

Committee on Beneficiary Advocacy and Empowerment

Trustee Kaleihikina Akaka, *Chair*Trustee Keola Lindsey, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Luana Alapa, Moloka'i / Lāna'i

Trustee Carmen Hulu Lindsey, Maui

Trustee Brendon Kalei'aina Lee, At-Large

Trustee John Waihe'e IV, At-Large



**STATE OF HAWAII'  
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE  
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

**DATE:** Wednesday, February 3, 2021**TIME:** 1:30 p.m.**PLACE:** Virtual MeetingViewable at [www.oha.org/livestream](http://www.oha.org/livestream) OR

Listen by phone: (213) 338-8477,

Webinar ID: 956 5034 2717

**Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Seventeenth Supplementary Proclamation dated December 16, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.**

**The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen by phone: (213) 338-8477, Webinar ID: 956 5034 2717**

**AGENDA**

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda\* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
  - A. October 21, 2020
- IV. Unfinished Business
- V. New Business
  - A. 2021 OHA Legislative Package Updates - Matrix 1 \*\*
  - B. 2021 OHA Legislative Positioning - Matrix 2 \*\*
- VI. Announcements
- VII. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number (808) 594-1772 or by email at: [rainag@oha.org](mailto:rainag@oha.org) no later than three (3) business days prior to the date of the meeting.

Meeting materials will be available to the public on Friday, January 29, 2020 and posted to OHA's website at: [www.oha.org/bae](http://www.oha.org/bae)



**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

\*Public Testimony: Public testimony can be submitted to the OHA Board of Trustees either: (1) in writing emailed at least 24 hours prior to the scheduled meeting, or (2) as live, oral testimony online during the Public Testimony portion of the virtual meeting. **Public testimony must be limited to matters listed on the meeting agenda.** Please visit OHA's website for more detailed information on how to submit public testimony at: <https://www.oha.org/how-to-submit-testimony-for-oha-bot-meetings/>

Persons wishing to provide *written testimony* on items listed on the agenda should submit testimony via *email* to [BOTmeetings@oha.org](mailto:BOTmeetings@oha.org) at least **24 hours prior** to the scheduled meeting. Any testimony received after this deadline will be late testimony and distributed to the Board members after the scheduled meeting. **Due to COVID-19, please do not fax, mail, or hand-deliver written testimony.**

Persons wishing to provide *oral testimony online* during the virtual meeting must register here first:

[https://zoom.us/webinar/register/WN\\_h3n1\\_Fo-SVuQkl0oXMF8jw](https://zoom.us/webinar/register/WN_h3n1_Fo-SVuQkl0oXMF8jw)

Oral testimony online is limited to items listed on the agenda. The registration to provide oral testimony online will remain open until the Public Testimony section on the agenda has concluded. You will need to register prior to this time if you would like to orally testify. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting and further instructions on how to provide oral testimony during the virtual meeting. To provide oral testimony online, you will need (1) a computer or mobile device to connect to the internet, (2) internet access, and (3) a microphone to provide oral testimony. Oral testimony online will be limited to five (5) minutes. Oral testimony by phone will **not** be accepted at this time.

\*\*Notice: Trustees may establish or revise an OHA position on ANY proposed bill/resolution for submission to the state legislature. The Trustees both in Committee and as the Board of Trustees (BOT) reserve the right to discuss any and all bills or resolutions recommended for submission to the state legislature in order to discharge their fiduciary obligations as Trustees of the Office of Hawaiian Affairs.

A handwritten signature in blue ink, reading "Kaleihikina Akaka".

Trustee Kaleihikina Akaka, Chair  
Committee on Beneficiary Advocacy and Empowerment

1/28/2021

Date

Meeting of the Committee on Beneficiary Advocacy and Empowerment Agenda  
February 3, 2021 - Continued

Committee on Beneficiary Advocacy and Empowerment

Trustee Kaleihikina Akaka, *Chair*Trustee Keola Lindsey, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Luana Alapa, Moloka'i / Lāna'i

Trustee Carmen Hulu Lindsey, Maui

Trustee Brendon Kalei'aina Lee, At-Large

Trustee John Waihe'e IV, At-Large



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  - B. 2021 OHA Legislative Positioning - Matrix 2 \*\*
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**STATE OF HAWAI'I**  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200  
(VIRTUAL MEETING - VIA ZOOM WEBINAR)

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT  
MINUTES

October 21, 2020 1:00 p.m.

ATTENDANCE:

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

EXCUSED:

Trustee Leina'ala Ahu Isa  
Trustee Colette Machado

BOT STAFF:

Crayn Akina  
Dayna Pa  
Melissa Wennihan

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pouhana / CEO  
Sterling Wong, Ka Pou Nui Kūikawā / Interim COO  
Daniel Santos, IT  
Everett Ohta, Corporation Counsel  
Kai Markell, COMP  
Kevin Chak, IT  
Marc Bantolina, IT  
Raina Gushiken, Corporation Counsel  
Sharde Freitas, Public Policy  
Wayne Tanaka, Public Policy

I. CALL TO ORDER

Chair **Waihe'e** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, October 21, 2020 to order at 1:04 p.m.

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

MEMBERS			AT CALL TO ORDER (1:04 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	KALEIHIKINA	AKAKA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'ĀINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	

At the Call to Order, **SEVEN** (7) Trustees are PRESENT, thereby constituting a quorum.

**EXCUSED from the BAE Meeting** are:

MEMBERS			COMMENT
TRUSTEE	LEINAALA	AHU ISA	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	COLETTE	MACHADO	MEMO – REQUESTING TO BE EXCUSED



**II. PUBLIC TESTIMONY on Items Listed on the Agenda\***

None

**III. APPROVAL OF MINUTES**

**A. September 23, 2020**

**Trustee Hulu Lindsey moves to approve the minutes of September 23, 2020.**

**Vice-Chair Akaka seconds the motion.**

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

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

							1:08 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA			X			
VICE-CHAIR KALEIHIKINA	AKAKA		2	X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				7	0	0	2

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

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

**IV. UNFINISHED BUSINESS**

None

**V. NEW BUSINESS**

**A. ACTION ITEM: BAE #20-03: Approval of 2021 OHA Legislative Package\*\***

**Chair Waihe'e** turns it over to Ka Pouhana Sylvia Hussey.

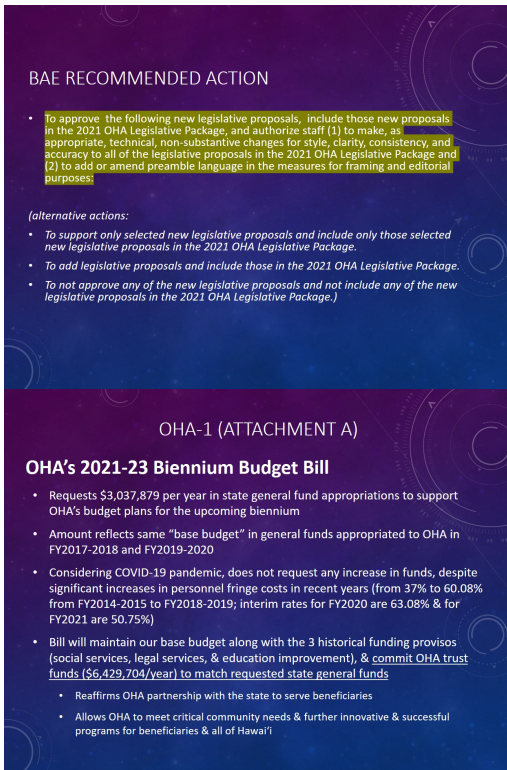
**Pouhana Hussey** calls on Interim Chief Advocate Sterling Wong.

**Interim Chief Advocate Wong:** Aloha Trustees, when we presented our Conceptual Package a couple of weeks ago we took into consideration mana'o from the Board and we are bringing back actual bill language for your approval. Once the Board approves it, this will become our package. We will submit it to the Legislature in the beginning of January and will start doing outreach on our package to start getting Community support. So, without further ado, I'll turn it over to Wayne for the presentation of our package. Mahalo Nui.

**Public Policy Manager Tanaka:** Thanks Sterling, Good Afternoon Trustees. As Sterling just described this presentation is going to be on our Final Legislative Package proposals. Just a recap of the timeline for package development. So, we did our Concepts Workshop two weeks ago on the 7<sup>th</sup> and today is the 21<sup>st</sup> and we're seeking your Final Language approval. With that we'll be able to get a Final approval from the full Board of Trustees prior to the General Election in November and that will give us ample time before the start of session to prepare for our Advocacy on these measures. So, preparing our white papers, drafting testimonies, conducting outreach with legislators and other stakeholders and so forth. Just as a reminder, the opening of the 2021 Legislative session is on January 20th, which is the third Wednesday of the new year.



**Public Policy Manager Tanaka:** The Action Item in your packet includes the full language of all of the proposals that we'll be talking about today. The recommended action would be to adopt these proposals as part of our 2021 Legislative Package and to also let us make technical amendments. Like spelling, capitalization issues, if we find them and also to add or amend preamble language. We haven't included any preambles this year and I think there are pros and cons including them; whether or not we do would depend on our consultation with legislators. I'll just touch on the main points of each measure in the following slides, stop me at anytime if you want to talk about any of these in more detail. Our first measure is our Biennium Budget Request; it's a budget year next year, so we'll be going in along with the Executive Branch of the Judiciary to request State general funds. Our request is going to be for a base budget, the same amount that we got in the last two fiscal biennium's, which is about \$3,000,000 in general funds per fiscal year. We're not asking for an increase in this amount, despite the ongoing increase in our personal costs due to the State Fringe Rates, which I think we should emphasize, but in recognition of the pandemic and the loss of revenue, lack of revenue and other uncertain Economic Impacts we will request just the base budget. We are offering to commit the same level of Trust Funds that we did in the last two Budget Biennium's which is about 6.5 million per year to match the requested State General Funds. This reaffirms the partnership between OHA and the State to serve our beneficiaries and to meet critical Community needs. There are innovative, effective and successful ways, when you look at our history of being able to leverage funds and support programs that have made a big difference and impact in the community.



**Public Policy Manager Tanaka:** Our next bill is the CIP request. This is the same bill that we introduced last year for water infrastructure for our Wahiawā Lands. Last year we introduced this bill upon recommendation of the Ways and Means Committee Chair. It got pretty far, unfortunately the pandemic and the shut down happened and the bill died. It wasn't really the shovel ready type of safety project, that the legislators were prioritizing when they reconvened. That being said, we did hear from WAM staff and they are recommending that we try again this year and I do think that the COVID-19 pandemic has kind of illustrated for folks that need to invest more in our islands' food security and food self-sufficiency. Our plans for Wahiawā that this CIP would support reflects that kind of investment; taking these lands that were formerly used for industrial agriculture to export to the continent and then transforming them into a more diversified agricultural model that can meet our local food security and self-sufficiency needs and goals. For the details, just like last year we will be requesting the issuance of general obligation bonds of \$3,000,000 for this CIP request, the lapse date is pushed back to June 2023, which is about six months or half a year after our plan to procure construction, so give us some time.

