

**STATE OF HAWAI'I  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200**

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT  
MINUTES**

**March 27, 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

**EXCUSED:**

Trustee Colette Machado

**BOT STAFF:**

Alyssa-Marie Kau  
Crayn Akina  
Kama Hopkins  
Lei-Ann Durant  
Maria Calderon  
Melissa Wennihan  
Priscilla Nakama  
Zuri Aki

**ADMINISTRATION STAFF:**

Kamana'opono Crabbe, Ka Pouhana  
Sylvia Hussey, Ka Pou Nui  
Lisa Victor, CTO  
Anuheia Patoc, PP  
Gabby Oliver, PP  
Jim McMahon, ADV  
Jen Jenkins, PP  
Jocelyn Doane, PP  
Kamaile Maldonado, PP  
Momilani Lazo, CEO  
Monica Morris, PP  
Sabrina Gramberg, PP  
Wayne Tanaka, PP

**GUESTS:**

Craig Hirai, HHFDC  
Dave Arakawa, Land Use Research Foundation of HI  
Denise Iseri-Matsubara, Office of Community Services

**I. CALL TO ORDER**

**Chair Waihe'e** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, March 27, 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	LEINA'ALA	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	

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

**EXCUSED from the BAE Meeting are:**

MEMBERS			COMMENT
TRUSTEE	COLETTE	MACHADO	MEMO – REQUESTING TO BE EXCUSED

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

## II. PUBLIC TESTIMONY

**Craig Hirai, Dave Arakawa & Denise Iseri-Matsubara –**

**Denise Iseri-Matsubara:** Aloha I am currently the Executive Director for the Office of Community Services. Prior to that, I was the Governor's coordinator for housing issues in the State. To my left is Craig Hirai who is the Executive Director for HHFDC; he is not only an attorney, but also a CPA and Real Estate Broker. Craig's been working in the housing industry for about 25 years. To his left is Dave Arakawa who is the Executive Director for the Land Use Research Foundation and he's been there for about 12 years. Today we just wanted to share the concept and the need for longer leases and this is along the lines of the Governor's priorities for housing in the State. OHA has been a participant in these Governor Stakeholder meetings and we're here to really share some insight for the need for longer-term leases in general and answer any questions you may have. I'm going to turn it over to Craig.

**Craig Hirai:** One of the origins of this is from the State's rental housing programs. As you may know, the State is the largest, single landowner along the rail line and most of this State land has no infrastructure. So, what some of the legislators were saying is if we have to pay for the infrastructure along the rail line for housing and typically if we're building rentals, we have to subsidize something like a third of the vertical cost too; so, it will be very expensive.

Part of the genesis for this idea was if we're financing the infrastructure, we might be able to recover all or part of it over the life of the lease. The idea would be to sell the leasehold condo for a price that would cover its cost (the vertical or construction cost itself). The 99-year lease came in part from having to compete with fee simple condominiums and not wanting to sell the fee on State land. 99 years is about as long of a duration as it could go. Plus, it's not uncommon on the mainland to have 99-year leases. We're trying to get as much housing built as quickly as possible, particularly on the rail line although there may be implications say for old condominium townhouses on neighbor islands and TOD areas.

**Dave Arakawa:** Land Use Research Foundation represents the large landowners. I just got off the phone with Stanford Carr. He would be here today, but he has another obligation. Stanford has the experience of building both affordable and market housing – he's the most active single developer right now that's done affordable rentals and housing as well as market housing. He explained to us that along the rail route there's a lot of State property and if they're looking at doing housing and affordable housing along the corridor, they're going to have to put in the infrastructure because it is not up to par. Building a condo is much more expensive than building a single-family home. For areas like: Pearlridge

and Ho'opili, just the infrastructure would cost \$125,000 or so. That was based-off of pricing two or three years ago per rooftop – the roads, sewers and all that. So, it's spacing those costs over a 99-year lease rather than 75 years. People would have to get a loan and pay more in a shorter period. The projects have to be approved and everything will be transparent. They would have to get the necessary approval, and prices would all be fully visible to the public.

**Denise Iseri-Matsubara:** As a matter of reference, we are referring to SB1190 on your legislative matrix. We didn't really want to refer to a specific bill because we just wanted to talk about the concept of long-term leases, because there are a number of bills that are moving through the legislature. I believe you took a position on this specific bill.

To summarize what we're trying to say - rentals are the way to go, because that's what a big portion of our market must do to live here. This is due to the younger generation having a challenge with coming up with the down payment. The problem is that the State does not have enough State subsidy to build enough rentals. For every unit, you must subsidize each by about \$150,000, that's a lot of money that the State needs to come up with for these rentals to be completed. To help increase housing period; you need longer leases, so that you can sell to other buyers that are looking for fee-simple. The 99 years brings it closer.

**Trustee Hulu Lindsey:** I think our concern was that nobody knows what's going to happen 50-75 years from now and we didn't want the ceded lands to be forced into a conversion like the Bishop Estate lands were. We're concerned about that and I'm sure that's one of the strongest positions that we've taken as a Board and as an agency.

