

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

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

May 24, 2017 1:00 p.m.

ATTENDANCE:

Chairperson Robert K. Lindsey, Jr.
Vice-Chairperson Dan Ahuna
Trustee Leina'ala Ahu Isa
Trustee Keli'i Akina
Trustee Carmen Hulu Lindsey

ADMINISTRATION STAFF:

Kawika Riley, CHIEF
Anuheia Patoc, PUBL
Deja Ostrowski, ADV
Wayne Tanaka, ADV
Zuri Aki, ADV
Jocelyn Doane, PUBL
Kamaile Maldonado, PUBL
Monica Morris, PUBL
Jim McMahon, ADV
Timmy Wailehua, NHRLF

EXCUSED:

Trustee Rowena Akana
Trustee Peter Apo
Trustee Colette Machado
Trustee John Waihe'e, IV

GUESTS:

Leimomi Khan

BOT STAFF:

Kauikeaolani Wailehua
Lehua Itokazu
Davis Price
Claudine Calpito
Crayn Akina
Liana Pang
Alvin Akee

I. CALL TO ORDER

Chair Lindsey (CL) calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, May 24, 2017 to order at **2:33 p.m.**

CL calls for a Roll Call. Below is the record of members **PRESENT:**

MEMBERS			AT CALL TO ORDER (2:33 pm)	TIME ARRIVED
CHAIR	ROBERT	LINDSEY, JR.	X	
VICE-CHAIR	DAN	AHUNA	X	
TRUSTEE	LEI	AHU ISA	X	
TRUSTEE	ROWENA	AKANA		EXCUSED

TRUSTEE	KELI'I	AKINA	X	
TRUSTEE	PETER	APO		EXCUSED
TRUSTEE	HULU	LINDSEY	X	
TRUSTEE	COLETTE	MACHADO		EXCUSED
TRUSTEE	JOHN	WAIHE'E		EXCUSED

At the Call to Order, **FIVE (5) Trustees are PRESENT**, thereby constituting a quorum.

CL announces that the Minutes of April 5, 2017 will be deferred.

CL requests a motion:

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

- IV. New Business
 - A. 2017 Legislative Positioning - Matrix 1
 - B. BAE #17-04: Misti Pali-Oriol, Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors (BOD) Member, For OHA 1st Term Approval
- V. Unfinished Business
 - A. 2017 OHA Legislative Package Updates – Matrix 2

Trustee Dan Ahuna (T. Ahuna) – moved

Trustee Hulu Lindsey (T. H. Lindsey) – second

MEMBERS			1	2	Y	N	Kanalua	Abstain	Not Present at time of vote
TRUSTEE	LEI	AHU ISA			X				
VICE-CHAIR	DAN	AHUNA	X		X				
TRUSTEE	ROWENA	AKANA							EXCUSED
TRUSTEE	KELI'I	AKINA			X				
TRUSTEE	PETER	APO							EXCUSED
TRUSTEE	HULU	LINDSEY		X	X				
TRUSTEE	COLETTE	MACHADO							EXCUSED
TRUSTEE	JOHN	WAIHE'E							EXCUSED
CHAIR	ROBERT	LINDSEY, JR.			X				

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

III.PUBLIC TESTIMONY*

CL asks if anyone has come to speak under PUBLIC TESTIMONY.

CL calls Leimomi Khan forward to testify.

Leimomi Khan (LK) shares testimony regarding the previous meeting's agenda on Community Grants.

CL and other Trustees allow this as they forgot to call her up.

LK expresses her thanks for the grants program in continuing to find ways to help beneficiaries. She shares her concerns regarding the grants program by way of sharing questions. Is the money being granted indeed helping to resolve beneficiaries' problems/issues? When bigger organizations receive grant money, is OHA possibly overlooking other Hawaiian entities that may be doing the same work? Is there a duplication of services to beneficiaries? Does Oahu receive more than needed versus the neighbor islands that may have less resources to assist them in the community? LK hopes that Trustees consider these questions when they meet again to discuss the Community Grants program.

CL thanks LK.

CL calls upon Kawika Riley (KR) to present item IV. A.