**Public Policy Manager Tanaka:** The third measure in our Legislative Package is a bill to address and break the cycle of houselessness and the criminalization of houselessness that we've been seeing. It would provide hope for folks that are seeking to try and better their situation, but who are facing some significant barriers in terms of our criminal records related to their houseless status. This bill would allow an individual to apply for an expungement of all their criminal records that relate to what we call quality of life crimes. So, these are the crimes or laws that are almost exclusively enforced against people experiencing houselessness; obstructing sidewalks, trespassing, sleeping in parks, etc. Basically, any nonviolent offense that can be shown to arise from a person's status of being houseless at the time. In order to qualify for this for this expungement or relief, a person must be able to show that they've complied with all their requirements of probation and any kinds of judgment or conviction except for criminal fines and fees which can be waived. The person would also have to commit to seek financial or mental health counseling opportunities if they become available to the extent that they recognize that financial or mental health challenges may have contributed to their becoming houseless or remaining houseless. If you look at the bill it has a statutory form, basically a form that's built in statute that can be used as a model for folks to fill the form to apply for this kind of relief. It's unusual, but it's not unheard

of so there are other statutory forms in statue that this is based off of. The intent is to minimize the burden on them; we really don't want them to have to go get a lawyer to qualify for this kind of relief. There are a lot of challenges in trying to get out of houselessness, so we want to minimize the burden and assist their ability to apply for this relief. I want to emphasize that this doesn't prevent citations or arrests for these quality of life crimes and it doesn't take away what some folks view as important Law Enforcement tools to address immediate issues or situations. What it really does is it helps to remove the barriers that folks may face if and when they start taking steps towards navigating their way out of houselessness. (15:45)

OHA-2 (ATTACHMENT B)

**Capital Improvement Project Budget Request for OHA's Wahiawā Lands**

- **Goal:** OHA is preparing for the construction of a water storage and distribution system on OHA's 511-acre property in Wahiawā.
- **Issue:**
  - Water is integral to OHA's plans for Wahiawā; while OHA has secured water from ADC, need to build storage and delivery infrastructure (est. cost of \$3 million). Note: COVID-19 pandemic has highlighted need for greater diversified agriculture and food self-sufficiency; OHA plan can contribute to this goal.
  - To accommodate Conceptual Master Plan's commercial elements, OHA needs to demonstrate agricultural uses and amend Honolulu county held conservation easement
- **Legislation:** Capital Improvement Budget Request for \$3 million (raised via G.O. bonds); lapse date of June 2023
- **Note:** In FY20 OHA committed (\$200k) in funding and in FY21 (\$300k) for the planning and permitting of the system.
- **Anticipated timeline:** Design contract executed by 11/2020, conceptual design by 2/2021; permitting by 8/2022, procure construction by 12/2022

OHA-3 (ATTACHMENT C)

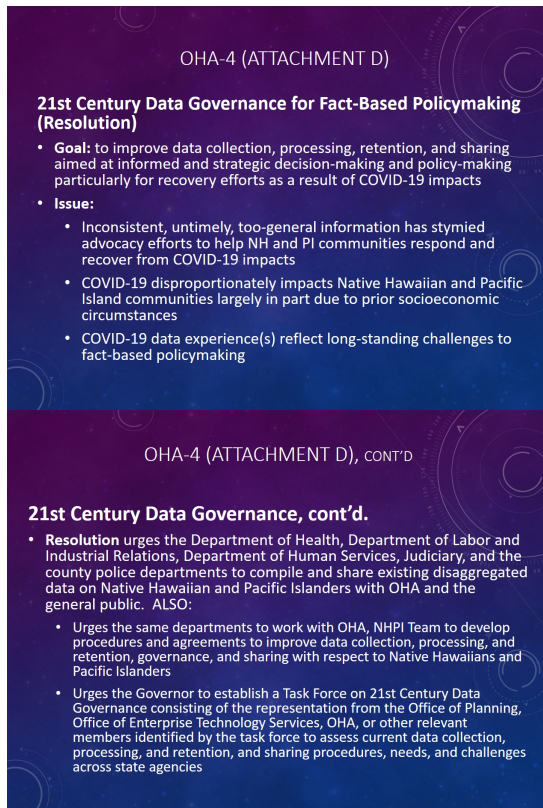
**Clearing the Pathway Home for Houseless People**

- **Goal:** Break (or mitigate) the cycle of houselessness and criminalization; provide hope by removing criminal record barriers to jobs, housing, etc. for those with "quality of life" crimes on their record
- **Issue:**
  - Houseless people given criminal records, fines for "obstructing" sidewalks, "trespassing," etc. that only contribute to their continued houselessness
  - LEAD, HONU programs recognize issue, but have limited capacity and citations will continue despite their efforts
- **Legislation:** Allow an individual to apply for the expungement of ALL criminal records for "quality of life crimes" (i.e. obstructing, trespass, any other nonviolent offenses shown to relate to/arise from their houseless status):
  - Petitioner must have complied with all probation and judgment requirements (other than fines and fees); must commit to seek financial or mental health counseling if applicable (nonenforceable)
  - Outstanding fines and fees will be waived
  - Includes statutory form to minimize burden on applicants; goal: no need lawyer to apply
  - Does not prevent citations or arrests, but removes the barriers that criminal records can create for houseless individuals seeking employment

**Public Policy Manager Tanaka:** The final measure in our proposed Legislative Package is a resolution that looks at the Data Governance needs and challenges of the State. During this pandemic we really encountered a lot of challenges with specific departments in getting data in a timely, consistent and disaggregated manner. That data would help with developing policies and interventions to minimize the impact of the COVID 19 pandemic. We know that with what information we do have that COVID 19 has disproportionately impacted the Native Hawaiian community and other Pacific Islander communities in substantial and unique ways. Unfortunately, it's been difficult to really validate and also strategize around those impacts when the data we've been receiving hasn't been sufficiently granular or clear enough to work out a pathway towards addressing those impacts. I think what has been emphasized for a lot of folks who have been working on these data issues for a while is that these are challenges have been longstanding and it has and will continue to frustrate Fact Based Policymaking; so policies and interventions based on data and facts in a number of areas – not just related to COVID. What this resolution would do is illustrate these issues. The first step would be to urge certain critical departments - Department of Health, Department of Labor and Industrial Relations, Department of Human Services, Judiciary and the County Police Departments to compile and share what data they have with respect to Native Hawaiians and also Pacific Islanders; but in a disaggregated manner. It would also urge these same departments to work with OHA and to work with the NHPI Team to develop procedures and agreements to improve their data collection and the Data Governance



processes going forward; also to report back to the Legislature in the 2022 session on what these agreements and procedures are. Looking more long term, it would urge the Governor to establish a Task Force on 21st century Data Governance. This Task Force would include The Office of Planning, The Office of Enterprise Technology Services and OHA as well as other members that the Task Force identifies to create a snapshot assessment of what the current Data Governance infrastructure is throughout State Agencies, and to report this back to the Legislature in 2023. That would be the first step towards coming up with a solution to more broadly deal with the Government challenges that we've been facing.



**Public Policy Manager Tanaka:** That's it for our legislative package for 2021. I wanted to touch on a few contextual issues going in for the Boards consideration. Things that will stick out next year; we do have the Act 307 issue with the audit, which right now is incomplete. There has been some movement in the Legislature to try and get the Auditor to fulfill their legal obligation and complete audit. If it is incomplete, then that's something that we have to address during session. We do have a new Strategic Plan that will be implemented and in place when Session comes around. That will be something that we can talk about with legislators, especially as it relates to our Budget Bill. The big thing obviously next year is going to be COVID, so I think that's going to be a top priority for legislators and they're going to be looking at prioritizing things along that line - economic relief, food security, public health, all the areas in which we may have to address the impacts of this pandemic. I think that's something that all of our Legislative Package measures touch on, so I think it's good to emphasize that, but also I do have the sense that there's also going to be renewed pushes to boost our economy through streamlining processes and mechanisms that protect the rights and interests of our beneficiaries. Same thing with exemptions for Historic Preservation, Environmental review and the 99-year lease issues, the use of Public Trust and Ceded Lands issues may also come up, so we will be vigilant about those issues that we may need to address next session.

**Public Policy Manager Tanaka:** I wanted to recap and touch base on the two Coordinated Advocacy measures that we will be working on this coming session. I get the feeling from talking with partners that we will actually be supporting and coordinating advocacy around the number of measures and priorities this

coming year. However, two specific measures really rise up to the level of where we will advocate to the same extent as we would for our own package measures. The first of these as I talked about the Conceptual Package Workshop is a bill to uplift the voice of the 'Aha Pūnana Leo on the Early Learning Board. The Early Learning Board creates recommendations and policies for our early childhood development and education from prenatal to pre K. The 'Aha Pūnana Leo is THE entity that really started the Hawaiian language early learning programs with the preschool in the 1980s and then has continued to sustain a network of Hawaiian immersion preschool programs throughout the state. It's pretty singular in its role as supporting a pretty critical part of perpetuating 'ōlelo as well as providing enriched development opportunities for Native Hawaiian children in the early formative parts of their lives. Unfortunately, on the Early Learning Bar, they've been limited as a two year term up to two consecutive terms. This has limited their ability to develop the rapport, institutional memory and credibility that would help them maximize their effectiveness as a member and an advocate on the Board. This bill would change their representation to make them commensurate with how Kamehameha Schools and the Hawaii Association of Independent Schools are treated on the Board. They will be made invited, voting members but they wouldn't be subjected term limits that they currently are subject to.

**2021 LEGISLATIVE SESSION CONTEXT**

- 2019 Budget Bill (Act 37) Audit – incomplete?
- New Strategic Plan
- COVID COVID COVID – economic relief, food security, public health, impacts
  - Possible push for “streamlining,” exemptions, use of public trust lands and resources

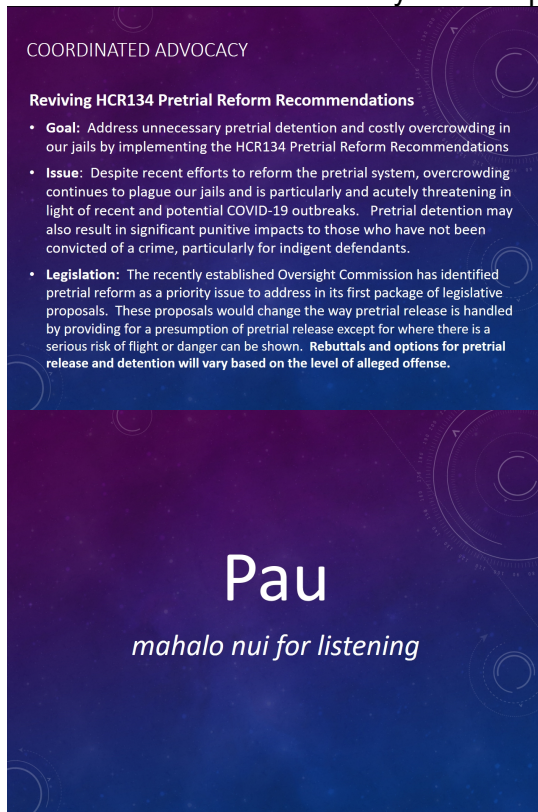
**COORDINATED ADVOCACY**

**Uplifting 'Aha Pūnana Leo's Voice on Early Learning Board**

- **GOAL:** As a key player in 'Ōlelo Hawai'i and early learning education in Hawai'i, 'Aha Pūnana Leo ('APL) seeks to be included as an invited voting member on the state's Early Learning Board (ELB) under Hawai'i Revised Statutes (HRS) § 302L-1.6
- **ISSUE:** 'APL has had trouble sustaining its voice and impact on the ELB, since the 2017 passage of Act 202 that limits the term lengths of voting representative members including the “representative of Hawaiian medium early learning providers” role in which 'APL has historically filled
- **LEGISLATION:**
  - Currently, the ELB must invite the CEO of Kamehameha Schools and the Executive Director of the Hawai'i Association of Independent Schools (or their designees) to serve as invited voting members of the board; these voting members are not subject to term limits
  - 'APL seeks this same status on the ELB given its singular and predominant role in early learning education in Hawai'i, by amending HRS § 302L-1.6 to include the 'APL CEO, or designated representative, as an invited voting member