**Craig Hirai:** The reason we were focusing on leasehold condos, is that condos are not subject to the Land Reform Act.

**Trustee Lee:** I wanted to echo Trustee Lindsey's concern and I hear what you're saying about right now on the condominiums not being subject to that. Prior to the '80s leasehold, private houses were not subject to that; so that's a huge concern. No matter how strong the language is that we put in now, it does not preclude the legislature from changing it later, especially because there is a precedent already set of them taking the State's interest over a private entity's interest. Speaking specifically to SB1190, they're also seeking to exempt certain lands from the definition of Public Land and that's concerning to a Trustee because we're already having enough fights over Public Lands and what is owed. When the Chair feels it's appropriate I'm curious to hear what our advocacy team has to say about this, since they're the ones that are informing us about the bills.

**Chair Waihe'e:** They'll bring it up during the legislative update.

**Trustee Ahuna:** *What would the benefit be for our beneficiaries?*

**Dave Arakawa:** From the developer's standpoint; DHHL can just develop so many units on so many properties, but units developed on State land will have a requirement for affordable housing. Those units could be sold to any ethnicity, including Hawaiians. So, Hawaiians that cannot get into Hawaiian Homes could benefit from this and if they cannot make the blood quantum they would still be able to benefit from all these homes.

**Chair Waihe'e:** Thank you for coming and sharing with us.

**III. APPROVAL OF MINUTES**

**Trustee Ahuna moves to approve the minutes of February 27, 2019.**

**Trustee Hulu Lindsey seconds the motion.**

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

**Chair Waihe'e calls for a ROLL CALL VOTE.**

						1:22 p.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA	1		X			
VICE-CHAIR KALEIHIKINA	AKAKA			X			
	KELI'I			X			
BRENDON KALEI'AINA	LEE			X			
CARMEN HULU	LINDSEY		2	X			
	ROBERT LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

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

**IV. UNFINISHED BUSINESS**

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

**Chair Waihe'e** turns it over to Ka Pouhana Kamana'opono Crabbe.

**Ka Pouhana Crabbe** calls on Public Policy Manager Jocelyn Doane to present, as well as Wayne Tanaka, Lead Advocate.

**Public Policy Manager Doane:** Aloha Trustees. I know you had a really, long day, so we'll try to be quick. In terms of our package; today is the 27<sup>th</sup> which means next week all bills that have crossed over have to get through its final committee. So, we're hoping that HB402 gets a hearing next week. The resolutions need to be heard on the floor in its original committee by next week as well.

Our Budget Bill has a hearing tomorrow, so we'll meet that deadline if they move it out.

Our Resolutions need to get a hearing by next week to keep moving, so, we'll work on that.

Our Public Land Trust Bill is dead, but HB402 which is the money bill is alive and I'll go over what the amendments were to that during V. A.

The Mental Health Bill is dead, but there's a Mental Health Resolution that is similar to our Package bill moving. We need to work on getting that a hearing.

SB192, which is our Bail Bill, was amended substantially, but has a hearing tomorrow which we're super-excited about. Basically, the Criminal Pre-trial Task Force measure with all the recommendations from that bill died in the Senate and they resurrected it in our bill. So, our bill has been taken hostage. The really good news is that we think it's actually going to pass and OHA will get all the credit. It's deserved credit because Public Policy Advocate Kamaile Maldonado attended every one of those hearings and played a huge role in the recommendations that made it in to the bill and she truly has the best relationship of all the advocates, with the legislators. Alternatively, they will kill the bill because they don't like all the other things in it; but we're very hopeful.

That is our package update.

**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 over to Ka Pouhana Kamana'opono Crabbe.

**Ka Pouhana Crabbe** turns it back over to Public Policy Manager Jocelyn Doane and Wayne Tanaka again.

**Public Policy Manager Doane:** I need to correct a couple of items in the matrix, starting on Page 4, Item 21 – HCR155. There are four versions of this resolution related to the Intellectual Property Task Force; we're recommending a position of COMMENT not Monitor.

What the measure would do is it would urge DBEDT, the State Foundation on Culture of Arts, DCCA, DLNR, UH and other relevant State agencies to work in collaboration with each other as well as Hawaiian Organizations and OHA to establish a Native Hawaiian Intellectual Property Task Force which would seek to develop a unique legal system to recognize and protect Native Hawaiian IP, Traditional and Cultural Expressions and Genetic Resources. This is a monstrous task in creating an entirely new legal system. So, obviously we support the idea of thinking about how we can better protect our Intellectual Property. It had its first hearing today and it moved. We're hesitant to Support it in the event that they make us do it, instead of DBEDT.

The other bill that needs to be fixed is on Page 80, Item 317 – HR17. I've mistakenly added this resolution. It was supposed to be HR170; so, to be accurate we will change it from Comment to MONITOR.

### **Moving in to the New Bills**

Item 1, Item 1 – HB820; this is the new Aloha Homes bill. This is a version very similar to SB1; it was amended. It had other content in it related to County zoning and the contents of SB1 were basically added into this version. We're excited about this, after working with Senator Chang and meeting with Jobie and some other staff that made an amendment to require transfers to OHA or DHHL; the percentage of which would be determined through rule making by HHFDC if this bill moves. We're very appreciative of the effort in trying to get to a place where there's some concrete benefits that are going to go to Native Hawaiians on the massive use of our Public Land Trust lands. With that said, we still have some things that we're trying to understand about the mechanics of how it will be used. As the bill keeps moving, we're hoping to get to a better understanding of how it will work. This bill still has the 99-year lease provision in it; he knows that we don't love it. Senator Chang's rationale is that he wants to make sure that people can live in it for the rest of their lives, so we're open to having discussions with me and the AG. We're adamant about the 99-year lease being too long. 100 years is like five generations and it engenders a sense of entitlement. To be clear, we're opposing every 99-year lease bill or any bill that allows for excessively long leases or extensions, except we're not opposing the HHFDC 99-year leases. That has not been the position of this board this session. We've been commenting where we recommend that they change it to 75 years because we understand that there are special Federal mortgages that they may be able to apply for that would be useful.