IV. NEW BUSINESS

A. 2017 OHA Legislative Positioning — Matrix I

KR calls Jocelyn Doane (JD) and Wayne Tanaka (WT) forward for item IV. A.

JD reminds Trustees that the Legislative Session is finished. The intent to veto date is June 26. This is the date when the Governor will announce to the public which Bills he intends to veto. The last day for the Governor to take action on Bills will be July 11. There has been talk about a Special Session, but nothing has been confirmed. That Special Session will likely be called to figure out how to fund the Rail Project. However, the Legislature may feel the need to talk about other things. There is always concern that the Legislature may focus on other items other than the Rail Project to justify the need for the cost of a Special Session, so OHA must be prepared for that.

JD continues on and makes Trustees aware of changes in leadership in the Legislature. First is the Senate. Sen. Dela Cruz is the new WAM Chair. Sen. Keith-Agaran is the new Vice Chair of WAM. Typically, the Vice Chair handles the CIP requests. The new Judiciary Chair is Sen. Taniguchi. The new Labor Chair is Sen. Tokuda. Sen. Kahele has been named the Majority Whip whose purpose would be to look at votes and determine who is voting for what and how many votes are there to move action forward.

JD continues with changes in the House. Rep. Saiki is now the Speaker of the House. She shares that the Committee Chairs have not yet been announced and that Public Policy is waiting for that

announcement. JD is paying particular attention to whom the Hawaiian Affairs Chair will be and who the Water & Land Chair will be.

JD shares the OHA named measures that passed. The first measure is item 61, HCR198 relating to the Ho'oponopono Task Force. It requests that OHA convene a stake holder group and discuss ho'oponopono. The language in the Resolution states, "...the Office of Hawaiian Affairs is requested to convene stakeholders on capacity building, training, and the perpetuation of hooponopono in order to strengthen integrative public safety programs that can incorporate Native Hawaiian values, practices, families, and communities into public safety and other appropriate state government programming..." The Resolution goes on to say who the members of the Task Force will be.

The next item is item 81, SCR150, the Wilcox Resolution. The Resolution asks OHA to convene a study group rather than a working group. It is much less intense than a working group. The idea of the Resolution is to bring ideas to the Legislature on how to honor Robert Wilcox. Specifically, it asks, "Consider and suggest methods that may be undertaken by the Department of Education to develop public school curriculum and other materials to inform, educate, and increase awareness of public school students and the general public about Robert William Kalanihiapo Wilcox's life and accomplishments..."

The next measure is item 97, SR33. This resolution relates to the Task Force on OHA Appointments vs. Elections. Only the Senate Resolution passed and not the Senate Concurrent Resolution. This basically means that the Senate is asking OHA to convene scholars and others to discuss whether it would be better for OHA to have Appointed Trustees rather than Elected Trustees. Specific requests are found in the language of the Resolution. JD mentions that she is unsure about which Resolutions should be followed and which ones do not. She will have discussions with Administration to resolve those concerns.

The next measure is item 105, SR74, relating to the Year of the Hawaiian. The Senate Concurrent Resolution went over to the House. The House changed it and even took OHA out. The Senate did not agree to that when it came back. As a result, only the Senate Resolution passed. The Year of the Hawaiian would be from June 1, 2018 to June 1, 2019.

JD continued on with item 110, SR88, the Easement for ADC at Kūkaniloko. JD believes that OHA has made great strides with ADC on this issue. The Senate Concurrent Resolution never got a hearing in the House. So, this is comparable to a message from the Senate.

Next, JD begins to share Bills that didn't name OHA specifically, but are Bills that OHA followed during the session. The first is item 2, HB100, the State Budget. KIRC received a little over \$1million per year for 15 temporary positions. KIRC also received \$1.5million per year for their Native Dry Land Forest planting project. KIRC finally received \$500k for FY 2018 for their Maui Education Center.

The DHHL received an operating budget of \$25million. About \$6.8million of that will be going to B&F for DHHL's fringe cost. The DHHL also received a CIP budget of \$44million, which will be funded using G.O. Bonds. About \$1million of that will go for GIA funding for Community Associations. Other Homestead projects will be funded with those funds.

