

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

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

March 4, 2015 10:00 a.m.

ATTENDANCE:

Chairperson John Waihe'e, IV
Vice-Chairperson Peter Apo
Trustee Lei Ahu Isa
Trustee Dan Ahuna
Trustee Haunani Apoliona
Trustee Hulu Lindsey
Trustee Robert Lindsey

EXCUSED:

Trustee Rowena Akana
Trustee Colette Machado

BOT STAFF:

Claudine Calpito
Crayn Akina
Davis Price
Dayna Pa
Kama Hopkins
Kathy Owara-Takeo
Lady Elizabeth Garrett
Laurene Kaluau-Kealoha
Lehua Itokazu
Liana Pang
Melissa Wennihan
Reynold Freitas

ADMINISTRATION STAFF:

Kamana'opono Crabbe, Ph.D., Pouhana / CEO
Kāwika Burgess, Pou Nui / COO
Anuheia Patoc, PUBL
Deirdra Alo, CEO
Derek Kauanoē, ADV-GOV
Jessica Freedman, PUBL
Jim McMahon, ADV
Jocelyn Doane, PUBL
Jon Ching, PUBL
Kamaile Maldonado, PUBL
Mehana Hind, COO
Monica Morris, ADV
Sterling Wong, PUBL
Wayne Tanaka, ADV

GUESTS:

Dan Purcell
Jane Gay

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, March 4, 2015 to order at **10:00 a.m.**

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

MEMBERS			AT CALL TO ORDER (10:00 a.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
TRUSTEE	LEI	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	CARMEN "HULU"	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
VICE-CHAIR	PETER	APO	PRESENT	Arrived at 10:03 a.m.

At the Call to Order, **SIX (6) Trustees are PRESENT**, thereby constituting a quorum.

EXCUSED from the BAE Meeting are:

MEMBERS			COMMENT
TRUSTEE	ROWENA	AKANA	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	COLETTE	MACHADO	MEMO – REQUESTING TO BE EXCUSED

Waiver of the OHA 72-hours prior to a meeting materials distribution policy

Chair Waihe'e seeks a MOTION:

To waive the OHA Board of Trustees Operations Manual practice at which materials will be reviewed, discussed, or acted upon at least 72-hours prior to the meeting regarding items:

IV. New Business

A. 2015 OHA Legislative Positioning – Matrix1 ; and**

V. Unfinished Business

A. 2015 OHA Legislative Package Updates – Matrix 2**

Trustee Ahuna moves.

Trustee Hulu Lindsey seconds the motion.

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

Chair Waihe'e asks if anyone votes NO or ABSTAINS. There are no replies.

							10:01 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA				X			
DAN AHUNA		1		X			
ROWENA AKANA							EXCUSED
VICE-CHAIR PETER APO							Arrived at 10:03 a.m.
HAUNANI APOLIONA				X			
CARMEN HULU LINDSEY			2	X			
ROBERT LINDSEY				X			
COLETTE MACHADO							EXCUSED
CHAIR JOHN WAIHE'E				X			
TOTAL VOTE COUNT				6	0	0	3

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the MOTION CARRIES.

II. APPROVAL OF MINUTES

- A. February 4, 2015
- B. February 11, 2015
- C. February 18, 2015
- D. February 25, 2015

Trustee Ahuna moves to approve the minutes of February 4, 11, 18, and 25, 2015.

Trustee Hulu Lindsey seconds the motion.

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

Chair Waihe'e asks if anyone votes NO or ABSTAINS. There are no replies.

						10:02 a.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA	1		X			
ROWENA	AKANA						EXCUSED
VICE-CHAIR PETER	APO						Arrived at 10:03 a.m.
HAUNANI	APOLIONA			X			
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				6	0	0	3

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION CARRIES.**

III. COMMUNITY CONCERNS*

None

IV. NEW BUSINESS

A. 2015 OHA Legislative Positioning – Matrix 1**

Chair Waihe'e turns the meeting directly over to Public Policy Manager Sterling Wong.

Public Policy Manager Wong: Aloha Chair and members of the committee, I'm going to turn it over to Jocelyn to go over the big matrix.

Senior Public Policy Advocate Doane: Aloha Trustees. We hope to have another short meeting, depending on the questions raised. I wanted to mention that we've noticed an issue that contributes to why our briefings have been minimalized. We've noticed that a lot of the bills are not getting hearings. Often times they would hear everything even if they weren't considering passing it, but it seems as though the amount of hearings are being limited, which has made this session slightly less hectic. It's helped a lot with some of the bills that we OPPOSE. Another thing we've noticed is that they've been taking our suggestions in many instances, so we're quite happy about that as well. I just want to go over a few bills in the big matrix today.

HB438, Making an appropriation to the Kaho'olawe Island Reserve Commission (KIRC) – it had a hearing yesterday and it did pass, but we don't know yet what the amount will be in addition to the \$1 million that the Governor put in his package. There's been conversation about OHA playing a role in the funding and we did actually receive a letter last Friday without a specific dollar amount. We are working on scheduling a meeting so that we can all be on the same page.

