

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

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

March 11, 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 Robert Lindsey

ADMINISTRATION STAFF:

Kamana'opono Crabbe, Ph.D., Pouhana / CEO
Anuheia Patoc, PUBL
Jessica Freedman, PUBL
Jocelyn Doane, PUBL
Jon Ching, PUBL
Kamaile Maldonado, PUBL
Sterling Wong, PUBL
Wayne Tanaka, ADV

EXCUSED:

Trustee Rowena Akana
Trustee Hulu Lindsey
Trustee Colette Machado

GUESTS:

Louis "Buzzy" Agard

BOT STAFF:

Claudine Calpito
Crayn Akina
Davis Price
Lady Elizabeth Garrett
Lehua Itokazu
Liana Pang
Melissa Wennihan

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, March 11, 2015 to order at **10:04 a.m.**

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

MEMBERS			AT CALL TO ORDER (10:04 a.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	PETER	APO	PRESENT	
TRUSTEE	LEI	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	

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	CARMEN “HULU”	LINDSEY	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.

Vice-Chair Apo 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.

						10:05 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		2	X			
HAUNANI APOLIONA			X			
CARMEN HULU LINDSEY						EXCUSED
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

None

III. COMMUNITY CONCERNS*

None

IV. NEW BUSINESS

A. 2015 OHA Legislative Positioning – Matrix 1**

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

Pouhana Crabbe: Good Morning and Mahalo Chair and Trustees. I would like to call upon Public Policy Manager Sterling Wong and Senior Public Policy Advocate Jocelyn Doane.

Senior Public Policy Advocate Doane: Aloha Trustees, we're going for the shortest BAE ever today. I know the trustees would like to attend the budget briefing which starts at 11:00 a.m. and the good news is that every single bill that we OPPOSE is either dead or was amended as of a few days ago, so we're super excited about that. So I'm just going to move along quickly to point out a couple of our BILL POSITION CHANGES. Both SB504 and SB877, Relating to Historic Preservation, are bills we had opposed before and they've been amended. It looks like they're just trying to deal with the historic residences issue and it's been amended in a way that we would no longer oppose. We are recommending changing from Oppose to MONITOR on SB504. For SB877 we are recommending changing from Oppose to COMMENT because it still does it in a way that we find is unnecessary. So we would just like to COMMENT and make some suggestions on how it could be done better.

In terms of the Kaka'ako bills, I won't go through them because all of the bills that we had concerns about or were opposing, are either dead or they have been changed.

GM514, Gubernatorial Nomination for Carleton Ching - I want to point out that this is having a hearing right now. There's been a lot of action happening at the Capitol related to this appointment so it will be a very interesting day. I'm sure it will go on for a few hours, so you may be able to pop in after the Finance hearing and it will most likely be crowded.

The last bill is HB438, Making an appropriation to the Kaho'olawe Island Reserve Commission – our staff looked into the State budget and we actually found the appropriation for the one million dollars in the Governor's budget that we talked about; so I wanted to let you know that it has been verified. This appropriation bill is blank and that's how it normally goes. They usually go to conference and figure out if they have extra money along with what their priorities are. I know the trustees wanted an update on what was happening federally, so Sterling will brief you on that.

Public Policy Manager Wong: Yesterday, we talked with Mike Naho'opi'i and we will meet with him again this afternoon. From what he told us yesterday, he has been working with Representative Gabbard's office and Senator Hirono's office to get funds; we now feel these may have been just informal discussions. We know this Friday is the deadline for formal appropriation requests, so we've urged him to put together a formal request and get it to the delegation as soon as possible. We will meet with him again this afternoon to discuss their strategic plan and address some of the issues and questions the board has.

Senior Public Policy Advocate Doane: Our D.C. office has spoken with all of the delegation staff about content and what needs to go into these requests. I think what Kawika wanted to make clear is that it's really important for the entity asking for the money to be the spearhead in selling why Congress should be giving them an appropriation. So we'll be sure to discuss that with Mike. While we can be supportive, it shouldn't be OHA that is asking for the money; that is the bottom line.

Vice-Chair Apo moves to approve Administration's recommendations on NEW BILLS (1 – 19) and BILL POSITIONS FOR RECONSIDERATION (20 – 22) on the OHA Legislative Positioning Matrix dated March 11, 2015, as amended.

ITEM #	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills					
1	HB15	RELATING TO ELECTIONS.	Creates a statewide standard for the distribution of absentee ballots. (HB15 HD1)	MONITOR	
2	HCR47		REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONVENE A TASK FORCE TO DOCUMENT AND COLLECT DATA IDENTIFYING ECONOMIC, ENVIRONMENTAL, AND REGULATORY CONSEQUENCES OF CROP DEGRADATION CAUSED BY INVASIVE AND ENDANGERED SPECIES IN HAWAII.	MONITOR	
3	HCR48		REQUESTING THE AUDITOR TO CONDUCT AN ANALYSIS OF THE NEED FOR THE LICENSING AND REGULATION OF TRANSIENT VACATION RENTALS.	MONITOR	
4	HCR52		SUPPORTING THE LOCAL FISHING INDUSTRY'S EFFORTS TO PROMOTE SUSTAINABILITY AND FOOD SECURITY.	MONITOR	
5	HCR56		APPLYING TO CONGRESS TO CALL A NATIONAL CONSTITUTIONAL CONVENTION PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION.	MONITOR	
6	HCR66		REQUESTING AN EMPHASIS ON COLLABORATION, OPENNESS, AND STRENGTHENING OF THE LONG TERM RELATIONSHIP BETWEEN THE STATE AND UNITED STATES NAVY IN ADDRESSING AND RESOLVING ISSUES RELATING TO THE LEAKAGE OF FUEL FROM THE NAVY'S RED HILL UNDERGROUND FUEL STORAGE FACILITY.	MONITOR	
7	HR22		REQUESTING THE AUDITOR TO CONDUCT AN ANALYSIS OF THE NEED FOR THE LICENSING AND REGULATION OF TRANSIENT VACATION RENTALS.	MONITOR	
8	HR23		SUPPORTING THE LOCAL FISHING INDUSTRY'S EFFORTS TO PROMOTE SUSTAINABILITY AND FOOD SECURITY.	MONITOR	