JD also shared that \$750k per year is allocated for assistance with Rapid 'Ōhi'a Death (ROD).

UH Promise received \$1.8million per year for residents that attend the Community Colleges.

JD shared that neither the Facilities Bill nor the Preschool Funding Bill for Charter Schools passed. However, the federally funded four year grant received 2 more years, so this will be a big help for those programs. JD continued and shared that the per pupil allocation increased for all DOE schools which will likely result in a little more money for the Charter Schools.

Next, JD talked about item 8, HB209. Staff was interested in this Bill and OHA commented as this Bill was designed to create an earned income tax credit. The federal earned income tax credit is known as one of the anti-poverty measures and it has always had bipartisan support. This would be the state equivalent. Essentially, the poorest of the working class, especially those with children, would be able to have more money to spend and reinvest in the local economy and community.

Next is item 12, HB451, the DHHL successor Bill. This Bill would lower the blood quantum for a DHHL lessee's qualified successor to 1/32 Hawaiian blood. This Bill is an attempt to assist the family with keeping the lease in the family only when the lessee passes on. That is an important point to remember.

Additional discussion occurred regarding this Bill and whether or not it will likely need to be presented before Congress. The response was it was likely that the measure would need to be ratified by Congress as it touches on an issue relating to blood quantum.

The next measure is item 18, HB575 HD1, relating to the Hilo lease extension for improvements. This Bill would allow DLNR to ask if there are any interested parties wanting to lease certain parcels in Hilo. If so, the parcels would need to go through a public bidding process. If not, DLNR could conduct direct negotiations with the current lessees of those parcels should they wish to continue to lease the parcel(s).

Item 43, SB895, is the next measure. This Bill criminalizes trespassing on State Land. This Bill is with the Governor. Administration has sent their comments to the Governor and has requested that this Bill be vetoed. WT reminded Trustees that the concern is the chilling effect this may have on practitioners and that they may stop continuing their cultural practices as they may fear being arrested. This is the reason for opposing this measure. Staff also has concerns on the effect this may potentially have on the houseless community. The criminal arrests under this Bill shall not count against people with regard to the Habitual Offender Law.

CL thanks KR, JD and WT.

CL calls upon KR to present item IV. A.

IV. NEW BUSINESS

- B. BAE #17-04: Misti Pali-Oriol, Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors (BOD) Member, For OHA 1st Term Approval

CL calls for a motion to approve:
 IV. New Business

B. BAE #17-04: Misti Pali-Oriol, Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors (BOD) Member, For OHA 1st Term Approval

Trustee Ahu Isa – moved
 T. Ahuna – second

MEMBERS			1	2	Y	N	Kanalua	Abstain	Not Present at time of vote
TRUSTEE	LEI	AHU ISA	X		X				
VICE-CHAIR	DAN	AHUNA		X	X				
TRUSTEE	ROWENA	AKANA							EXCUSED
TRUSTEE	KELI'I	AKINA			X				
TRUSTEE	PETER	APO							EXCUSED
TRUSTEE	HULU	LINDSEY			X				
TRUSTEE	COLETTE	MACHADO							EXCUSED
TRUSTEE	JOHN	WAIHE'E							EXCUSED
CHAIR	ROBERT	LINDSEY, JR.			X				

MOTION: UNANIMOUS PASSED DEFERRED FAILED

OFFICE OF HAWAIIAN AFFAIRS
Action Item

Committee on Beneficiary Advocacy and Empowerment
May 24, 2017

BAE #17-04

Action Item: BAE #17-04: Misti Pali-Oriol, Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors (BOD) Member, for OHA 1st Term Approval

Prepared By: _____
Jennifer Lau, _____ Date
Ka Pou Alo, NHRLF Administrative Assistant

Reviewed By: _____
Timmy Wailehua, _____ Date
Pou Kāko‘o Ho‘olako ‘Ai‘ē Nui, NHRLF Manager

Reviewed By: _____
David K. Laha, _____ Date
Ka Pou Kihī Kanaloa Wai, Chief Financial Officer

Reviewed By: _____
Lisa Victor, _____ Date
Ka Pou Nui, Chief Operating Officer

Reviewed By: _____
Kamana‘opono M. Crabbe, Ph.D., _____ Date
Ka Pouhana, Chief Executive Officer

Reviewed By: _____
Robert K. Lindsey, Jr. _____ Date
Ke Kekua, BAE Chairperson

I. Proposed Action

The Committee on Beneficiary Advocacy and Empowerment approves and recommends the Board of Trustees to approve Mrs. Misti Pali-Oriol to serve as the OHA representative on the Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors.