**Chair Waihe'e:** Thank you for clarifying that. *Members are there any follow up questions?*

*There are no responses.*

**Public Policy Manager Doane:** Ok, the next measure is on Page 3, Item 14 – HCR133. There are four resolutions related to urging the probate court to increase transparency on the Kamehameha Schools Trustee selection. We're recommending a position of MONITOR. Basically, the resolution asks the court to recognize Kamehameha Schools stakeholders which are named as Native Hawaiian beneficiaries: Kamehameha Schools alumni, faculty and staff, and the parents. They all should be afforded a greater role in decisions affecting the trust. They are asked to observe the terms of the January 6, 2000 Court Order as it relates to screening Trustees and appointing Trustee screening committees that are comprised of stakeholders. We don't think it's appropriate for us to get overly involved, so we would just like to MONITOR these measures.

Page 5, Item 27 – HCR228; this is also a Kamehameha Schools resolution. It urges Kamehameha Schools to consider exchanging lands with DHHL. Back when this resolution was introduced in 2016 there was a hoopla of opposition from our beneficiaries. We're recommending MONITOR. If the agencies find it necessary, they would have those conversations on their own. There's also a lot of process that is involved with DHHL exchanges. There's federal law and processes that are required to do exchanges, so we don't think there's a need for us to get involved.

Page 5, Item 28 – HCR230; we're recommending a position of COMMENT.

**Senior Public Policy Advocate Tanaka:** This resolution would set up a Hawaiian Homelands working group, which would include OHA, to come up with recommendations to shorten the waiting list. We are recommending COMMENT to appreciate the general intent of the measure and to highlight our investments in housing and homeless programs; while also showing our support of DHHL.

Page 10, Item 60 – GM669; this would nominate Dane Maxwell for a second term on the Maui and Lānaʻi Island Burial Council. We supported his nomination in 2014. He has a lifetime of experience working with cultural preservation issues, including with his father reinterring iwi from Honokahua. He currently has a business as a cultural consultant helping with the development of burial treatment and plans. So, we recommend SUPPORT of his nomination to continue his service.

**Public Policy Manager Doane:** Those are all the new measures. You'll notice that there are a lot of replicas in that section that we already went over and approved. We do have a few bill position change recommendations. The first is on Page 11, Item 61 – HB402; this was originally the 35-million-dollar increase to PLT. We're recommending a position change from Support to SUPPORT WITH AMENDMENTS. The bill has already been blanked out so there are no amounts in it. The Senate version reinserted the negotiating committee to be housed in Budget and Finance, which we think is good. The weird thing that it does is it sets a blank amount and requires that all agencies that collect receipts from the Public Land Trust, to transfer their portion. However, then, it would reduce the amount that the University of Hawai'i would have to send, by the amounts of tuition funds that are allocated to Native Hawaiian programs.

We're not entirely sure what they are intending to do. The way it's currently, drafted and it could be edited, even worse though, it wouldn't change the amount that would come to OHA, but it would explicitly allow UH to not have to pay the amount that they are supposed to pay. UH was able to get something in the current draft. So, we're recommending SUPPORT WITH AMENDMENTS and if WAM indeed moves the bill we will request that they take that out.

The other tricky thing in the bill is that it doesn't allow additional funding not already approved to OHA until the 2017 audit is approved. We're concerned because what additional funding would mean with the other provisions of the bill is confusing; it could mean the entire amount. Also, as currently, drafted, we're not convinced it sufficiently identifies the audit. We should make sure that if they keep that in there, that they identify what audit they're talking about. Then we can show that that deliverable is fulfilled. There's a bunch of concerning things in the draft and hopefully our advocacy will be such that we can get that changed if the bill moves. For it to move, it needs a hearing by next week in WAM.

**Senior Public Policy Advocate Tanaka:** Page 12, Item 62 – HB419; we're recommending a position change from Monitor to SUPPORT. This measure originally would've provided funding to the counties to help them enforce laws relating to unlawful transient vacation unit rentals. We were monitoring due to the appropriations in the measure. However, it has since been amended to include a new Part 2 which includes several enforcement mechanisms that we were supporting in other vehicles.

Page 12, Item 63 – HB439; we're recommending a position change from Oppose to MONITOR. Originally, this would've exempted lands set aside to the HHFDC from Chapter 171-2 without accounting for the potential for these lands to be sold outside of the §171-64.7 process. The measure was amended to include lands set aside to HHFDC under §171-64.7; so, our concerns have been addressed.

**Public Policy Manager Doane:** Page 13, Item 64 – HB622; this is the Charter School bill that we've been having fun talking about every week. It originally did a bunch of things; required a PO system, created a new Federal crime, and prohibited all previous Charter School affiliates to serve on the Board of Education or Commission. The bill has been substantially amended so we're recommending a position change from Oppose to COMMENT; we do still have some concerns.

