial mooring use permits at state small boat harbors to be determined by appraisal and set at fair market value. Establishes effective date for state small boat harbor moorage fee increases. Effective August 1, 2019.	MONITOR	
60	SB575	RELATING TO THE STATE COORDINATOR ON HOMELESSNESS.	Establishes the position of state coordinator on homelessness and requires the state coordinator on homelessness to report directly to the lieutenant governor. Makes an appropriation.	MONITOR	

61	SB599	RELATING TO THE CRIMINAL JUSTICE SYSTEM.	Establishes the Criminal Justice Assessment Commission within the Department of Public Safety to recommend methods that will promote collaboration among the state and county criminal justice entities. Appropriates moneys.	MONITOR	
62	SB646	RELATING TO RESIDENTIAL SUBSTANCE ABUSE TREATMENT.	Requires the Department of Health to establish residential substance abuse treatment facilities and appropriates funds for that purpose.	MONITOR	
63	SB745	RELATING TO EDUCATION.	Requires the department of education to contract with a firm that specializes in school finance to study the adequacy of education in Hawaii. Appropriates moneys for the study.	MONITOR	
64	SB763	RELATING TO ADVERTISING AND MARKETING.	Requires the department of business, economic development, and tourism, in consultation with the department of agriculture, to conduct a study calculating the economic impact and gross domestic product lost by the State as a result of companies exploiting the Hawaii brand and selling products in the United States using place-based marketing without any material ties to the State. Appropriates funds for the study.	MONITOR	
65	SB803	RELATING TO HAWAIIAN CULTURE.	Removes a provision designating the Hawaii convention center as the location for operation of a Hawaiian center and the museum of Hawaiian music and dance.	MONITOR	
66	SB937	RELATING TO CHARTER SCHOOLS.	Appropriates funds to the state public charter school commission to allocate to charter schools for meal service costs. (SD1)	SUPPORT	
67	SB969	RELATING TO COMPUTER SCIENCE EDUCATION.	Beginning in the 2022-2023 school year, requires each public elementary school or public charter elementary school to offer instruction in the basics of computer science and computational thinking. Beginning in the 2023-2024 school year, requires each public middle or intermediate school or public charter middle or intermediate school to offer instruction in exploratory computer science. Establishes reporting requirements.	MONITOR	
68	SB1007	RELATING TO HAWAIIAN MUSIC AND DANCE.	Redirects the \$1,000,000 of transient accommodations tax revenues currently allocated to operate a Hawaiian center and the museum of Hawaiian music and dance at the Hawaii convention center to have the State of Hawaii Museum of Natural and Cultural History plan, design, and construct such a facility on their property.	MONITOR	
69	SB1019	RELATING TO YOUTH.	Establishes and appropriate funds for a safe places for youth pilot program. Requires and appropriates funds for the office of youth services to reduce the use of status offense laws and implement a status offense diversion program.	COMMENT	

70	SB1031	RELATING TO HOMELESSNESS.	Establishes the long-term rental assistance pilot program to be administered by the department of health. Appropriates funds for the administration of the pilot program.	MONITOR	
71	SB1133	RELATING TO CONDOMINIUMS.	Requires developers of condominium projects in the agricultural district to declare in their public report that the project plan was disclosed and that the developer offered to, or conducted, a presentation disclosing the project plan to the respective community association or neighborhood board at least sixty days prior to registration of the project.	MONITOR	
72	SB1135	RELATING TO THE LAND USE COMMISSION.	Provides the Land Use Commission with the power to amend, revise, or modify a decision and order granting a district boundary amendment, or fine a petitioner, when there has been a finding by the Land Use Commission that a petitioner or its successors or assigns have not adhered to the conditions imposed by the commission, regardless of whether there has been substantial commencement of use of the land. Defines "substantial commencement".	MONITOR	
73	SB1185	RELATING TO LANDS CONTROLLED BY THE STATE.	Exempts from legislative approval the sale of the leased fee interest in certain affordable leasehold developments by the Hawaii Housing Finance and Development Corporation.	COMMENT	
74	SB1216	RELATING TO DEPARTMENT OF DEFENSE FACILITIES.	Allows the Department of Defense to recoup operating costs when the Adjutant General permits temporary facility use of department facilities to the public. Currently, the law requires that "all moneys received from the rentals shall be deposited into the general fund of the State."	MONITOR	
75	SB1224	RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.	Excludes from the definition of "public lands" in section 171-2, Hawaii Revised Statutes, lands set aside by the governor to the Hawaii Public Housing Authority (HPHA) or lands to which the HPHA holds title. Requires legislative approval of the sale of lands to which the HPHA holds title.	MONITOR	
76	SB1239	RELATING TO INVOLUNTARY HOSPITALIZATION.	Permits the Director of Health to designate emergency departments to which persons requiring emergency mental health treatment may be taken by law enforcement.	MONITOR	
77	SB1251	RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.	Authorizes the Board of Land and Natural Resources to extend leases of public lands for commercial, industrial, or resort use upon approval of a proposed development agreement to make substantial improvements to the existing improvements. Repeals on June 30, 2024.	COMMENT	Comment > OPPOSE