**Public Policy Manager Tanaka:** The second and last Coordinated Advocacy measure is a priority of the Hawaii Correctional Systems Oversight Commission. It was a priority recommendation of the HCR134 Pretrial Reform Task Force and the HCR85 Prison Reform Task Force that led to the creation of the Commission. That was left out of the omnibus measure that implemented most of the other recommendations. This would seek to relieve overcrowding that we've been seeing in our pretrial facilities like OCCC that led to the massive outbreak there; and that continues to threaten other facilities in terms of COVID 19. It would also provide relief to the impacts of pretrial detention for folks who can't afford bail are detained prior to trial. For these folks there are a lot of consequences that come with it; like losing their jobs, housing or custody of their kids. So to minimize impacts this bill would shift the presumption of detention to where folks who are accused but not convicted of a crime would be presumed to be eligible for release. Except for where it can be shown that they pose a serious flight risk or a danger to the community. It's still in development, but my

understanding is that there would be factors relating to rebutting this presumption; options for pretrial release intentions, supervised release that would vary based upon the level of the alleged offense. Our staff is currently working with Oversight Commission to further flesh out this proposal and draft it and then eventually, help them with the various Advocacy needs that they may have. That's it, I'm happy to answer any questions or talk in more detail about any of these proposals.



Chair Waihe'e: OK members, are there any questions about the OHA package?

*There are none.*

Vice-Chair Akaka moves to approve the following new legislative proposals, include those new proposals in the 2021 OHA Legislative Package, and authorize staff (1) to make, as appropriate, technical, non- substantive changes for style, clarity, consistency, and accuracy to all of the legislative proposals in the 2021 OHA Legislative Package and (2) to add or amend preamble language in the measures for framing and editorial purposes:

- A. OHA-1 OHA Biennium Budget Bill Fiscal Year 2021-22/2022-23 (Attachment A)
- B. OHA-2 OHA CIP Funds to Support Diversified Agriculture, Cultural Protection in Wahiawā (Attachment B)
- C. OHA-3 Clearing the Path Home for People Experiencing Houselessness (Attachment C)
- D. OHA-4 21<sup>st</sup> Century Data Governance for Fact-Based Policymaking (Attachment D)

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**.

							1:33 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA			X			
VICE-CHAIR KALEIHIKINA	AKAKA	1		X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY		2	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

#### V. NEW BUSINESS

#### **B. ACTION ITEM: BAE #20-04: To Approve the Office of Hawaiian Affairs' 2020 Molokai Island Burial Council and Kauai / Niihau Islands Burial Council Nominations**

Chair **Waihe'e** turns it back over to Ka Pouhana Sylvia Hussey.

**Pouhana Hussey** calls on Interim Chief Advocate Sterling Wong as well as Compliance and Enforcement Manager Kai Markell to walk the Trustees through the presentation prior to taking action.

**Interim Chief Advocate Wong:** Aloha Trustees; ensuring that the Island Burial Councils are fully operational has been a longstanding priority for the agency. Some of you may recall in 2013; because of quorum issues OHA sought legislation to overhaul IBC composition and appointment process requirements. What Kai will be

presenting today is a follow up on that and meeting those statutory requirements. In addition, given that seven years later, there are still the same quorum issues we will be looking at additional Administrative Solutions to this issue, including following up with the Governor's Office and the Office of Board and Commissions, and we can discuss that further. I will turn it over to Kai for this action. Mahalo Nui.

**Compliance Manager Markell:** Thank you, Sterling. Aloha Chair, Vice-Chair and Trustees; it's good to see everybody, it's been a while. I'm just going to give some context on why we're asking for the Trustees to help us nominate names to go to the Governor's Office to serve on the Island Burial Councils. The Island Burial Councils were created in 1990 after Honokahua on Maui at the Ritz-Carlton Kapalua; 1100 kupuna were being excavated systemically to cite the hotel on the bluff. Our beneficiaries found out about it overtime and protested and gathered. Governor Waihe'e signed Act 306 which the Legislature put forward to amend Chapter 6E, which were the Historic Preservation Laws, the current laws. In that Act they established within SHPD five Island Burial Councils, one for each Island, Hawai'i, Maui, Lāna'i, Moloka'i, Oahu and Kaua'i/Ni'ihau. They consisted of geographic regions, so dividing up the islands and there were also landowner representatives. Which were mandatory that would represent landowner interests. What we noticed overtime is that their authority, even though it comes from Act 306 and amendments from Chapter 6E, their authority really is going back to common law.

**Compliance Manager Markell:** In common law who has dispositioned rights of a dead body? It's next of kin - to claim a dead body from a morgue from a mortuary you have to be the Father, Mother, Brother, Sister or have some familial relationship. So the Burial Councils really are representing the families of the deceased. The land owners on the Council is a little odd because they're technically supposed to be representing Landowner interest and Developer interest, but the Department really can represent Landowner and Developer interests. The Department is the one that mediates a lot of the Council recommendations as well as Developers have a right to appeal a Council decision that they're not happy with and take it all the way up to the Supreme Court. So we were always a little uncomfortable having Land owners as part of these Burial Councils, which are representing the next of kin for the dead, for the iwi kupuna. I just want to point it out.

**OHA 2020 IBC Nominations**  
BAE Committee • Oct. 21, 2020  
Kai Markell,  
Compliance Enforcement Manager

**HRS § 6E-43.5**  
**Island Burial Councils**

- Act 306 Amended Chapter 6E, HRS based upon events at Honokahua, Kapalua, Maui
- There are established within the department 5 island burial councils, one each for Hawai'i, Maui/Lāna'i, Moloka'i, O'ahu, and Kaua'i/Ni'ihau, to implement section 6E-43.
- Geographic regions and landowner reps

**Compliance Manager Markell:** The main purpose of these Burial Councils; their primary decision is to determine preservation or relocation of a previously known burial. A previously known burial is a burial that is found during an archaeological survey when somebody's going to develop property. If they find a burial during the survey; for example the find seven burials and want to keep three in place and the others they need to move because they want to put a road there or whatever. That goes to the Burial Council and they have the sole authority on whether they can move those previously known burials or not. Of course, that's subject to appeal in Contested Case and Court, but that is their primary jurisdiction as to whether you can move those burials or not if you know about him ahead of time. How else do you know if you have previously known burials? Families come in and they talk about their burial sites and it becomes record; that's another way that the council can have previously known sites. The opposite of that is what's called inadvertent discoveries, and by far that's 90% or more of the burials that we hear about in the news or become controversial. Those are burials that are discovered unanticipated or unexpectedly when you're doing road work or when somebody's bulldozing their property, somebody's digging a pool, in sand or washing out on the shorelines during high surf. Those are the jurisdiction of SHPD and not the Burial Council, but the Burial Council can advise them on treatment. The other primary function of these Councils, which is really important is to assist the Department in inventory and identifying Native Hawaiian Burial sites. We basically have this issue right now with the O'ahu Burial Council and Hakipu'u with Kualoa Ranch and families that are trying to identify burial sites. Same thing with Maui, the controversy in Kahoma has to do with burial sites being recognized and identified and there's some dispute as to whether it is or isn't a burial site. So the Burial Council is heavily involved right now as we speak on that role and function. Their other big responsibility is to make recommendations regarding appropriate management, treatment, protection of Native Hawaiian burial sites and any other matters relating to burial sites. That's very broad, and it's an important recommendation. We have sea level rise and traditionally, when the high waves come up on the North shores you have a lot of burials washing out to the beach. On Maui during a two-week period of high surf, 70 individuals washed out. This was 20 years ago, and today we still have iwi coming out of the cliffside on the beaches; locals and tourists find skulls and mandibles. They call the police or they take them home; it's going to become a bigger issue, so the Burial Councils are the perfect forum to discuss this how to proactively do something about it, but they're not really being utilized unfortunately, for that type of work.

**Compliance Manager Markell:** OHA was instrumental; Sterling, Kamaile, Wayne and Policy helping to amend Chapter 6E. What it did was it amended the Council composition requirements, because we were starting to have issues with quorum and some of the Councils couldn't meet. On Hawai'i Island if you had people drive 100 miles to come to a Burial Council meeting and they show up and the Council can't meet because they're short a person it creates a lot of anger and frustration on everybody's part. So whereas you had my minimum of up to 15 members in the past, now we have nine total members and Moloka'i has five. There is one representative per region; Moloka'i has four regional reps and you have up to three landowner representatives. This is important because up to three now means if you don't have a landowner Rep, no land owners have put anyone forward, the Governor hasn't picked anybody SHPD hasn't chosen anybody we're now allowed to get another regional representative into that seat. Some areas we require two regional reps; I know the Kona region on O'ahu has the most development coming up right now and there's so many burial calls. I think right now Hina as Chair is the only Kona Regional Representative. So if there is a landowner opening and we could put another Kona Rep in, which we're allowed to do that helps the Council function and helps everybody. They also amended the quorum requirement so now; five members can conduct business (Moloka'i – three) that helps with minimal people able to show up and being able to function and get the business complete.

### HRS § 6E-43.5

#### Island Burial Councils

- Determine the preservation or relocation of previously identified native Hawaiian burial sites vs. inadvertent discoveries;
- Assist the department in the inventory and identification of Native Hawaiian burial sites;
- Make recommendations regarding appropriate management, treatment, and protection of native Hawaiian burial sites, and on any other matters relating to native Hawaiian burial sites;

### HRS § 6E-43.5 as amended by Act 276 (SB407/OHA-5)

- Amended council composition requirements
  - 9 total members (Moloka'i: 5 total members)
  - 1 rep per region; 6 regional reps (Moloka'i: 4 regional reps)
  - Up to 3 landowner/developer representatives (Moloka'i: up to 1 landowner/developer representative)
- Amended quorum requirements
  - 5 members required to conduct business (Moloka'i: 3 members)

**Compliance Manager Markell:** Right now in OHA we're trying to look at the current situation; it's been a constant struggle like Sterling mentioned to get people to serve on the Burial Councils. Mind you, I've been doing this for 26 years now; 10 years on the side of SHPD working with OHA to help get names and then 16 years on the OHA side now asking our people to come forward so we can work with SHPD and the Governor and put names up. It's been very difficult for a multitude of reasons. We just came up with some new Standard Operating Procedures and we're making it more of a collaborative effort within OHA. We have Community Engagement who helps with outreach in Ka Wai Ola and on our Facebook and other Social Media accounts to reach out to people. Compliance Enforcement - right now we review the applicants and that's solely because right now within Advocacy, we have Historic Preservation experience. Myself and Keola Lindsey worked for the Burial Sites Program at SHPD, as well as Lauren and Kamakana also worked for SHPD, so we have that institutional knowledge to be able to help, review and ultimately train Council members and the Councils themselves, which we're starting to do. Public Policy will definitely help with the testimonies, the Governors Messages, and Senate Confirmation process, so we're trying to work together and share the 'ike and knowledge with each other so this can continue even if a certain staff leaves it will continue with in OHA.