The SD version would replace the PO system with a Banking system and the commission and authorizer would be primary parties to all accounts. Our Comment(s) related to this would be to ensure that the schools still are able to withdraw funds in a timely-fashion because there are reasons why the schools need to have quick-access, as to avoid financial issues that would get them in trouble with the commission.

The other important provision of the bill that has changed is that right now it would bar any person from serving on the Board of Education or Commission, if affiliated within four years. We think that is really long and it would prohibit really good members from serving. So, we will reiterate our comments as this move to say that they'd be missing out on experienced folks by barring them from being eligible.

Page 13, Item 65 – HB821; we're recommending a change from Oppose to MONITOR; this is the Kaka'ako Improved Cable Landing Station Bill. It previously exempted the project from the environmental review requirements and the coastal zone management laws. We did a good job advocating, so they took all of that out; we're happy about that.

**Trustee Akina:** I just have one bill that I would like to bifurcate, Item 62 – HB419. I can't support everything within it and haven't had the time to do the due-diligence. I'll just abstain from that vote. I appreciate and understand why we want to support it. There's a lot of detail in it and I'm not sure I can support everything, but rather than argue at the table, I will just abstain.

**Chair Waihe'e:** That's fair.

**Trustee Ahuna:** *What has the Community response been for our PLT bill?*

**Public Policy Manager Doane:** We've had really, good attendance at the hearings; really, good testimony – it's been good!

**Trustee Ahuna:** *What is the Community support of the Charter School Bill, how have they been reacting?*

**Public Policy Manager Doane:** The Charter School people have been opposing HB622 and have been the ones talking about how it could be dangerous and how former Charter School affiliated individuals have brought really good experience and 'ike to the Board of Education and the Commission. So, there is definite support for Charter School facilities funding and objections to things that they think go too far and infringe upon the school's autonomy.

I'm going to be super quick and not go over the page numbers for the updates, unless there are questions.

**Chair Waihe'e:** Ok.

**Public Policy Manager Doane:** I just want to make sure you guys knew where we're at with the OHA-named and OPPOSED bills.

The randomized individual ballot bill and the election bill need to get a hearing next week for it to move.

The audit resolutions have all moved out of its first committee.

The Lot I resolution has not gotten a hearing yet, as we have requested.

The OHA LLC fiscal audit has moved out of its first committees.

There is a hearing tomorrow on the resolution that requests OHA to finalize our MOU with ADC; we just submitted our testimony today. As far as ADC is concerned, they're not ready to enter an MOU with us. That's what we've said in our testimony.

The only bills that are still moving that we OPPOSE:

HB1025 - the lease-extension bill that BLNR is asking for. It would allow up to 105 years of a lease.

The Water Revocable Permit holdover extension, we are expecting to get a hearing next week.

The Public Libraries Pilot Project bill is a 99-year lease bill which has not gotten a hearing yet.

The DOE Pilot Project bill is currently blank. We've met with members of the House to talk about our concerns about that. We've also talked to the Water and Land Chair in the Senate. We've expressed that there's really no rationale for them to have 99 years. What DOE said at the last meeting was that they're hoping to partner with HHFDC on a project in Kahala that they want to build to help make money.

That's it!

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

*There are no responses.*

**MOTION #1:**

Vice-Chair Akaka moves to approve Administration’s recommendations on **NEW BILLS** (Items 1 - 60) and **BILL POSITIONS FOR RECONSIDERATION** (Items 61, 63 - 65, excluding Item 62, HB419); as well as

**ADD:**

- HR17 as **MONITOR**; and

**CHANGE:**

- Item 21, HCR155;
- Item 36, SCR204;
- Item 50, HR142;
- Item 59, SR164, all from **Monitor** to **COMMENT**;

on the OHA Legislative Positioning Matrix dated March 27, 2019, as amended.

Bills that were discussed					
ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			<b>New Bills</b>		
<b>ADD</b>	<b>HR17</b>		<b>DESIGNATING MARCH 2019 AS BLEEDING DISORDERS AWARENESS MONTH.</b>	-	<b>MONITOR</b>
1	HB820	RELATING TO HOUSING	Part I: Prohibits any law, ordinance, or rule from imposing an inclusionary zoning requirement on housing offered exclusively for sale in perpetuity to buyers who are residents of the State, are owner-occupants, and do not own any other real property. Part II: Establishes the ALOHA homes program to develop low-cost homes on state-owned and county-owned land in urban redevelopment sites to be sold in leasehold by HHFDC to qualified residents. Exempts certain land from the definition of public lands. Effective 7/1/2050. (SD1)	COMMENT	
2	SB1167	RELATING TO AGRICULTURAL ENTERPRISES.	Establishes a new Agricultural Enterprise Program within the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure on any lands under the jurisdiction of the Department, to support and promote agriculture. Establishes the Agricultural Enterprise Special Fund. Makes an appropriation. (SB1167 HD1)	MONITOR	
3	SB1540	RELATING TO CORRECTIONS.	Requires intake service centers to conduct pretrial risk assessments and prepare bail reports within two, instead of three, working days. Requires bail reports to include a complete copy of the pretrial risk assessment, including, among other requirements, a written explanation of administrative scoring overrides.	SUPPORT	
4	HCR27		REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE DEPARTMENT OF EDUCATION'S STATEWIDE BACKLOG OF CAPITAL IMPROVEMENT REPAIR AND MAINTENANCE PROJECTS.	MONITOR	
5	HCR28		ENCOURAGING THE DEPARTMENT OF EDUCATION AND OTHER STAKEHOLDERS TO CONTINUE TO MEET AS A WORKING GROUP AND TO IMPLEMENT A NEW PROGRAM FOR SEXUAL-VIOLENCE PREVENTION IN PUBLIC SCHOOLS.	MONITOR	