78	SB1257	RELATING TO USE PERMITS FOR SMALL BOAT HARBOR FACILITIES.	Clarifies that certain fees for state small boat harbors shall be established by appraisal by a state-licensed appraiser approved by the Department of Land and Natural Resources and shall be set at fair market value. Clarifies fees charged for vessels used for commercial purposes.	MONITOR	
79	SB1258	RELATING TO STATE BOATING FACILITIES.	Allows the Board of Land and Natural Resources (Board) to lease any existing state boating facility in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation. Requires the Board to make a finding regarding certain sea level rise factors before awarding any such lease. Clarifies that legislative approval is not required to award a lease, except that the Board may request approval from the Legislature in extraordinary circumstances, by concurrent resolution, where the Board has not made findings regarding sea level rise factors. Repeals fast lands and submerged lands lease requirements specific to Ala Wai Boat Harbor.	COMMENT	
80	SB1303	RELATING TO PUBLIC LANDS.	Part I: Allows the department of education to lease public school lands for a term of not more than ninety-nine years per lease. Part II: Amends Act 210, Session Laws of Hawaii 2018, by adding an additional parcel to the list of transferred lands from the city and county of Honolulu to the department of education. Part III: Amends Act 206, Session Laws of Hawaii 2017, to allow the city and county of Honolulu to transfer lands under existing department of education facilities directly to the department of education, rather than to the department of land and natural resources.	OPPOSE	
81	SB1327	RELATING TO PUBLIC ACCESS TO THE SHORELINE IN SOUTH MAUI.	Requires the Department of Land and Natural Resources, in collaboration with the county councilmember representing the south Maui residency area, Kihei Community Association, and 'Aha Moku O Kula Makai, to develop a master plan to expand public access to the shoreline in south Maui, particularly state-owned land. Appropriates funds.	MONITOR	
82	SB1367	RELATING TO PROMOTING DANGEROUS DRUGS.	Establishes the misdemeanor offense of promoting a dangerous drug in the fourth degree for first time offenders who possess smaller amounts of a dangerous drug. Amends related provisions for the promotion of the promotion of dangerous drugs in the second and third degree for consistency.	MONITOR	
83	SB1370	RELATING TO CESSPOOLS.	Establishes a grant program and special fund to assist lessees on Hawaiian home lands with cesspool upgrade, conversion, or connection costs. Establishes that a recipient of a cesspool upgrade grant shall not be eligible for the cesspool upgrade, conversion, or connection income tax credit and vice versa. Appropriates moneys for the grant program.	SUPPORT	
84	SB1482	RELATING TO THE HAWAII COMMERCIAL HARBORS AUTHORITY.	Establishes the Hawaii commercial harbors authority. Transfers jurisdiction and functions relating to commercial harbors and commercial maritime operations from the department of transportation to the Hawaii commercial harbors authority. Appropriates funds.	COMMENT	