II. Issue

The decision of the Board of Trustees to approve or deny the recommendation of Mrs. Pali-Oriol to serve as the OHA representative on the Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors.

III. Background

The NHRLF Operational Guidelines approved by ANA in February 2017 states that the NHRLF BOD shall be responsible for the final approval or denial of loans. The BOD consists of the following seven (7) volunteers who support the program:

	Name	BOD Title	Island	Current Expiration Date
1	Kilipaki Vaughan	President	Kaua'i	2 nd term ends 09/30/2017
2	Scott Kaulukukui	Vice President	O'ahu	1 st term ends 10/31/2019
3	Alli-Ann Alcon	Secretary	Moloka'i	2 nd term ends 09/30/2017
4	Nelson Moku III	Member	O'ahu	1 st term ends 3/31/2020
5	Susie Thieman	Member	Māui	1 st term ends 5/22/2018
6	Jessica Kaneakua	Member	Hawai'i Island	1 st term ends 8/1/2018
7	Jim Patterson*	OHA Representative	O'ahu	Term ends 6/20/17

** Pending OHA BOT approval for Misti Pali-Oriol to replace Jim Patterson via this action and subsequent ANA approval*

IV. Discussion

The NHRLF Operational Guidelines further states the following:

- “The Board shall be comprised of seven (7) Directors, including one (1) OHA representative and one (1) Director from each county in the State of Hawaii.”
- Each Director has a term of three (3) consecutive years and may serve for no more than two (2) consecutive terms for a total of six (6) years.

- “The OHA Board of Trustees must approve appointments to the NHRLF Board. The Commissioner of the Administration for Native Americans (ANA) is responsible for final approval of Directors.”

Based upon these requirements, approval of this recommended action will ensure compliance with the NHRLF Operational Guidelines.

V. Recommended Action

The Committee on Beneficiary Advocacy and Empowerment approves and recommends the Board of Trustees to approve Mrs. Pali-Oriol to serve as the OHA representative on the Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors.

CL moves on to item V. A.

V. UNFINISHED BUSINESS

A. 2017 OHA Legislative Package Updates — Matrix 2**

None

VI. BENEFICIARY COMMENTS*

None

VII. ANNOUNCEMENTS

None.

VIII. ADJOURNMENT

CL seeks a motion to adjourn the BAE meeting.

T. H. Lindsey - moved

T. Ahuna – second

CL asks if there is any discussion. There is none.

CL asks if any members vote NO or ABSTAIN. There are no dissenting votes.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
VICE CHAIR DAN	AHUNA		X	X			
ROWENA	AKANA						X
KELII	AKINA			X			
PETER	APO						X
CARMEN HULU	LINDSEY	X		X			
COLETTE	MACHADO						X
JOHN	WAIHE'E						X
CHAIR ROBERT	LINDSEY			X			
TOTAL VOTE COUNT				5	0	0	

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

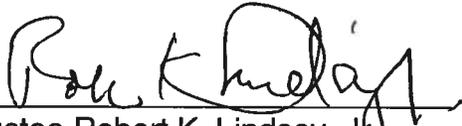
CL adjourns the BAE meeting at 3:15 PM

Respectfully submitted,



Kauikeaolani Wailehua
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on 7/26/17.



Trustee Robert K. Lindsey, Jr.
Chair
Committee on Beneficiary Advocacy and Empowerment

ATTACHMENT(s):

- Excused Absence Memo – Trustee Rowena Akana
- Excused Absence Memo – Trustee Peter Apo
- Excused Absence Memo – Trustee Colette Machado
- Excused Absence Memo – Trustee John Waihe'e, IV