6	HCR37		URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO REDUCE THE USE OF STANDARDIZED TESTING IN HAWAII'S PUBLIC EDUCATION SYSTEM.	MONITOR	
7	HCR38		URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO SUPPORT AND IMPLEMENT COMMUNITY SCHOOLS AS A STRATEGY FOR INCREASING ACCESS TO A HIGH-QUALITY EDUCATION.	MONITOR	
8	HCR61		REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT TO THE LEGISLATURE ON ITS PROGRESS TOWARD PROVIDING A WELL-ROUNDED EDUCATION FOR ALL PUBLIC SCHOOL STUDENTS.	MONITOR	
9	HCR71		REQUESTING EVERY COMMERCIAL OR PUBLIC BUILDING LOCATED ON DEPARTMENT OF HAWAIIAN HOME LANDS TRUST LAND TO DISPLAY A PHOTOGRAPH OF PRINCE JONAH KUHIO KALANIANA'OLE AND A DESCRIPTION OF HIS ACHIEVEMENTS.	MONITOR	
10	HCR98		URGING THE CITY AND COUNTY OF HONOLULU TO ADD HANS L'ORANGE NEIGHBORHOOD PARK TO THE LIST OF SECURED PARKS ON OAHU.	MONITOR	
11	HCR122		REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND COUNTY PLANNING DEPARTMENTS TO COLLECT INFORMATION FROM ASSOCIATIONS OF APARTMENT OWNERS AND ASSOCIATIONS OF CONDOMINIUM OWNERS THAT HAVE OWNERS WHO RENT THEIR UNITS AS TRANSIENT ACCOMMODATIONS AND MAKE THE INFORMATION AVAILABLE TO ASSOCIATION MEMBERS AND UNIT OWNERS.	MONITOR	
12	HCR124		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH THE HAUULA BEACH PARK MARINE LIFE CONSERVATION DISTRICT.	MONITOR	
13	HCR125		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH THE LANIAKEA BEACH MARINE LIFE CONSERVATION DISTRICT.	MONITOR	
14	HCR133		REQUESTING THE PROBATE COURT TO INCREASE TRANSPARENCY REGARDING THE KAMEHAMEHA SCHOOLS TRUSTEE SELECTION PROCESS.	MONITOR	
15	HCR138		URGING THE COUNTY OF HAWAII TO CREATE ALTERNATE ROUTES TO PROPERTIES IN THE PUNA DISTRICT THAT WERE AFFECTED, BUT NOT DESTROYED, BY THE 2018 KILAUEA ERUPTION.	MONITOR	
16	HCR142		URGING THE COUNTY OF HAWAII TO ESTABLISH A HOUSING ASSISTANCE PROGRAM FOR RESIDENTS AFFECTED BY THE 2018 VOLCANIC DISASTER.	MONITOR	
17	HCR151		URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO BUILD ALTERNATIVE HOUSING OPTIONS FOR LESSEES.	MONITOR	
18	HCR152		URGING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO RENAME THE RUSSIAN FORT ELIZABETH STATE HISTORICAL PARK IN WAIMEA, KAUA'I, TO PA'ULA'ULA.	MONITOR	
19	HCR153		REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO PERFORM AN ACTUARIAL STUDY ON THE SIZE OF THE CURRENT AND PROJECTED FUTURE POPULATIONS OF HAWAIIANS ELIGIBLE TO LEASE HAWAIIAN HOME LANDS.	MONITOR	
20	HCR154		SUPPORTING THE DEVELOPMENT OF A HAWAIIAN LANGUAGE PLAN AND REQUESTING THE CONVENING OF A COALITION TO DEVELOP THE PLAN.	SUPPORT	
21	HCR155		URGING THE ESTABLISHMENT OF A NATIVE HAWAIIAN INTELLECTUAL PROPERTY TASK FORCE TO DEVELOP A SUI GENERIS LEGAL SYSTEM TO RECOGNIZE AND PROTECT NATIVE HAWAIIAN CULTURAL INTELLECTUAL PROPERTY, TRADITIONAL CULTURAL EXPRESSIONS, AND GENETIC RESOURCES.	MONITOR	<b>Monitor &gt; COMMENT</b>