ITEM #	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills cont'd.					
9	HR32		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROMOTE GREATER AWARENESS OF OCEAN SAFETY MEASURES FOR INDIVIDUALS WHO GATHER OR HARVEST OPIHI.	MONITOR	
10	SCR22		REQUESTING THE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES REQUIRING A RESTAURANT WITH TWENTY OR MORE LOCATIONS IN THE STATE TO POST CALORIE AND CARBOHYDRATE INFORMATION FOR STANDARD MENU ITEMS ON THE MENU OR MENU BOARD AND TO PROVIDE ALL OTHER NUTRITION INFORMATION TO CUSTOMERS IN THE RESTAURANT, UPON REQUEST.	SUPPORT	
11	SCR29		ENCOURAGING THE BOARD OF EDUCATION TO AMEND ITS POLICIES TO REQUIRE HEALTH EDUCATION IN PUBLIC MIDDLE SCHOOLS AND CLARIFY SEXUAL HEALTH EDUCATION REQUIREMENTS AND ENCOURAGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO RESCIND A BAN ON CONDOM DISTRIBUTION FOR ALL PUBLIC SCHOOL STUDENTS.	MONITOR	
12	SCR31		REQUESTING THE BOARD OF EDUCATION TO INCLUDE FINANCIAL LITERACY AS PART OF THE PUBLIC SCHOOL CURRICULUM AT ALL LEVELS AND TO INCLUDE A FINANCIAL LITERACY CLASS AMONG HIGH SCHOOL GRADUATION REQUIREMENTS.	SUPPORT	
13	SCR37		REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO TAKE CERTAIN ACTIONS TO IMPROVE JOB CREATION AND BUSINESS CLIMATE.	MONITOR	
14	SCR39		REQUESTING THE GOVERNOR TO ORDER THE EXCLUSIVE DISPLAY OF THE FLAG OF HAWAII OVER STATE BUILDINGS ON JANUARY 17 OF EACH YEAR.	SUPPORT	
15	SCR44		REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO ESTABLISH A LIPOA POINT MANAGEMENT COUNCIL.	MONITOR	
16	SR6		REQUESTING THE HAWAII ACCESS TO JUSTICE COMMISSION TO ASSEMBLE VARIOUS STATE AND COMMUNITY ENTITIES TO DETERMINE WHICH AGENCY OR ORGANIZATION SHOULD ADMINISTER FUNDING FOR CIVIL LEGAL SERVICES TO LOW- AND MODERATE-INCOME INDIVIDUALS.	MONITOR	
17	SR11		REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION AND THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION TO CONDUCT A JOINT STUDY ADDRESSING THE DEMAND FOR WORKFORCE HOUSING AND TRANSIT-ORIENTED DEVELOPMENT; AND TO CREATE A DEVELOPMENT PLAN FOR WORKFORCE HOUSING EXPANSION.	MONITOR	
18	SR13		REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO TAKE CERTAIN ACTIONS TO IMPROVE JOB CREATION AND BUSINESS CLIMATE.	MONITOR	
19	SR14		REQUESTING THE GOVERNOR TO ORDER THE EXCLUSIVE DISPLAY OF THE FLAG OF HAWAII OVER STATE BUILDINGS ON JANUARY 17 OF EACH YEAR.	SUPPORT	

ITEM #	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
Bills Positions for Reconsideration					
20	SB504	RELATING TO HISTORIC PRESERVATION.	Appropriates funds to address historic residences. Effective 7/1/2050. (SD2)	OPPOSE > MONITOR	
21	SB877	RELATING TO HISTORIC PRESERVATION.	Amends the definition of 'historic property' to require that fifty-year-old privately owned single family residences be considered historic properties for purposes of chapter 6E, Hawaii Revised Statutes, only if the property is listed or eligible for listing on the Hawaii register of historic places or is located in a historic district. Requires the state historic preservation division of the department of land and natural resources to conduct a survey on properties eligible for listing on the Hawaii register of historic places and to provide owners of historic property with notice of the property's likely eligibility. Requires a report to the legislature. Effective 7/1/2050. Repeals 12/31/2018. (SD2)	OPPOSE > COMMENT	
22	SB913	RELATING TO PUBLIC SAFETY.	Requires the department of public safety to collect data relating to the number of incoming offenders into the state correctional system who are parents, the number of children they have that are under the age of eighteen, and any other information that the department of public safety deems useful to facilitate services to incarcerated parents or their children. (SD1)	SUPPORT WITH AMENDMENTS > SUPPORT	

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**.

						10:13 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						EXCUSED
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 the MOTION PASSES.

V. UNFINISHED BUSINESS

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

Public Policy Manager Wong: Just a real quick update, as you know, our Budget Bill, OHA-1 has a hearing in Finance today at 11:00 a.m. All of the bills that we talked about moving last week have passed third reading, so they're all poised to cross.

Just one note on our Farm bill, OHA-4, Senator Dela Cruz expressed a little concern during the floor session that we weren't moving as quickly as he would've liked to see us move on our Galbraith lands. He hopes that we can live up to the policies that we're pushing for everyone else. He's very passionate about his community and we will meet with him soon to talk with him about our conceptual plan.

That's it for updates.

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.

						10:15 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						EXCUSED
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 adjourns the BAE meeting at 10:15 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 (3)