Our nomination process; we look at the candidates; we look at their experience and understanding of Culture, history, burial beliefs, and customs. We look at the requirement if you want to represent Waianae, do you live there or have you ever lived there? What are your connections to the Waianae people? Can you represent that area and stand up and face the Community there and the families. So we kind of gauge them on those abilities and then probably the most important one for me personally, is their eagerness and willingness to serve.

**Compliance Manager Markell:** I'm not going to kid you; the turnover rate on the Burial Councils is high and some of the issues we have is that people can serve a four year term and then another four year term and then sit out of one year and come back because their knowledge is so valued. However, people will serve one-year term and then drop off for two years and then we have interim appointments to fill. We have uneven balance on the Councils and that's created a lot of dysfunctional Councils that have had to shut down. I remember Moloka'i was shut down for about five years because it was hard to find large land owners over

there that want to serve on the Council. So with the law changed it really made it a lot better, but they're volunteers. It's a very difficult job and can take a lot of time, the OIBC had a seven hour meeting. The last thing we want to do is to get our people to go serve this important kuleana, to take care of our most cherished possession and then throw them to the wolves.

### OHA Nomination Process

- Collaborative effort:
  - **Community Engagement**
    - Outreach
  - **Compliance Enforcement**
    - Applicant review/training
  - **Public Policy**
    - Senate confirmation testimonies

### OHA Nomination Process (cont.)

- Candidate Selection
  - Each candidate is scored based on her experience in and understanding of the culture, history, burial beliefs, customs and practices of Native Hawaiians in the region she sought to represent (as demonstrated candidate's resume and letter of intent)
  - Community and regional representation
  - Eagerness and willingness to voluntarily serve

**Compliance Manager Markell:** So we have a very collaborative assessment and scoring and then we are here today; we're submitting names. We feel these people have what it takes to serve on the Burial Council; to serve our Lāhui and our Kupuna. Should you approve of our nominees today, their names will be transmitted to the Office of the Governor. People can apply for the Burial Council either through OHA or DLNR and SHPD. SHPD submits their own list like what we're doing today, and OHA submits their list. Sometimes the same person can be on both lists. The Governor has to appoint two representatives on each Council from OHA's list; so the quicker we get names in in the process, the more names we give, the higher chance we're going to end up with the Governor choosing from OHA's list to put on the Burial Council. The Senate will then confirm. For regular appointees; the normal processes we try to get OHA's list up by the end of the year, DLNR will get their list in as well and then the Governor's office will review it and whoever he chooses from our list and SHPD's list will go forward to the Senate confirmation process. The reason we're focusing on Kaua'i, Ni'ihau and Moloka'i today is because those two councils are down for the count right now. Even with making the changes with the quorum requirements, they've had some people leave and haven't found replacements so now the councils aren't functioning. What we're trying to do now is get these names up to the Governor as soon as we can and ask him if he can appoint these people now. We would like to get them into the councils as soon as possible so that they can start functioning and not have to wait another four to six months for Senate confirmation.

### OHA Nomination Process (cont.)

- Collaborative Assessment and Scoring
- Candidates Submitted for BAE & BOT Approval

### Appointment Process

- OHA nominees transmitted to Governor's Office of Boards and Commissions and DLNR
- Governor must appoint 2 regional representatives on each council from OHA nominee list
- Senate confirms
  - During current session for regular appointees
  - During following session for interim appointees

**Compliance Manager Markell:** So again, we're trying to get interim nominees in and we're also trying to build up a standing list of people who are willing to serve in every geographic region of every Council. Multiple names, we can help train people, get them ready, they can attend Burial Council meetings and see how it's going, they can learn things and then as soon as we have vacancies, we will have people willing to serve who are qualified and ready to go. That's the only way we're going to be able to address the longstanding, 26 year issue of the Burial Councils not being able to function from time to time.

OK, so for our OHA 2020 nominees, our first one is Ka'ohulani McGuire; she's applying for Kalawao Regional Representative. She's a cultural anthropologist, ethnographer, historian for Kalaupapa National Historical Park. She's been researching there for 20 years and has resided there for 11 years now; part of her job is helping ohana find graves. Of the 8,000 graves that are in Kalaupapa, so many are unmarked. She's an early member of Hui Mālama I Nā Kūpuna O Hawai'i Nei, so she learned a lot of their protocols and is very well qualified.

Our next nominee is Terna Leimomi Hooper, who also would like to serve Kalawao. She was born and raised on Moloka'i, her ohana is from Pelekunu which is right there. She started with The Department of Health at Kalaupapa and learned a lot about the deceased and the records. She is currently a laborer in their Cultural Resource Division; she takes care of these sites.

Lastly, for Moloka'i we have Keomailani Hanapi Hirata. She's a nominee for East Moloka'i. She and her ohana have two decades or more of dealing with iwi and her parents served on Moloka'i Burial council in the 90's. Her mother makes kapa for the reburials and Keomailani has learned that, so she is another excellent candidate.



### Current List: OHA 2020 Nominees

- Some candidates will be "interim nominees" who have been selected for nomination for immediate appointment where vacancies exist to allow for functioning of council.
- These interim nominees once appointed will be immediately seated to address quorum issues and be subject to confirmation during the 2021 Legislative Session
- Some candidates will be recommended for an internal OHA repository nomination list for future vacancies where regions are currently filled to keep lists active and councils functioning

### OHA 2020 Nominees: Moloka'i

- 2020 Interim Nominees
  - Ka'ohulani McGuire, Kalawao
  - Terna Leimomi Hooper, Kalawao
  - Keomailani Hanapi Hirata, East Moloka'i



**Compliance Manager Markell:** For Kaua'i/Ni'ihau we have Sherri-Lee Uilani Cummings; she's a nominee to represent the Hanalei District. She's born and raised in Anahola Homestead. She served as Vice President for the Hanalei Hawaiian Civic Club; worked on legislative proposals, has great connections with ohana and advocates on that side. She has some land development experience, which is important as well because she understands the limits and has that 'ike which is important to help the Council. She has a strong commitment to serve the ancestors; it's a calling for her now.

Next is Wayne Harada, also known as Palala. He actually served on the Burial Council on Kaua'i and he wants to come back again. That constant service would bring great institutional knowledge to the Council. This is important because unfortunately when there's turnover in the Council, you end up with new council members who don't really know what happened in the last 20 to 30 years. They'll end up looking at projects or developments, and they don't realize that the project they're looking at to take care of five burials is next to a parcel that had 40 burials. That kind of institutional 'ike is so important, so we're glad Palala wants to serve again. He's a Hawaiian Cultural Specialist in Anahola.

**Compliance Manager Markell:** Waipū'ilani Flores is a Hawaiian Educator at the Public Charter School. She was born in Waianae, but moved to Anahola and lived with her grandparents and learned from them. She has a strong calling to serve the ancestors. She has a strong affiliation and connection to Kawaiahau.

Lastly we have Noelani Kau'i Naumu; she was highly recommended by a current Kōloa representative, Ted Blake. She is a hula practitioner, mother of four beautiful children, she lost one of her children so she understands the Hawaiian grieving process. and the deep sense of kaumaha and eha and what iwi means to people when they come in and testify and they cry. She has that connection.

The next wave that's coming. We're looking at all the councils, trying to get the terms of each council member. straightened out with SHPD. There's some issues of some members not realizing that their term expired, and they're holdover members now. If they served eight years already, they might not be valid on the Council,



and it might jeopardize current Council decisions and that's a huge concern. So we're trying to get all that information for every council who's expiring in 2021 and 2022. Then we expect to be back here before you probably in January when the Board reforms and we'll have more names for O'ahu, Maui for Hawai'i Island.

### OHA 2020 Nominees: Kaua'i/Ni'ihau

- Sherri-Lee U'ilani Cummings, Hanalei
- Wayne T. Harada, Jr., Waimea/Nā Pali
- Wa'ipūlani Flores, Kawaihau
- Noelani Kau'i Naumu, Waimea/Nā Pali



**KAUAI/NIIHAU**

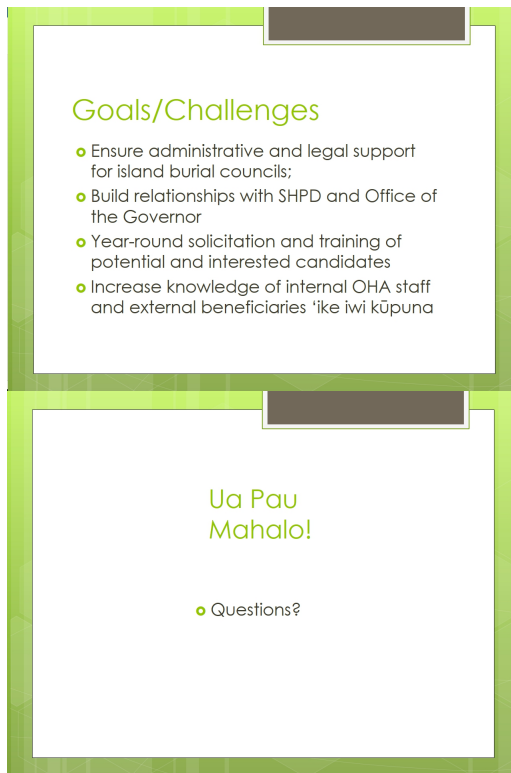
### Next Wave of Nominees

- Examining and verifying current and expiring membership on all island burial councils;
- More candidates expected to be brought to BAE/BOT for approval in January 2021
- Governor's appointments
- Senate confirmation

**Compliance Manager Markelli:** I wanted to go over our goals and challenges to close this up. We need to ensure Administrative and Legal Support for the Island Burial Councils. Like I mentioned before, people serve on the Council and sometimes they're not trained or prepared properly, and then they're set up against lawyers, developers, consultants, professionals, engineers, archaeologists, and it can be very intimidating. The councils don't have their own lawyer. For the first decade, Halealoha and I because we were lawyers, would be their counsel. Now they have an AG who you can call on the phone and ask questions, but in a 7 hour meeting you're missing all that coverage and it creates a situation where the Burial Council member sometimes feel that they can get sued if they overextend their boundaries. So we need to get them more training and more support before we ask our people to serve on these important Councils. We need to build relationships with SHPD and Office of the Governor. OHA had submitted names from earlier in the year and not one of our names made it onto any of the Burial Councils. The only one that did was Kyle Nakanelua, but he was on SHPD's list. We're going to do a year round solicitation, so we're not going to wait until there is an opening and then start looking for people. We're going to keep this process going collaboratively within OHA trying to work with SHPD and the Office of the Governor to make sure we have people trained, ready to go and wanting to serve. We also want to increase knowledge internally; we have staff who have experience and knowledge in Burial Councils and Historic Preservation and we have many who want to learn. We're committed to build that 'ika within OHA, because I'm not going to be forever and other people may move on and we want to make sure OHA is set up. If there's new staff, we don't reinvent the wheel that these are things that have been going for a long time.