22	HCR159		URGING THE UNITED STATES ARMY CORPS OF ENGINEERS TO SEEK INPUT FROM COMMUNITIES THAT WILL BE IMPACTED BY THE ALA WAI FLOOD RISK MANAGEMENT PROJECT.	MONITOR	
23	HCR163		REQUESTING THE GOVERNOR TO ESTABLISH A WORKING GROUP TO EXPLORE MATTERS RELATED TO THE ALA WAI CANAL FLOOD RISK MANAGEMENT PROJECT.	MONITOR	
24	HCR173		REQUESTING APPROVAL FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR A PROPOSED LOW-INCOME AND WORKFORCE HOUSING PROJECT LOCATED WITHIN THE FOOTPRINT OF FEDERALLY-FUNDED INTERSTATE HIGHWAY, F.A.P. NO. I-H1-1(13), EWA OF HUGH STREET IN PEARL CITY AND URGING THE GOVERNOR TO USE OHANA ZONE PILOT PROGRAM FUNDS FOR THE PROJECT.	MONITOR	
25	HCR183		URGING EACH COUNTY TO CURB THE PROLIFERATION OF ILLEGAL VACATION RENTALS.	MONITOR	
26	HCR196		REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PRIORITIZE STREAM RESTORATION AND PROTECTION WHEN DISCUSSING AND MAKING WATER AND LAND USE DECISIONS AFFECTING THE ENVIRONMENT AND DRINKING WATER.	SUPPORT	
27	HCR228		ENCOURAGING KAMEHAMEHA SCHOOLS TO CONSIDER THE PRACTICE OF LAND EXCHANGES TO FACILITATE THE DEVELOPMENT OF HAWAIIAN HOMESTEADS IN LOCATIONS THAT BETTER SERVE THE HAWAIIAN PEOPLE.	MONITOR	
28	HCR230		REQUESTING THE GOVERNOR TO CONVENE A HAWAIIAN HOME LANDS IMPROVEMENT WORKING GROUP.	COMMENT	
29	SCR56		REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A SCHOOL IMPACT FEE REVIEW TASK FORCE TO REVIEW THE SCHOOL IMPACT FEES LAW, INCLUDING ENFORCEMENT OF EXISTING LAW, AND MAKE ANY RECOMMENDATIONS TO ADDRESS CURRENT AND FUTURE NEEDS FOR THE DEVELOPMENT OF NEW SCHOOLS TO ACCOMMODATE PROJECTED POPULATION GROWTH.	MONITOR	
30	SCR69		REQUESTING EVERY COMMERCIAL OR PUBLIC BUILDING LOCATED ON DEPARTMENT OF HAWAIIAN HOME LANDS TRUST LAND TO DISPLAY A PHOTOGRAPH OF PRINCE JONAH KUHIIO KALANIANA'OLE AND A DESCRIPTION OF HIS ACHIEVEMENTS.	MONITOR	
31	SCR81		REQUESTING ALL PUBLIC ELEMENTARY, INTERMEDIATE, AND MIDDLE SCHOOLS IN THE STATE TO PARTICIPATE IN THE SAFE ROUTES TO SCHOOL PROGRAM ESTABLISHED PURSUANT TO SECTION 291C-3, HAWAII REVISED STATUTES, FOR KEIKI HEALTH BENEFITS.	MONITOR	
32	SCR139		REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGISTRATION AND REGULATION OF TRANSIENT VACATION UNIT OWNERS.	MONITOR	
33	SCR152		REQUESTING THE STATE AND COUNTIES TO EXPAND EFFORTS FOR COMMUNITY INPUT REGARDING ADOPTION OF ADMINISTRATIVE RULES, STATEWIDE PLANS, AND PLANS THAT AFFECT RURAL COMMUNITIES.	MONITOR	
34	SCR177		REQUESTING THE PROBATE COURT TO INCREASE TRANSPARENCY REGARDING THE KAMEHAMEHA SCHOOLS TRUSTEE SELECTION PROCESS.	MONITOR	
35	SCR184		REQUESTING THE GOVERNOR TO ESTABLISH A WORKING GROUP TO EXPLORE MATTERS RELATED TO THE ALA WAI CANAL FLOOD RISK MANAGEMENT PROJECT.	MONITOR	
36	SCR204		URGING THE ESTABLISHMENT OF A NATIVE HAWAIIAN INTELLECTUAL PROPERTY TASK FORCE TO DEVELOP A SUI GENERIS LEGAL SYSTEM TO RECOGNIZE AND PROTECT NATIVE HAWAIIAN CULTURAL INTELLECTUAL PROPERTY, TRADITIONAL CULTURAL EXPRESSIONS, AND GENETIC RESOURCES.	MONITOR	<b>Monitor &gt; COMMENT</b>
37	HR40		URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO SUPPORT AND IMPLEMENT COMMUNITY SCHOOLS AS A STRATEGY FOR INCREASING ACCESS TO A HIGH-QUALITY EDUCATION.	MONITOR	