Pouhana Crabbe: E kala mai for my tardiness, I was in a meeting and trying to get here as soon as possible. I spoke with Mike Naho'opi'i regarding the bill; he is still trying to push the State's commitment. As a contingency, they would like to come before the board to see what help may be obtained.

Trustee Robert Lindsey: Ka Pouhana, I'm just wondering, what role does our D.C. office play, if any, in helping to advocate for KIRC?

Pouhana Crabbe: I informed Mike that we have a D.C. Bureau that may provide support and assist in whatever capacity.

Trustee Apo: Is there any talk about trying to create some kind of clear vision as to where all of this is going to help with the advocacy efforts for Kaho'olawe?

Public Policy Manager Wong: They've developed a strategic plan that is in the final stages of editing. I will take a look at it today because I just talked to Mike, and let him know that I will look at both their strategic plan alongside our strategic plan to see where we may align and what areas would be best for us to fund. I'll take a look at the plan and report back to the committee next week.

Senior Public Policy Advocate Doane: The next bill is not actually on the matrix. I just wanted to restate what we said last week that the Collective Bargaining bills are still dead or sleeping; it doesn't look like they are going anywhere.

HB1251, Relating to Public Charter Schools - this would require that State Departments upon closure of their facilities, consider whether or not those facilities are suitable for Public Charter Schools' use. As you may know, there is a provision in Chapter 171 for the DLNR to do that, and we've already started working with them to do that. One of the things that we still need more information on is the needs of the individual Hawaiian Charter Schools; how they spend their money, how much they spend on facilities, etc. Something like that, as you can imagine, is not something that they're very open about. The other thing is that this has a blank appropriation attached to it, so if this moves there might be a little more funds allocated generally for charter schools.

SB248, Relating to Federal Funds - this is a bill that we talked about in the last two meetings. This bill would attempt to allow the legislature to appropriate trust funds which would include OHA's trust funds. The bill was deferred last week after we met with the WAM Chair, who also introduced the bill; so that's good. It doesn't look like we have much to worry about regarding this as there is no House companion.

HB1409, Relating to the review of Historic Preservation Projects - This is the programmatic agreement bill that as currently drafted could open the door to even more phasing than before. The bill has not gotten a hearing for Judiciary tomorrow, which is a good thing because basically all the committee reports for any of the bill amendments need to be in by the end of tomorrow. So if a bill does not have a hearing as of yet, it probably will stall. This is good because this is a bill that we are OPPOSING.

Regarding the two other Historic Preservation bills that are still moving and that we had concerns about; we've had really good conversations with the Chairs of the originating house. As of today, the bills still haven't been amended to make the changes we would like to see. We feel good about the fact that they now better understand our concerns and are open to our suggestions. We've been drafting language that we think would address our concerns and they've been open to that.

**Vice-Chair Apo moves to approve Administration's recommendations on
NEW BILLS (1 – 7) and BILL POSITIONS FOR RECONSIDERATION (8 – 11)
on the OHA Legislative Positioning Matrix dated March 4, 2015, as amended.**

ITEM #	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills					
1	HR6		REQUESTING REPORTS REGARDING STATE AGENCY ACTION TO ENSURE ACCESS BY RURAL COMMUNITIES TO CELLULAR AND BROADBAND SERVICES.	COMMENT	
2	HCR17		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-655 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT	
3	HCR18		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-575 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT	
4	HCR19		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-543 INOA STREET, WAIMANALO, HAWAII.	COMMENT	
5	HCR20		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-944 MEHEULA PARKWAY, NO. 153, MILILANI, HAWAII.	COMMENT	
6	HCR21		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-015 KUAHELANI AVENUE, NO. 319, MILILANI, HAWAII.	COMMENT	
7	HB345	RELATING TO TAXATION.	Imposes a conveyance tax on the conveyance of a controlling interest of an entity that has an interest in real property in the State. Applies to conveyances occurring after June 30, 2015. (HB345 HD1)	MONITOR	
Bill Positions for Reconsideration					
8	HB496	RELATING TO EMPLOYMENT.	Establishes a partial wage replacement for leave trust fund funded by employee wage withholdings. Uses the trust fund to provide partial wage replacement for four weeks of family leave. Appropriates moneys to administer the trust fund. (HB496 HD1)	SUPPORT > SUPPORT WITH AMENDMENTS	
9	HB696	RELATING TO WORKFORCE DEVELOPMENT.	Establishes the Hawaii Healthcare Workforce Advisory Board to help increase and strengthen the healthcare workforce in the State. (HB696 HD1)	COMMENT > MONITOR	
10	HB698	RELATING TO SCHOOL HEALTH.	Requires the Department of Education and Department of Health to jointly establish an interagency working group to create a comprehensive school health program. (HB698 HD1)	SUPPORT WITH AMENDMENTS > MONITOR	
11	SB841	RELATING TO SCHOOL HEALTH.	Requires the Department of Education and Department of Health to jointly establish an interagency working group to create a comprehensive school health program. (SD1)	SUPPORT WITH AMENDMENTS > MONITOR	

Trustee Ahuna seconds the motion.