OHA has had various people serve on the Burial Council. Kaliko Santos, LaFrance Kapaka-Arboleda, Ruby McDonald, Pikake Pelekai, Hinaleimoana, and Kalani Fronda have all served or currently serve on Burial Councils. We need to utilize that and work together as and OHA ohana to fix this issue. As we see with the

issues with iwi and our people and right now this continues to be a major issue for our lāhui and for OHA. That's all, if there's any questions I'd be happy to answer.



**Chair Waihe'e:** *Members are there any questions on the Nominations?*

**Trustee Akina:** I just wanted to say Kai, Mahalo for the excellent explanation of the Burial Council and its purpose, rationale and history. That was the most insightful presentation I've had in the last four years, and it has really helped me to appreciate the work that is done on the Council. Thank you for the work that you've done.

**Compliance Manager Markell:** Thank you for those kind words. I appreciate that and it means a lot to me. I'm humbled.

**Trustee Hulu Lindsey:** I just want to thank Kai for all the work he's done for our iwi kupuna. I can't thank him enough on behalf of the people of Maui, because I'm sure that you folks know how passionate our people are, and we've had many, many problems in different parts of our island. Our people that are strong advocates of our iwi are very dependent on Kai and very protective of him as well. So, I want to really mahalo him and let him know how valuable he is, how valuable his service is to the people, as well as to the Office of Hawaiian Affairs. Thank you.

**Compliance Manager Markell:** Thank you, Trustee. You gonna make me cry. Love you. Thank you. Humbled. Love our people. Love our kupuna.

**Chair Waihe'e:** *Members are there any other questions or comments?*

*There are none.*

Trustee Ahuna moves to **approve the following individuals as the Office of Hawaiian Affairs' 2020 nominations to the Moloka'i Island Burial Council and the Kaua'i/Ni'ihau Islands Burial Council and to authorize the Administration to timely transmit these nominations to the Governor:**

**Moloka'i Island Burial Council**

1. **Ka'ohulani McGuire,**  
*Nominee for Kalawao regional representative*
2. **Terna Leimomi Hooper,**  
*Nominee for Kalawao regional representative*
3. **Keomailani Hanapi Hirata,**  
*Nominee for East Moloka'i regional representative*

**Kaua'i/Ni'ihau Islands Burial Council**

1. **Sherri-Lee Uilani Cummings,**  
*Nominee for Hanalei regional representative*
2. **Wayne T. Harada, Jr.,**  
*Nominee for Waimea/Nā Pali regional representative*
3. **Waipū'ilani Flores,**  
*Nominee for Kawaihau regional representative*
4. **Noelani Kau'i Naumu,**  
*Nominee for Waimea/Nā Pali regional representative*

Vice-Chair Akaka seconds the motion.

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

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

							2:07 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA	1		X			
VICE-CHAIR KALEIHIKINA	AKAKA		2	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			
TOTAL VOTE COUNT				7	0	0	2

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

## VI. ANNOUNCEMENTS

None

## VII. ADJOURNMENT

Trustee Hulu Lindsey moves to adjourn the BAE meeting.

Vice-Chair Akaka seconds the motion.

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

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

						2:08 p.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA AHU ISA						EXCUSED
DAN AHUNA			X			
VICE-CHAIR KALEIHIKINA AKAKA		2	X			
KELI'I AKINA			X			
BRENDON KALEI'ĀINA LEE			X			
CARMEN HULU LINDSEY	1		X			
ROBERT LINDSEY			X			
COLETTE MACHADO						EXCUSED
CHAIR JOHN WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>			<b>7</b>	<b>0</b>	<b>0</b>	<b>2</b>

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

Chair **Waihe'e** adjourns the BAE meeting at 2:08 p.m.

Respectfully submitted,

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Melissa Wennihan  
Trustee Aide  
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment (BAE) on February 3, 2021.

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

Committee on Beneficiary Advocacy and Empowerment

Trustee Kaleihikina Akaka, *Chair*Trustee Keola Lindsey, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Luana Alapa, Moloka'i / Lāna'i

Trustee Carmen Hulu Lindsey, Maui

Trustee Brendon Kalei'aina Lee, At-Large

Trustee John Waihe'e IV, At-Large



**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE  
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

**DATE:** Wednesday, February 3, 2021**TIME:** 1:30 p.m.**PLACE:** Virtual MeetingViewable at [www.oha.org/livestream](http://www.oha.org/livestream) OR

Listen by phone: (213) 338-8477,

Webinar ID: 956 5034 2717

**Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Seventeenth Supplementary Proclamation dated December 16, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.**

**The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen by phone: (213) 338-8477, Webinar ID: 956 5034 2717**

**AGENDA**

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda\* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
  - A. October 21, 2020
- IV. Unfinished Business
- V. New Business**
  - A. 2021 OHA Legislative Package Updates - Matrix 1 \*\***
  - B. 2021 OHA Legislative Positioning - Matrix 2 \*\***
- VI. Announcements
- VII. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number (808) 594-1772 or by email at: [rainag@oha.org](mailto:rainag@oha.org) no later than three (3) business days prior to the date of the meeting.

Meeting materials will be available to the public on Friday, January 29, 2020 and posted to OHA's website at: [www.oha.org/bae](http://www.oha.org/bae)

**2021 OHA LEGISLATIVE PACKAGE**

OHA NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRAL
OHA-1	HB204	RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS.	Appropriates moneys to fund the operating expenses of the Office of Hawaiian Affairs for the fiscal biennium beginning on 7/1/2021, and ending on 6/30/2023.	H 1/27/2021: Referred to JHA, FIN, referral sheet 1	JHA, FIN
OHA-1	SB389	RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS.	Appropriates moneys to fund the operating expenses of the Office of Hawaiian Affairs for the fiscal biennium beginning on 7/1/2021, and ending on 6/30/2023.	S 1/28/2021: The committee(s) on HWN has scheduled a public hearing on 02-02-21 1:00PM in conference room Via Videoconference.	HWN, WAM
OHA-2	HB203	RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWA, OAHU.	Authorizes the issuance of general obligation bonds in the sum of \$3,000,000 to fund construction costs of a water storage and distribution system on agricultural lands owned by the Office of Hawaiian Affairs in Wahiawa, Oahu, surrounding the Kukaniloko Birthing Stones site.	H 1/27/2021: Referred to WAL, JHA, FIN, referral sheet 1	WAL, JHA, FIN
OHA-2	SB390	RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWA, OAHU.	Authorizes the issuance of general obligation bonds in the sum of \$3,000,000 to fund construction costs of a water storage and distribution system on agricultural lands owned by the Office of Hawaiian Affairs in Wahiawa, Oahu, surrounding the Kukaniloko Birthing Stones site.	S 1/25/2021: Referred to WTL, WAM.	WTL, WAM
OHA-3	HB202	RELATING TO EXPUNGEMENT.	Authorizes a court to expunge the records of a person for certain offenses if they are substantially related to the person's homeless status.	H 1/27/2021: Referred to HHH, JHA, referral sheet 1	HHH, JHA
OHA-3	SB391	RELATING TO EXPUNGEMENT.	Authorizes a court to expunge the records of a person for certain offenses if they are substantially related to the person's homeless status.	S 1/25/2021: Referred to HMS, JDC.	HMS, JDC
OHA-4	HCR3		RECOGNIZING THE IMPORTANCE OF 21ST CENTURY DATA GOVERNANCE FOR FACT-BASED POLICYMAKING.	H 1/22/2021: Offered	
OHA-4	SCR5		RECOGNIZING THE IMPORTANCE OF 21ST CENTURY DATA GOVERNANCE FOR FACT-BASED POLICYMAKING.	S 1/22/2021: Offered.	



Committee on Beneficiary Advocacy and Empowerment

Trustee Kaleihikina Akaka, *Chair*Trustee Keola Lindsey, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Luana Alapa, Moloka'i / Lāna'i

Trustee Carmen Hulu Lindsey, Maui

Trustee Brendon Kalei'aina Lee, At-Large

Trustee John Waihe'e IV, At-Large



**STATE OF HAWAII'  
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE  
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

**DATE:** Wednesday, February 3, 2021**TIME:** 1:30 p.m.**PLACE:** Virtual MeetingViewable at [www.oha.org/livestream](http://www.oha.org/livestream) OR

Listen by phone: (213) 338-8477,

Webinar ID: 956 5034 2717

**Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Seventeenth Supplementary Proclamation dated December 16, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.**

**The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen by phone: (213) 338-8477, Webinar ID: 956 5034 2717**

**AGENDA**

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda\* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
  - A. October 21, 2020
- IV. Unfinished Business
- V. New Business**
  - A. 2021 OHA Legislative Package Updates - Matrix 1 \*\*
  - B. 2021 OHA Legislative Positioning - Matrix 2 \*\***
- VI. Announcements
- VII. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number (808) 594-1772 or by email at: [rainag@oha.org](mailto:rainag@oha.org) no later than three (3) business days prior to the date of the meeting.

Meeting materials will be available to the public on Friday, January 29, 2020 and posted to OHA's website at: [www.oha.org/bae](http://www.oha.org/bae)