38	HR71		REQUESTING EVERY COMMERCIAL OR PUBLIC BUILDING LOCATED ON DEPARTMENT OF HAWAIIAN HOME LANDS TRUST LAND TO DISPLAY A PHOTOGRAPH OF PRINCE JONAH KUHIO KALANIANA'OLE AND A DESCRIPTION OF HIS ACHIEVEMENTS.	MONITOR	
39	HR91		URGING THE CITY AND COUNTY OF HONOLULU TO ADD HANS L'ORANGE NEIGHBORHOOD PARK TO THE LIST OF SECURED PARKS ON OAHU.	MONITOR	
40	HR97		URGING THE DEPARTMENT OF HEALTH TO COMPLETE THE REQUIRED ASSESSMENT AND TOTAL MAXIMUM DAILY LOAD PROCESS FOR KAELEPULU WATERSHED TO RESTORE AND PROTECT THE KAILUA WATERWAYS.	MONITOR	
41	HR112		REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND COUNTY PLANNING DEPARTMENTS TO COLLECT INFORMATION FROM ASSOCIATIONS OF APARTMENT OWNERS AND ASSOCIATIONS OF CONDOMINIUM OWNERS THAT HAVE OWNERS WHO RENT THEIR UNITS AS TRANSIENT ACCOMMODATIONS AND MAKE THE INFORMATION AVAILABLE TO ASSOCIATION MEMBERS AND UNIT OWNERS.	MONITOR	
42	HR114		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH THE HAUULA BEACH PARK MARINE LIFE CONSERVATION DISTRICT.	MONITOR	
43	HR115		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH THE LANIAKEA BEACH MARINE LIFE CONSERVATION DISTRICT.	MONITOR	
44	HR123		REQUESTING THE PROBATE COURT TO INCREASE TRANSPARENCY REGARDING THE KAMEHAMEHA SCHOOLS TRUSTEE SELECTION PROCESS.	MONITOR	
45	HR127		URGING THE COUNTY OF HAWAII TO CREATE ALTERNATE ROUTES TO PROPERTIES IN THE PUNA DISTRICT THAT WERE AFFECTED, BUT NOT DESTROYED, BY THE 2018 KILAUEA ERUPTION.	MONITOR	
46	HR131		URGING THE COUNTY OF HAWAII TO ESTABLISH A HOUSING ASSISTANCE PROGRAM FOR RESIDENTS AFFECTED BY THE 2018 VOLCANIC DISASTER.	MONITOR	
47	HR138		URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO BUILD ALTERNATIVE HOUSING OPTIONS FOR LESSEES.	MONITOR	
48	HR140		REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO PERFORM AN ACTUARIAL STUDY ON THE SIZE OF THE CURRENT AND PROJECTED FUTURE POPULATIONS OF HAWAIIANS ELIGIBLE TO LEASE HAWAIIAN HOME LANDS.	MONITOR	
49	HR141		SUPPORTING THE DEVELOPMENT OF A HAWAIIAN LANGUAGE PLAN AND REQUESTING THE CONVENING OF A COALITION TO DEVELOP THE PLAN.	SUPPORT	
50	HR142		URGING THE ESTABLISHMENT OF A NATIVE HAWAIIAN INTELLECTUAL PROPERTY TASK FORCE TO DEVELOP A SUI GENERIS LEGAL SYSTEM TO RECOGNIZE AND PROTECT NATIVE HAWAIIAN CULTURAL INTELLECTUAL PROPERTY, TRADITIONAL CULTURAL EXPRESSIONS, AND GENETIC RESOURCES.	MONITOR	Monitor > COMMENT
51	HR146		REQUESTING THE GOVERNOR TO ESTABLISH A WORKING GROUP TO EXPLORE MATTERS RELATED TO THE ALA WAI CANAL FLOOD RISK MANAGEMENT PROJECT.	MONITOR	
52	HR170		REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO COMPLETE THE 2017 INDEPENDENT FINANCIAL AUDIT AND MANAGEMENT REVIEW OF THE OFFICE OF HAWAIIAN AFFAIRS AND ITS SUBSIDIARIES.	COMMENT	
53	HR177		REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PRIORITIZE STREAM RESTORATION AND PROTECTION WHEN DISCUSSING AND MAKING WATER AND LAND USE DECISIONS AFFECTING THE ENVIRONMENT AND DRINKING WATER.	SUPPORT	
54	HR203		ENCOURAGING KAMEHAMEHA SCHOOLS TO CONSIDER THE PRACTICE OF LAND EXCHANGES TO FACILITATE THE DEVELOPMENT OF HAWAIIAN HOMESTEADS IN LOCATIONS THAT BETTER SERVE THE HAWAIIAN PEOPLE.	MONITOR	
55	HR205		REQUESTING THE GOVERNOR TO CONVENE A HAWAIIAN HOME LANDS IMPROVEMENT WORKING GROUP.	COMMENT	
56	SR7		REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO WORK WITH THE FAMILY REUNIFICATION WORKING GROUP AND OTHER COMMUNITY STAKEHOLDERS TO DEVELOP A PLAN TO ESTABLISH VISITATION CENTERS AT ALL STATE CORRECTIONAL FACILITIES AND JAILS.	SUPPORT	