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

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

						10:19 a.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA		2	X			
ROWENA	AKANA						EXCUSED
VICE-CHAIR PETER	APO	1		X			
HAUNANI	APOLIONA			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

Chair Waihe'e notes for the record that the **MOTION PASSES**.

V. UNFINISHED BUSINESS

A. 2015 OHA Legislative Package Updates – Matrix 2**

Public Policy Manager Wong: We just wanted to give an update on our Legislative Luncheon which was a success this year. I think Representative Kaniela Ing's office did a really great job in getting the word out to legislators and we also had a big room to hold it in. In attendance, we had the Senate President, the Speaker of the House, and a bunch of Chairs from various committees; they actually sat down and had lunch with us. We also had a number of our grantees come in and present about what they do with the revenues they get. Trustee Ahu Isa attended.

Trustee Ahu Isa shares that she was the only trustee who attended, and that she was not properly introduced nor given the opportunity to speak.

Public Policy Manager Wong: Usually the legislature, who hosts OHA, talks first and then introduces staff, but we could certainly do it differently next time. Since I've been involved in this I thought this was one of our better-attended luncheons.

Trustee Hulu Lindsey: I just wanted to say in all fairness to the trustees that we normally go to the luncheon and I wonder if we were well-notified. For me, I was in Kona for the Kaka'ako Makai meeting. I think it's really important that the trustees' faces are seen at the Capitol. We need to be there and let our legislators know that we care about what they're doing for us or against us.

Trustee Apo: The year before last, I was really discouraged because what I saw was legislators sending staff to pick up the lunch then go.

(Multiple voices chime in and share in agreement)

Trustee Apo: I'm glad you had a good turnout this year; that's awesome.

Public Policy Manager Wong: I think the big difference was due to the Representative (Ing) that was hosting us is well liked. His staff did a really good job in constantly reminding the other legislators to attend.

Senior Public Policy Advocate Doane: The other thing to credit was the scheduling. Every other time I've attended the luncheon, it's been during a day where there were floor hearings and/or numerous other hearings happening. Representative Ing's staff did a really good job finding a time where there were zero floor hearings in either the Senate or the House. They would all have to be down there for floor hearings, which is probably part of the reason they would have to send their staff to pick up the food.

Trustee Robert Lindsey: I'm sorry. I know I promised I would make it, but I ended up having a Queen's Hospital Board Meeting, so I apologize for missing the luncheon.

Public Policy Manager Wong: It's not a problem. It was a good event and we hope that next year we can build off of the success from this year.

Proceeding to our OHA Legislative Package, March 6th, this Friday is the First Decking Deadline so basically all bills (not budget bills) have to get on to the floor to make crossover. There is not much to say differently from last week; all of our bills are moving really well. All of our bills will have a vehicle moving on both sides, the House and Senate, except for one bill.

OHA-6, Relating to Incarcerated Parents – this is the one bill where unfortunately all of our vehicles have died. As an alternative, we have SB913 which is not our package bill, but a bill in one of our community partner's package. We were able to get our language into the bill and that's looking like the bill that will be the vehicle. WAM didn't hear it; Senators Espero and Chun-Oakland were champions of this bill and were hoping to get a money bill as well. They wanted our bill to be a vehicle, unfortunately that's not going to happen. SB913 is already slated to crossover to the House. What we did learn this week, for whatever reason, is that the House Judiciary committee doesn't want to hear the bill. We had our stakeholders work with Vice-Speaker Mizuno on this bill. Basically he said that Judiciary Chair Karl Rhoads was very busy. We are hoping to talk with key legislators to get a sense of opportunities and hope the delay was due to a timing issue.

OHA-2, Relating to the Hawaiian Language Immersion Program – there are vehicles in both the House and the Senate that are moving through. The requirement language is a concern for some.

OHA-1, Relating to the Budget of the Office of Hawaiian Affairs – looks like we'll get a hearing next week.

Public Policy Manager Wong: That's all we have for updates this week.

Chair Waihe'e: Great job, Thank you.

VI. EXECUTIVE SESSION***

None

VII. BENEFICIARY COMMENTS*

None

VIII. ANNOUNCEMENTS

None

IX. ADJOURNMENT

Trustee Apoliona moves to adjourn the BAE meeting.

Trustee Ahuna 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.

						10:35 a.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA		2	X			
ROWENA	AKANA						EXCUSED
VICE-CHAIR PETER	APO			X			
HAUNANI	APOLIONA	1		X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

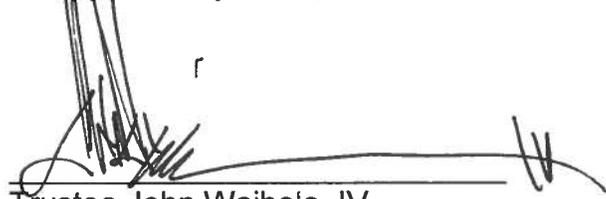
Chair Waihe'e adjourns the BAE meeting at 10:35 a.m.

Respectfully submitted,



Melissa Wennihan
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on April 1, 2015.



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

ATTACHMENT(s):

- Notice of Excused Absence (2)
- Community Sign-in Sheet dated March 4, 2015 (1)