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
1	HB1	MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION.	Appropriates funds to provide for the expenses of the Legislature, Auditor, Legislative Reference Bureau, Ombudsman, and Ethics Commission.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
2	HB6	RELATING TO GREEN FEES.	Establishes an environmental surcharge on visitor accommodations. Establishes the green tourism special fund to invest in the State's transition to a clean energy economy, conservation of natural resources, and sustainability and resiliency.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
3	HB9	RELATING TO ECONOMIC DIVERSIFICATION.	Establishes the Hawaii 2030 economic diversification task force to develop a plan to diversify the State's economy by 2030. Requires the task force and the auditor to submit reports to the legislature.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
4	HB19	RELATING TO DISCRIMINATION.	Establishes provisions relating to civil remedies for discriminatory reporting to a law enforcement officer. Provides that a person who summons or reports to a law enforcement officer, without reason to suspect a crime, offense, or imminent danger has occurred or is occurring, because of that person's belief or perception involving a member of a protected class shall be civilly liable.	1/21/2021 H Introduced and Pass First Reading.		SUPPORT
5	HB20	RELATING TO RECORDINGS OF LAW ENFORCEMENT ACTIVITIES.	Establishes the right of persons to record law enforcement activities. Establishes a private right of action for violations of the right.	1/21/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
6	HB62	RELATING TO NON-GENERAL FUNDS.	Repeals or reclassifies non-general funds of the University of Hawaii pursuant to recommendations of the Auditor. Transfers the unencumbered balances of repealed funds to the general fund.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
7	HB64	RELATING TO NON-GENERAL FUNDS.	Abolishes, repeals, or reclassifies various non-general funds of the department of transportation.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
8	HB66	RELATING TO PUBLIC LANDS.	Authorizes the board of land and natural resources to sell parcels of Sand Island Industrial Park to a lessee under a master lease.	1/21/2021 H Introduced and Pass First Reading.		OPPOSE
9	HB77	RELATING TO LANDS CONTROLLED BY THE STATE.	Exempts the sale of the leased fee interest in certain affordable leasehold developments by the HHFDC from legislative approval.	1/21/2021 H Introduced and Pass First Reading.		COMMENT
10	HB79	RELATING TO HOUSING.	Establishes an affordable homeownership revolving fund within HHFDC to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects. Makes appropriations into and out of the affordable homeownership revolving fund.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
11	HB81	RELATING TO PUBLIC LANDS.	Exempts lands set aside by the governor to HHFDC for the primary purpose of developing affordable housing from classification as public land subject to DLNR management. Provides that lands set aside to HHFDC and no longer needed for housing, finance, and development purposes be returned to the public trust administered by DLNR.	1/21/2021 H Introduced and Pass First Reading.		OPPOSE
12	HB96	RELATING TO AGRICULTURAL BUILDINGS.	Increases the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
13	HB101	RELATING TO TORT LIABILITY.	Clarifies that persons that enter private property for recreational purposes have no cause of action, unless exempted under law. Requires a court to award attorneys' fees and costs to landowners if plaintiffs bring unreasonable claims. States that, as a matter of law, persons participating in outdoor recreational activities accept the inherent dangers in the activities.	1/21/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
14	HB105	RELATING TO AFFORDABLE HOUSING.	Restricts zoning allowances for affordable housing developments to medium- to high-density zoning districts.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
15	HB112	RELATING TO WASTEWATER SYSTEMS.	Establishes the time of transfer wastewater system inspection program in the Department of Health to oversee the inspection and repair of any individual wastewater system at the time of sale or transfer of residential real property attached to the wastewater system. Excludes certain sales or transfers.	1/21/2021 H Introduced and Pass First Reading.		MONITOR
16	HB124	RELATING TO ELECTIONS.	Requires the chief election officer to develop and distribute a voter information guide for all candidates running for state office, including candidates running for any trustee position of the office of Hawaiian affairs.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
17	HB134	RELATING TO ENERGY.	Imposes a fee on the carbon content of fossil fuels. Establishes a carbon cashback trust fund into which fees will be deposited and dividend payments will be made to Hawaii residents. Effective for taxable years beginning after 12/31/2021.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
18	HB152	RELATING TO ANIMAL CONTROL SERVICES.	Repeals statutory language that: (1) Requires the County of Kauai to contract with the Kauai Humane Society for animal control services; and (2) Authorizes the Kauai Humane Society to construct a dog pound with Kauai County Council approval.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
19	HB176	RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBER.	Adds abuse of a family or household member to those felonies that qualify for repeat offender sentencing.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
20	HB190	RELATING TO SUNSHINE LAW BOARDS.	Clarifies laws regarding public meetings held by interactive conference technology by, among other things, requiring board members to be visible and audible to other members and the public, authorizing a board to require attendees to provide their names and contact information for contact tracing during certain states of emergency, and repealing the requirement that a meeting held by interactive conference technology be terminated when audio communication cannot be maintained with all locations where the meeting by interactive conference technology is being held.	1/22/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
21	HB195	RELATING TO VOTER REGISTRATION.	Establishes automatic voter registration upon application for a driver's license or civil identification card, except when an applicant affirmatively declines on an application to register to vote. Requires the examiner of drivers to electronically transmit to the Office of Elections certain information associated with currently registered and newly registered voters. Requires accessibility of certain databases maintained or operated by the Department of Transportation or the counties.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
22	HB205	RELATING TO DISCLOSURE OF ATTORNEY-CLIENT AND ATTORNEY WORK-PRODUCT PRIVILEGED COMMUNICATIONS TO THE OMBUDSMAN.	Specifies that disclosure of communications by an agency to the ombudsman does not waive any existing attorney-client or attorney work-product privilege pertaining to those communications. Prohibits the ombudsman from disclosing privileged communications to others.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
23	HB243	RELATING TO SEA LEVEL RISE ADAPTATION.	Requires each executive branch department to: identify existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards; assess options for mitigation impacts of sea level rise to existing and planned facilities; establish staff level points of contact to improve interagency coordination for sea level rise adaptation, flooding, and resilience; and submit annual reports to the governor, legislature, and Hawaii climate change mitigation and adaptation commission.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
24	HB260	RELATING TO HOUSING.	Authorizes the counties to reclassify lands 15 to 100 acres in certain rural, urban, and agricultural districts in which at least 50 percent of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below 140 percent of the area median income.	1/22/2021 H Introduced and Pass First Reading.		OPPOSE

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
25	HB274	RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.	Removes county councils as the nominating authority for members of the HCDA who serve as representatives of the Heeia, Kalaeloa, and Kakaako community development districts. Provides that the president of the senate and the speaker of the house of representatives shall each nominate representatives of each of the three community development districts.	1/22/2021 H Introduced and Pass First Reading.		MONITOR
26	HB285	RELATING TO INSURANCE.	Prohibits health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition. Requires insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT
27	HB310	RELATING TO HEALTH.	Amends the definition of "imminently dangerous to self or others". Authorizes the involuntary treatment of patients who are subject to emergency hospitalization, diagnosed with a serious mental illness or severe substance use disorder, and found to be lacking decisional capacity.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
28	HB327	RELATING TO GREENHOUSE GAS EMISSIONS.	Convenes a Sustainable Aviation Fuel Task Force within the Hawaii State Energy Office to develop a state action plan to reduce the greenhouse gas intensity of international air transportation from Hawaii.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
29	HB328	RELATING TO ENERGY EFFICIENCY.	Allows for the installation of certain energy-efficient technologies on any privately owned single-family residential dwelling or townhouse, with limited restrictions. Requires private entities to adopt rules regarding the placement of those technologies.	1/25/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
30	HB329	RELATING TO ENERGY.	Establishes a zero net energy and zero net waste initiative program in the public utilities commission. Establishes a zero net energy and zero net waste advisory council. Designates property controlled by the natural energy laboratory of Hawaii authority as a microgrid demonstration project. Authorizes the transmission of electric power from one governmental agency's point of generation to another governmental agency's existing transmission lines within the boundaries of the Hawaii ocean science and technology park. Appropriates funds for the zero net energy and zero net waste initiative program.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
31	HB341	RELATING TO ADMINISTRATIVE PROCEDURE.	Beginning July 1, 2021: Prohibits agencies from accepting petitions for declaratory rulings on issues or questions for which a decision was already issued by another agency that has sole or shared jurisdiction with the agency receiving the petition and provides that agency orders under the State's administrative procedure law relating to declaratory rulings are final and not appealable.	1/25/2021 H Introduced and Pass First Reading.		OPPOSE
32	HB347	RELATING TO JUDICIAL ENFORCEMENT OF THE UNIFORM INFORMATION PRACTICES ACT.	Clarifies and expands procedural requirements for judicial review of an agency's denial of access to a government record. Provides procedural requirements and standards of review upon appeal.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
33	HB349	RELATING TO VOTING.	Requires that any person who is eligible to vote and applies for a new or renewal motor vehicle driver's license, provisional license, or instruction permit, or a new, renewal, or duplicate identification card be automatically registered to vote if that person is not already registered to vote unless the applicant affirmatively declines to be registered to vote. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation containing driver's license or identification card information to election officials and the statewide voter registration system. Effective 1/1/2022.	1/25/2021 H Introduced and Pass First Reading.		MONITOR



THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
34	HB363	RELATING TO GAMING.	Establishes the Hawaii lottery and gaming corporation for the purpose of conducting gambling in Hawaii. Allocates proceeds to capital improvements at public schools and the University of Hawaii system, scholarships and educational loan repayments for medical students who practice in Hawaii for ten years, support for the family practice rural residency program, watershed protection, and reduction and prevention of problem gambling. Effective 7/1/2021.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
35	HB368	RELATING TO SOLAR ENERGY.	Permits the governing body of a county to create, by ordinance, a process for the recordation and enforcement of solar easements. Allows counties to require individuals claiming a solar right to record that right by filing a declaration with the county clerk. Permits the governing body of a county to require, by ordinance, the trimming of vegetation that blocks solar radiation from solar energy devices. Authorizes the ordinance to include a designation for the cost of trimming.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
36	HB375	RELATING TO PERMITS.	Allows the counties to exempt permits for certain kinds of repetitive construction projects for facilities under the control of the department of education, University of Hawaii, and school facilities agency.	1/25/2021 H Introduced and Pass First Reading.		OPPOSE
37	HB384	RELATING TO TELEHEALTH.	Prohibits health insurers, mutual benefit societies, and health maintenance organizations from excluding coverage of a service solely because the service is provided through telehealth and not through face-to-face contact. Requires parity between telehealth services and face-to-face services for purposes of deductibles, copayments, coinsurance, benefit limits, and utilization reviews. Clarifies the definition of "telehealth".	1/25/2021 H Introduced and Pass First Reading.		MONITOR
38	HB393	RELATING TO GROUND TRANSPORTATION.	Prohibits the sale of new motor vehicles that are solely powered by fossil fuels and designed for personal use beginning January 1, 2030, by motor vehicle dealers and salespersons.	1/25/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
39	HB394	RELATING TO MASS TRANSPORTATION.	Prohibits counties with mass transportation service from charging a fee to users of that service for the operation or maintenance of that service. Appropriates an additional \$5,000,000 in transient accommodations taxes to each county to be used solely for the operation or maintenance, including for purposes of cleanliness and safety, of mass transportation service. Takes effect 1/1/2022.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
40	HB397	RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.	Transfers the administrative attachment of the Hawaii correctional system oversight commission from the department of the attorney general to the department of human services.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
41	HB409	RELATING TO ANIMAL CARETAKERS.	Requires the Department of Health to contract with a nonprofit animal rescue group to oversee caretakers of feral cats and mongooses. Exempts registered caretakers of feral cats and mongooses from state laws and county ordinances relating to the feeding and confinement of cats and mongooses. Establishes a trap-sterilize-return process.	1/25/2021 H Introduced and Pass First Reading.		OPPOSE
42	HB412	RELATING TO SHARK PROTECTION.	Prohibits the importation of shark parts and products containing shark parts. Provides certain exemptions.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
43	HB421	RELATING TO AN ADVISORY REFERENDUM ON CANNABIS IN HAWAII.	Requires an advisory referendum consisting of a question to be placed on the ballot for the general election of 2022 on whether the electorate wishes the State to legalize the sale and use of recreational cannabis in Hawaii.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
44	HB423	RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION.	Establishes the department of environmental protection. Transfers jurisdiction of certain functions and employees of the department of land and natural resources, department of agriculture, and department of health to the department of environmental protection.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
45	HB427	RELATING TO RESTORATIVE JUSTICE.	Requires the judiciary or supporting agencies to establish and support a program for restorative justice in each county and inform various criminal justice representatives of the existence of the program. Appropriates funds.	1/25/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
46	HB429	RELATING TO HOMESTEAD EXEMPTIONS.	Increases the homestead exemption for all persons up to \$2,000,000 and requires that the real property be the principal residence.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
47	HB431	RELATING TO REAL ESTATE DISCLOSURE.	Beginning on November 1, 2021, requires all vulnerable coastal property sales or transfers to include a sea level rise hazard exposure statement to ensure that new property owners and transferees understand the special hazards, requirements, and limitations that may affect the property. Requires sellers to include whether property is within a sea level rise exposure area in the disclosure statement provided to the buyer.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
48	HB433	RELATING TO CLIMATE CHANGE MITIGATION.	Assesses a climate change mitigation impact fee on every customer who rents, leases, or utilizes a rental motor vehicle. Establishes the climate change mitigation special fund. Specifies that the impact fees collected shall be deposited to the credit of the general fund; provided that beginning July 1, 2024, the impact fees shall be deposited to the credit of the climate change mitigation special fund.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
49	HB442	RELATING TO PUBLIC LANDS.	Requires DLNR to develop a plan to reduce the disposition of public lands for military activities and make recommendations regarding the remediation and restoration of public lands that have been damaged by military use. Requires DLNR to convene an advisory committee to provide recommendations regarding the plan. Requires reports to the legislature.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT
50	HB449	PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO AMEND THE QUALIFYING AGE OF VOTERS FOR ANY STATE OR LOCAL ELECTION.	Proposes a constitutional amendment to lower the qualifying age of voters for any state or local election to sixteen years of age.	1/25/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
51	HB460	RELATING TO A CARBON TAX.	Amends the environmental response, energy, and food security tax (barrel tax) to tax various fossil fuels at a rate equivalent to \$40 per metric ton of carbon dioxide emissions in 2022. Incrementally increases the barrel tax rate to be equivalent to a carbon price of \$80 per metric ton of carbon emissions in 2030. Amends the distribution of barrel tax revenues. Renames the barrel tax as the environmental response, energy, carbon emissions, and food security tax. Effective 1/1/2022.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
52	HB463	RELATING TO CLIMATE CHANGE.	Sets the goal of employing one hundred percent clean ground transportation for the public and private transportation sectors by December 31, 2030. Requires all light duty motor vehicles procured pursuant to the Hawaii Public Procurement Code to be powered by renewable sources by January 1, 2030. Accelerates the State's goal of becoming one hundred percent reliant on clean energy and reaching its zero emissions clean energy target to 2030. Increases the goal for electricity use reductions achieved under the State's energy-efficiency portfolio standards. Prohibits the sale of new motor vehicles powered solely by fossil fuels by January 1, 2030.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
53	HB464	RELATING TO STREAM PROTECTION.	Prohibits BLNR from approving dispositions that authorize or have the effect of authorizing the diversion of water from streams except under specified criteria. Deposits moneys collected via land dispositions that authorize or have the effect of authorizing the diversion of water from streams into the forest stewardship fund.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT WITH AMENDMENTS
54	HB496	RELATING TO FISHING.	Conditions the designation of community-based subsistence fishing areas upon approval of the affected community.	1/25/2021 H Introduced and Pass First Reading.		OPPOSE
55	HB499	RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.	Authorizes the Board of Land and Natural Resources to extend certain leases of public lands for commercial, industrial, resort, or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements.	1/25/2021 H Introduced and Pass First Reading.		OPPOSE