85	SB1484	RELATING TO HIKING TRAILS.	Appropriates funds for the department of land and natural resources to devise an appropriate plan to create a hiking trail from Malaekahana state park, along the coast, to Turtle Bay Resort passing makai of the James Campbell National Wildlife Refuge and continuing from Kawela Bay along the coast of Waialeale to Sunset Beach.	MONITOR	
86	SB1501	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Authorizes the issuance of general obligation bonds and appropriates funds for department of Hawaiian home lands capital improvement projects.	SUPPORT	
87	SB1541	RELATING TO PUBLIC SAFETY.	Establishes a minimum-security housing program in a county with a population of more than 750,000 for short-term adult offenders. Provides capacity for a furlough program. Appropriates funds.	COMMENT	
88	GM511		Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, WAYNE KATAYAMA, for a term to expire 06-30-2022.	MONITOR	
89	GM571		Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, ALAPAKI NAHALE-A, for a term to expire 06-30-2023.	SUPPORT	
ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			Bill Positions for Reconsideration		
90	HB591	RELATING TO WATERSHED AREAS.	Requires the Department of Land and Natural Resources to give prior notice to the Game Management Advisory Commission when designating an area as a watershed, conducting a new watershed project, or amending a watershed management plan within a game management area or a public hunting area. (HB591 HD1)	OPPOSE > MONITOR	
91	HB1325	RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.	Requires DLNR to give prior notice to the Game Management Advisory Commission when establishing or amending watershed projects or management plans on state lands or pursuant to a water rights lease and suspend all aerial shooting activity until final adoption of watershed management rules that integrate Commission recommendations. (HB1325 HD1)	OPPOSE > MONITOR	
92	HB1347	RELATING TO CHARTER SCHOOLS.	Requires that annual charter school audits be performed by an auditor selected by the authorizer. Requires charter schools to provide access to all or any part of its records to its authorizer without payment of a fee. (HB1347 HD1)	SUPPORT > MONITOR (This is a typo/reversed)	MONITOR > SUPPORT

ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			2019 Legislative Session (All positions previously approved)		
313	HB1114	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Increases the amount of money available from partial public funding to candidates running for the board of trustees, office of Hawaiian affairs, to match the amount available to candidates running for the office of lieutenant governor.	SUPPORT	Support > COMMENT
390	SB1	RELATING TO HOUSING.	Establishes the ALOHA homes program under the Hawaii Housing Finance and Development Corporation to facilitate the development of low-cost homes for sale to Hawaii residents on state-owned and county-owned land near rail stations of the Honolulu rail transit system, to be known as the urban redevelopment district. Establishes guidelines within the urban redevelopment district. Establishes provisions related to the sale of leasehold interest of ALOHA homes. Exempts land set aside or leased to the Hawaii Housing Finance and Development Corporation from the definition of public lands in section 1712, HRS. Establishes the ALOHA homes revolving fund. Authorizes the Hawaii Housing Finance and Development Corporation to adopt rules pursuant to chapter 91, Hawaii Revised Statutes.	OPPOSE	Oppose > COMMENT
523	SB728	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Increases the maximum amount of public funds available to each candidate running for the board of trustees of the office of Hawaiian affairs to fifteen per cent of the expenditure limit established for each election. Increases the amount each board of trustees candidate must raise in order to qualify for public funds. (SD1)	SUPPORT	Support > COMMENT
556	SB919	RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS.	Amends the composition of the Board of Regents of the University of Hawaii, reduces the number of board members from fifteen members to nine members, and shortens term length from five years to four years. Specifies terms of holdover board members. Specifies that the Board of Regents shall hold the president of the University of Hawaii and university administration accountable for decisions, actions, and leases that incur additional costs to the university. Prohibits any law, rule, or permission requirement related to permitting discussions between a board member and members of the legislature. (SD1)	SUPPORT	Support > MONITOR

Trustee Ahuna seconds the motion.

Chair Waihe'e asks if there is any discussion. There is none.

Chair Waihe'e calls for a ROLL CALL VOTE.