57	SR47		REQUESTING EVERY COMMERCIAL OR PUBLIC BUILDING LOCATED ON DEPARTMENT OF HAWAIIAN HOME LANDS TRUST LAND TO DISPLAY A PHOTOGRAPH OF PRINCE JONAH KUHIO KALANIANA'OLE AND A DESCRIPTION OF HIS ACHIEVEMENTS.	MONITOR	
58	SR144		REQUESTING THE PROBATE COURT TO INCREASE TRANSPARENCY REGARDING THE KAMEHAMEHA SCHOOLS TRUSTEE SELECTION PROCESS.	MONITOR	
59	SR164		URGING THE ESTABLISHMENT OF A NATIVE HAWAIIAN INTELLECTUAL PROPERTY TASK FORCE TO DEVELOP A SUI GENERIS LEGAL SYSTEM TO RECOGNIZE AND PROTECT NATIVE HAWAIIAN CULTURAL INTELLECTUAL PROPERTY, TRADITIONAL CULTURAL EXPRESSIONS, AND GENETIC RESOURCES.	MONITOR	<b>Monitor &gt; COMMENT</b>
60	GM669		Submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lana'i, Gubernatorial Nominee, DANE MAXWELL, for a term to expire 06-30-2021.	SUPPORT	
<b>Bill Positions for Reconsideration</b>					
61	HB402	RELATING TO INCREASING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF PUBLIC LAND TRUST FUNDS.	Establishes the office of Hawaiian affairs' pro rata share of the public land trust. Transfers funds to the office of Hawaiian affairs for underpayment of the public land trust funds for 7/1/2012 to 6/30/2019. Requires the department of budget and finance to provide an annual accounting of receipts from public land trust lands. Requires annual audits of any funds transferred pursuant to this Act. Establishes the public land trust revenues committee. Prohibits new funding to be appropriated to the office of Hawaiian affairs until the office of Hawaiian affairs' 2017 fiscal and performance audit is completed and provided to the legislature. Appropriates funds. Takes effect 7/1/2050. (SD1)	SUPPORT > SUPPORT WITH AMENDMENTS	
63	HB439	RELATING TO LAND USE.	Exempts lands set aside by the governor to the Hawaii housing finance and development corporation for the primary purpose of developing affordable housing from classification as public land subject to DLNR management. Requires lands set aside by the governor to the Hawaii housing finance development corporation for the primary purpose of developing affordable housing to be subject to legislative approval prior to the sale or gift of those lands. Takes effect 7/1/2050. (SD1)	OPPOSE > MONITOR	
64	HB622	RELATING TO PUBLIC CHARTER SCHOOLS.	Transfers control of public funds disbursed to a charter school to the State Public Charter School Commission upon filing of criminal charges against an employee of the charter school for actions taken in the course of employment at the charter school. Requires establishment of a banking account system to pay charter school expenses. Requires authorizers to select the independent auditors. Prohibits individuals from serving as Board of Education or Charter School Commission members if the individual was affiliated with a charter school within four years preceding appointment. Effective 7/1/2050. (SD1)	OPPOSE > COMMENT	
65	HB821	RELATING TO TELECOMMUNICATIONS.	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 for the Hawaii broadband initiative and to establish an open access, carrier neutral cable landing station. Takes effect 7/1/2112. (SD1)	OPPOSE > 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.

							1:55 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA		2	X			
VICE-CHAIR KALEIHIKINA	AKAKA	1		X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

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

MOTION #2:

Vice Chair Akaka moves to approve Administration's recommendation on **BILL POSITIONS FOR RECONSIDERATION**: Item 62, HB419 from ~~Monitor~~ to **SUPPORT** on the OHA Legislative Positioning Matrix dated March 27, 2019, as amended.

Bills that were discussed					
ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			<b>Bill Positions for Reconsideration</b>		
62	HB419	RELATING TO TRANSIENT ACCOMMODATIONS.	Part I: Makes a county eligible to receive TAT revenue allocations for the purpose of enforcing all applicable laws and ordinances relating to transient accommodations, under specified conditions. Requires reports from counties receiving funds for enforcement of transient accommodations and short-term vacation rentals ordinances. Part II: Amends the definition of "transient accommodations" to include additional forms of transient accommodations. Requires each transient accommodations broker, hosting platform, and booking service to submit to DBEDT quarterly reports of statistical data relating to transient accommodations listings. Makes it unlawful for a hosting platform to provide, and collect a fee for, booking services regarding transient accommodations if the operator or plan manager is not registered with the Director of Taxation. Amends requirements relating to transient accommodations tax certificates of registration to ensure greater transparency. Allows a transient accommodations broker to register as a GET and TAT tax collection agent for its operators and plan managers. Takes effect on 1/1/2020. (SD1)	MONITOR > SUPPORT	

**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**.

							1:56 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA		2	X			
VICE-CHAIR KALEIHIKINA	AKAKA	1		X			
KELI'I	AKINA					X	
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				<b>7</b>	<b>0</b>	<b>1</b>	<b>1</b>

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

**VI. COMMUNITY CONCERNS\***

None

**VII. ANNOUNCEMENTS**

None

**VIII. ADJOURNMENT**

**Trustee Akaka moves to adjourn the BAE meeting.**

**Trustee Hulu Lindsey 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.**

						1:56 p.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
VICE-CHAIR KALEIHIKINA	AKAKA	1		X			
	KELI'I			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

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

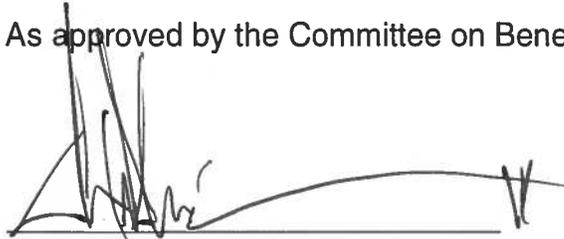
**Chair Waihe'e adjourns the BAE meeting at 1:56 p.m.**

Respectfully submitted,



Melissa Wennihan  
Trustee Aide  
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on May 1, 2019.



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

ATTACHMENT(s):

- Excuse Memo (1)