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
56	HB500	RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.	Increases the number of members of the commission on water resource management to eight and adds the chairman of the Hawaiian homes commission or the chairman's designee to the commission.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT
57	HB501	RELATING TO WATER RIGHTS.	Requires any disposition of water rights by the State to comply with existing minerals and water rights requirements. Prohibits the disposition of water rights for less than a certain percentage of the cost of the least expensive alternative source of water of similar quality and purpose, except for water leases or licenses issued for instream traditional and customary native Hawaiian practices. Requires the DLNR, commission on water resource management, and DHHL to report on the application of minerals and water rights and make recommendations for improvement.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT WITH AMENDMENTS
58	HB504	RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.	Authorizes the counties to adopt an ordinance regulating the operation of hosting platforms that provide booking services for transient accommodation operators.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
59	HB517	RELATING TO THE AUDITOR.	Clarifies that the state auditor may examine all accounts and records of any other State department, agency, or division notwithstanding any law to the contrary.	1/27/2021 H Referred to LMG, JHA, FIN, referral sheet 1		MONITOR
60	HB523	RELATING TO PROTECTION OF NATURAL RESOURCES.	Imposes a \$20 per guest tax on users of transient accommodations for the purposes of funding conservation efforts.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
61	HB524	RELATING TO ANIMALS.	Establishes a \$500 civil fine for the feeding or attempted feeding of any feral chicken. Provides that the Department of Health shall enforce this prohibition regardless of whether the department determines there is a nuisance that is dangerous or injurious to health. Authorizes county police departments to issue citations.	1/25/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
62	HB525	RELATING TO TEACHER HOUSING.	Clarifies that the Department of Education may construct teachers' housing on a public school campus. Requires that teachers' housing units constructed or acquired on a school campus after 6/30/2021, be rented at a low cost or no cost to new teachers employed full-time at that school.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
63	HB531	RELATING TO AGRICULTURAL LANDS.	Requires a state contract for the purchase of produce to include an option to lease an appropriate amount of state agricultural lands under the control of the department of agriculture of sufficient area and quality to produce the crops being procured. Establishes a process for the college of tropical agriculture and human resources of the university of Hawaii to identify appropriate land to be leased.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
64	HB541	RELATING TO HEALTH.	Requires executive programs that purchase social services related to mental health, substance abuse, and homelessness to establish uniform baseline performance metrics, evaluation standards, and reimbursement rates. Requires all community or private organizations that purchase services for behavioral health, substance abuse, or homelessness, at the request of any state funding agency, to disclose the source of other federal, state, or county-level funding it receives for the purposes of performing such services. Establishes the state payor committee, to be administered by the director of the department of health, to oversee and coordinate the purchase of services and recommend approval or rejection of the purchase of contracts relating to mental health, substance abuse, or homelessness services.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
65	HB546	RELATING TO EDUCATION.	Amends the composition of the early learning board to make a representative from Aha Punana Leo a standing member.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT
66	HB547	RELATING TO FEDERAL LANDS.	Establishes within the department of land and natural resources a Makua Valley task force to prepare for the transition of the management of the Makua military reservation from the United States Army upon the expiration of the Army's lease for the land. Requires a report to the legislature.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
67	HB551	PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII TO GUARANTEE ALL INDIVIDUALS THE RIGHT TO HAVE A CLEAN AND HEALTHY ENVIRONMENT.	Proposes a constitutional amendment which guarantees individuals the right to a clean and healthy environment, including pure water, clean air, healthy ecosystems, and a stable climate, and to the preservation of the natural, cultural, scenic and healthful qualities of the environment. Self-executing. Clarifies that the rights guaranteed may not be diminished by Article XI, Section 9, of the Constitution.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
68	HB553	RELATING TO THE PROTECTION OF SHARKS.	Establishes an offense of knowingly capturing, entangling, or killing a shark in state marine waters, and provides penalties and fines. Provides certain exemptions.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT
69	HB559	RELATING TO TRANSPORTATION.	Requires lessors of rental motor vehicles to include an option for the lessee in the motor vehicle rental agreement to contribute a sum to DLNR for the preservation and protection of the environment. Takes effect 1/1/2022.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
70	HB567	RELATING TO EMPLOYMENT.	Requires each department to establish a telework and alternative work schedule policy. Establishes a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy. Where feasible, requires departments to allow employees who act as a caregiver to telework or use an alternative work schedule.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
71	HB581	RELATING TO COMMERCIAL TENANT PROTECTION.	Prohibits a commercial landlord from initiating or continuing any action to evict or collect unpaid rent from a commercial tenant that has been adversely impacted by the economic effects of COVID-19 or official measures intended to mitigate the spread of COVID-19. Sunsets 7/1/2022.	1/25/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
72	HB594	RELATING TO BUSINESS.	Requires any taxpayer claiming an income tax credit to submit documentation verifying that seventy-five per cent of the applicant's employees are residents of Hawaii, including proof of residency for each qualifying employee through a state-issued identification card and two other acceptable documents as determined by the director of taxation.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
73	HB605	RELATING TO HOUSING SAVINGS ACCOUNTS.	Establishes the procedures for a housing savings account system for all employees in the State.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
74	HB607	RELATING TO HOUSING.	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 the Hawaii Housing Finance and Development Corporation (HHFDC) to qualified residents. Exempts certain land from the definition of public lands. Requires HHFDC to gain legislative approval before disposing of certain lands. Requires HHFDC to transfer a number of ALOHA homes units to the Department of Hawaiian Home Lands or Office of Hawaiian Affairs. Provides for the disposition of lands acquired by HHFDC but no longer needed for the ALOHA homes program. Requires HHFDC to develop an ALOHA homes demonstration project by July 1, 2026. Appropriates funds.	1/25/2021 H Introduced and Pass First Reading.		COMMENT
75	HB615	RELATING TO INTERNET ACCESS.	Requires the department of business, economic development, and tourism to develop a plan to ensure that all communities in the State having schools receiving federal Title I education funds have high-speed broadband internet access.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
76	HB618	RELATING TO EDUCATION.	Requires the department of education to ensure that the department's annual budget request to the legislature includes adequate funding for Hawaiian education. Requires the university of Hawaii board of regents to make support of Hawaiian education partnerships a benchmark when developing the university's annual budget request.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT



THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
77	HB620	RELATING TO LEGAL PERSONHOOD STATUS.	Establishes a means of determining which physical sites, geographical features, and natural resources having historical, cultural, or religious significance to native Hawaiians should be granted special protection by securing legal personhood status for these places and resources. Designates the aha moku advisory committee as the lead agency to coordinate this effort. Requires the department of land and natural resources to adopt rules no later than 12/31/2023.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
78	HB621	RELATING TO THE OAHU COMMUNITY CORRECTIONAL CENTER SITE.	Establishes the Oahu community correctional center site redevelopment working group to bring together state and county agencies, private entities, and the broader Kalihi community to examine how to best utilize the Oahu community correctional center site and the surrounding area after the correctional center is relocated to a new location and identify, work through, and recommend solutions to issues relating to the redevelopment.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
79	HB624	RELATING TO HOUSING.	Lowers conveyance tax rates for properties with a value under \$2,000,000. Increases conveyance tax rates for investment properties. Requires a percentage of conveyance taxes collected to be deposited into the housing finance revolving fund. Effective 1/1/2022.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
80	HB625	RELATING TO THE FESTIVAL OF PACIFIC ARTS.	Extends the date on which the temporary commission on the thirteenth festival of pacific arts shall cease to exist to August 31, 2025. Permits the commission members to discuss matters relating to official board business without regard to chapter 92, Hawaii Revised Statutes, to enable them to perform their duties faithfully.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT
81	HB628	RELATING TO THE COMPOSITION OF THE STATE COUNCIL ON MENTAL HEALTH.	Requires that at least 3 members of the state council on mental health have demonstrated knowledge of or work experience involving Native Hawaiian concepts of well-being, culturally-grounded mental health methodologies, or traditional healing or health practices.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
82	HB631	RELATING TO FINANCIAL HARDSHIP.	Provides judges with greater discretion to adjust the amount owed or financial circumstances by a person who violates certain traffic offenses based on the person's inability to pay. Decreases the imprisonment term to contumacious nonpayment ratio. Increases the amount of credit given to a person committed for contumacious nonpayment.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
83	HB632	RELATING TO AFFORDABLE HOUSING.	Limits monthly rent increases for certain dwelling units to an unspecified per cent for the term of the rental agreement or every 12 months, whichever period is longer. Prohibits rent increases due to the landlord's negative cash flow resulting from refinancing or purchasing the rental dwelling unit. Establishes a rent stabilization advisory working group to advise on matters relating to the stabilization of certain dwelling unit rental amounts. Requires the legislative reference bureau to conduct a study on actions that other states have taken to incentivize landlords to stabilize rents.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
84	HB633	RELATING TO VOTING.	Lowers the age of voting in state and local elections from eighteen to sixteen years of age. Lowers the age of preregistration.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
85	HB644	PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO REQUIRE THE REAPPORTIONMENT COMMISSION TO ESTABLISH A REAPPORTIONMENT PLAN TO DRAW DISTRICT LINES FOR THE MEMBERS OF THE OFFICE OF HAWAIIAN AFFAIRS BOARD OF TRUSTEES.	Amends the State Constitution to require the Reapportionment Commission to establish a reapportionment plan to draw district lines for the total number of members of the Board of Trustees of the Office of Hawaiian Affairs.	1/25/2021 H Introduced and Pass First Reading.		COMMENT