						2:00 p.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA			X			
DAN AHUNA		2	X			
VICE-CHAIR KALEI AKAKA	1		X			
KELI'I AKINA			X			
BRENDON KALEI'AINA LEE			X			
CARMEN HULU LINDSEY			X			
ROBERT LINDSEY			X			
COLETTE MACHADO			X			
CHAIR JOHN WAIHE'E			X			
TOTAL VOTE COUNT			9	0	0	0

MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED

VI. COMMUNITY CONCERNS*

Walter Ritte: Aloha Trustees, I was at the legislature this morning and one of the bills this year that concern the people of Moloka'i is the one regarding invasive species. The government looks at the deer as invasive species, our testimony was that this was a gift to our Ali'i over 150 years ago. We've been hunting the deer for many years, it's part of our community and a very important part of our lifestyle; we see it as part of our culture.

The other word that was in the bill that concerned us is "eradicate", no one has come to Moloka'i to talk to us about it; the State has an Aha Moku System that should advise the DLNR on these kinds of issues. We're trying to figure out how to resolve this issue. I'm hoping we can look at the deer in a positive way and the end result is that they change the word "eradicate" to "manage". It is important for us to manage the deer, but we don't want to look at them as being an invasive species.

The other issue I wanted to bring up, was just to update you guys about what's happening on Moloka'i. We had a community meeting on Moloka'i last week Monday and we had over 150 people show up at the meeting. One of the classes presented a survey of about 500 people that they did online and it indicated really strong support; I think over 80% of the people surveyed support the idea of us becoming our own County. After they presented the survey on the screen showing all the different results, there was a raise of hands of who was in support, it was almost the whole room, maybe less than 10 people present didn't raise their hand. This whole initiative is not coming from the legislature or OHA, it's coming from the Community. So we have to figure out how do we get this initiative from the Community up to legislature which is the body that will say yes or no. It's been difficult trying to find the right path to take; we've had some hiccups. When we first talked to Senator English he said he would support it and then later on he changed his mind, that was rough. We've tried to go through OHA, and I don't blame OHA for not agreeing with the legislature telling them to do this or that with their own money (appropriations). I would like to get support from OHA and am thinking that OHA could do a resolution that would say that OHA could do a feasibility study on Moloka'i becoming its own County.

We have until March 8th for resolutions to be submitted, so we have some time to try and figure it out. I want to at least let this body know that for the betterment of Native Hawaiians, Molokai would be a really big asset in allowing Hawaiians on being able to control their future. We go from being on Moloka'i where we have no voice, to actually having control over our own island and that's a huge step for us. We were surprised and glad that so many people support the idea. Before, many didn't support it because we thought we couldn't afford to be our own County. The community-organizing is going really well and we're just trying to figure out how we can convince the State that it's a good idea and that it's feasible for us to do.

Chair Waihe'e: Thank you Mr. Ritte.

VII. ANNOUNCEMENTS

None

VIII. ADJOURNMENT

Trustee Hulu Lindsey moves to adjourn the BAE meeting.

Vice-Chair Akaka seconds the motion.

Chair Waihe'e asks if there is any discussion. There is none.

Chair Waihe'e asks if any members vote NO or ABSTAIN. There are no dissenting votes.

						2:10 p.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA			X			
DAN AHUNA			X			
VICE-CHAIR KALEI AKAKA		2	X			
KELI'I AKINA						Departed at 2:01 p.m.
BRENDON KALEI'ĀINA LEE			X			
CARMEN HULU LINDSEY	1		X			
ROBERT LINDSEY						Departed at 2:01 p.m.
COLETTE MACHADO			X			
CHAIR JOHN WAIHE'E			X			
TOTAL VOTE COUNT			7	0	0	2

MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED

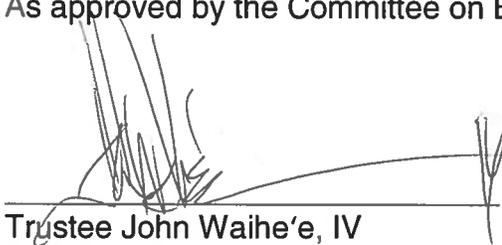
Chair Waihe'e adjourns the BAE meeting at 2:10 p.m.

Respectfully submitted,



Melissa Wennihan
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on March 6, 2019.



Trustee John Waihe'e, IV
Chair
Committee on Beneficiary Advocacy and Empowerment

ATTACHMENT(s):

None