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
86	HB648	RELATING TO HAWAIIAN AFFAIRS.	Short form bill relating to Hawaiian affairs.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
87	HB658	RELATING TO THE ELECTION OF MEMBERS TO THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS.	Amends the process for electing members to the Office of Hawaiian Affairs Board of Trustees. Requires the Reapportionment Commission to establish a reapportionment plan based on basic island units for the members of the Board of Trustees of the Office of Hawaiian Affairs so that they are elected according to their respective districts, rather than an at-large statewide election for each seat.	1/25/2021 H Introduced and Pass First Reading.		COMMENT
88	HB659	RELATING TO PROPERTY FORFEITURE.	Restricts civil asset forfeiture to cases involving the commission of a felony offense where the property owner has been convicted of an underlying felony offense. Directs any forfeiture proceeds to the general fund.	1/25/2021 H Introduced and Pass First Reading.		COMMENT
89	HB673	RELATING TO ELECTIONS.	Requires an election discussion group to submit recommendations to the legislature regarding election law. Amends election day registration and voting procedures for an individual who is not registered to vote before election day to authorize the clerk to give the individual a provisional ballot instead of a regular ballot under certain circumstances. Requires ballot package instructions to inform voters of the availability of translated ballot materials. Allows for counting of timely-postmarked ballots if they are received by the clerk within 5 business days of an election. Restricts electronic transmission of votes to certain military voters. Improves availability of voter service centers and places of deposit. Increases penalty for campaigning at or near voter service centers and places of deposit. Specifically includes lines at voter service centers and places of deposit in the area in which loitering and campaigning are prohibited.	1/25/2021 H Introduced and Pass First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
90	HB677	RELATING TO THE SUNSHINE LAW.	Allows boards to use interactive conference technology to remotely conduct public meetings under the sunshine law and outlines the requirements for such meetings. Allows boards to require information for purposes of contact tracing in times of emergency due to a contagious disease. Allows for the holding of in-person meetings at multiple sites connected by interactive conference technology. Requires that notices include the board's electronic and postal contact information.	1/25/2021 H Introduced and Pass First Reading.		MONITOR
91	HB678	RELATING TO STATE HOLIDAYS.	Recognizes La Ku'oko'a, Hawaiian Recognition Day, as an official state holiday. Removes election day as an official state holiday.	1/25/2021 H Introduced and Pass First Reading.		SUPPORT
92	HB720	RELATING TO SHOPPING CARTS.	Establishes the petty misdemeanor offense of prohibited use of shopping cart in or on a public roadway, sidewalk, or park.	1/27/2021 H Introduced and Pass First Reading.		MONITOR
93	HB742	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Changes the minimum frequency with which the office of Hawaiian affairs is required to offer training relating to native Hawaiian and Hawaiian traditional and customary rights, natural resources and access rights, and the public trust from twice per year to once per quarter.	1/27/2021 H Referred to JHA, referral sheet 1		OPPOSE
94	HB800	RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS.	Prohibits council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility.	1/27/2021 H Referred to JHA, FIN, referral sheet 1		SUPPORT
95	HB981	RELATING TO RENTAL DISCRIMINATION.	Creates a new chapter on "source of income" discrimination in rental transactions, adds definitions, and enforcement remedies by direct civil action.	1/27/2021 H Introduced and Pass First Reading.		SUPPORT
96	HB1264	RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.	Authorizes the Office of Hawaiian Affairs to seek construction of hotels in Kakaako Community Development District owned by the Office of Hawaiian Affairs. Requires a public hearing prior to submission by the Office of Hawaiian Affairs to the Hawaii Community Development Authority of any plan or proposal for any hotel.	1/27/2021 H Introduced and Pass First Reading.		SUPPORT

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
97	HB1265	RELATING TO INCREASING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF FUNDS DERIVED FROM THE PUBLIC LAND TRUST.	Establishes the office of Hawaiian affairs' pro rata share of the funds derived from the public land trust. Requires the department of land and natural resources to provide an annual accounting of receipts from public land trust lands.	1/27/2021HIntroduced and Pass First Reading.		SUPPORT
98	HB1266	RELATING TO PUBLIC LAND TRUST FUNDS.	Requires agencies that collect receipts for any disposition of the public land trust shall each fiscal quarter transfer to the department of Hawaiian home lands or the Office of Hawaiian Affairs twenty per cent of each receipt from the disposition. Returns to the Office of Hawaiian Affairs certain moneys previously claimed as public land trust overpayments to the office. Establishes a public land trust revenues negotiating committee.	1/27/2021HIntroduced and Pass First Reading.		OPPOSE
99	HB1267	RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.	Allows the raising of the building height limit for two of the six parcels owned by the office of Hawaiian affairs in the Kakaako makai area to four hundred feet. Lifts the current restriction against residential development in Kakaako makai to allow residential development by the office of Hawaiian affairs or by third parties to which the office of Hawaiian affairs conveys the parcels.	1/27/2021HIntroduced and Pass First Reading.		SUPPORT

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
100	HB1298	RELATING TO STATE FUNDS.	Transfers to the general fund the unencumbered balances of various non-general funds of the department of accounting and general services; department of agriculture; department of budget and finance; department of business, economic development, and tourism; department of commerce and consumer affairs; department of defense; department of education; department of Hawaiian home lands; department of health; department of human resources development; department of human services; judiciary; department of labor and industrial relations; department of land and natural resources; office of Hawaiian affairs; department of the attorney general; office of the governor; department of public safety; department of taxation; department of transportation; and university of Hawaii.	1/27/2021HIntroduced and Pass First Reading.		OPPOSE
101	HB1299	RELATING TO NON-GENERAL FUNDS.	Repeals various non-general funds of the department of agriculture; department of business, economic development, and tourism; department of land and natural resources; department of education; university of Hawaii; department of Hawaiian home lands; judiciary; department of human services; department of labor and industrial relations; department of accounting and general services; department of the attorney general; department of budget and finance; department of human resources development; office of the governor; department commerce and consumer affairs; department of taxation; department of public safety; and office of Hawaiian affairs. Transfers unencumbered balances to the credit of the general fund.	1/27/2021HIntroduced and Pass First Reading.		OPPOSE

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
102	SB1	RELATING TO HOUSING.	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 the Hawaii Housing Finance and Development Corporation (HHFDC) to qualified residents. Exempts certain land from the definition of public lands. Requires HHFDC to gain legislative approval before disposing of certain lands. Requires HHFDC to transfer a number of ALOHA homes units to the Department of Hawaiian Home Lands or Office of Hawaiian Affairs. Provides for the disposition of lands acquired by HHFDC but no longer needed for the ALOHA homes program. Requires HHFDC to develop an ALOHA homes demonstration project by July 1, 2026. Appropriates funds.	1/22/2021 S Referred to HOU/WTL, WAM.	HOU/WTL, WAM	COMMENT
103	SB2	RELATING TO PUBLIC LANDS.	Clarifies that lands set aside to the Hawaii housing finance and development corporation by the governor or leased to the corporation by other state departments and agencies are exempt from the definition of "public lands". Requires the Hawaii housing finance and development corporation to dispose of public lands pursuant to chapter 171, Hawaii Revised Statutes. Clarifies that lands set aside by the governor or leased to the Hawaii housing finance development corporation from other state agencies are subject to legislative approval prior to the sale or gift of those lands.	1/22/2021 S Referred to WTL/HOU, WAM.	WTL/HOU, WAM	OPPOSE
104	SB4	RELATING TO INCLUSIONARY ZONING.	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. Requires each county to submit a report on inclusionary zoning requirements to the legislature every year until the regular session of 2026. Repeals the Act on 7/1/2026.	1/22/2021 S Referred to PSM/HOU, JDC.	PSM/HOU, JDC	OPPOSE
105	SB5	RELATING TO HOUSING SAVINGS ACCOUNTS.	Establishes the procedures for a housing savings account system for all employees in the State.	1/22/2021 S Referred to GVO/LCA, WAM.	GVO/LCA, WAM	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
106	SB14	RELATING TO LAND USE.	Authorizes county land use decision-making authorities to amend district boundaries involving lands greater than fifteen but no more than one hundred acres and requires all housing units to be occupied by the owner, who is a Hawaii resident, at all times.	1/22/2021 S Referred to WTL, JDC.	WTL, JDC	OPPOSE
107	SB15	RELATING TO VOTING.	Lowers the age of voting in state and local elections from eighteen to sixteen years of age. Lowers the age of preregistration.	1/22/2021 S Referred to JDC.	JDC	MONITOR
108	SB22	RELATING TO MINORS.	Expands the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.	1/22/2021 S Referred to HMS, JDC.	HMS, JDC	MONITOR
109	SB24	RELATING TO LEASEHOLD CONDOMINIUMS ON STATE LAND.	Authorizes the Hawaii housing finance and development corporation, Hawaii community development authority, and Hawaii public housing authority to sell leasehold units in residential condominiums located on state lands.	1/22/2021 S Referred to WTL, CPN/JDC.	WTL, CPN/JDC	COMMENT
110	SB26	RELATING TO INDIVIDUAL HOUSING ACCOUNTS.	Establishes the individual housing accounts savings program, board, and administrative fund. Imposes a ten per cent penalty on certain distributions. Allows individual housing accounts for dependent children. Expands authorized uses of individual housing accounts. Appropriates funds.	1/22/2021 S Referred to HOU, WAM/JDC.	HOU, WAM/JDC	MONITOR
111	SB27	RELATING TO HOMEBUYER ASSISTANCE.	Establishes the state mortgage insurance program to guarantee up to fifteen per cent of the principal balance of real property mortgage loans, under certain conditions.	1/22/2021 S Referred to CPN.	CPN	MONITOR
112	SB28	PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE HAWAII STATE CONSTITUTION, TO REQUIRE THE STATE TO PRODUCE ENOUGH HOUSING TO MEET DEMAND.	Amends the constitution to require the State to provide enough housing to meet demand subject to standards and criteria as provided by law.	1/22/2021 S Referred to JDC, WAM.	JDC, WAM	MONITOR



THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
113	SB30	RELATING TO LAW ENFORCEMENT.	Prohibits police departments from acquiring certain types of military equipment and using certain types of equipment on protesters and demonstrators.	1/22/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
114	SB31	PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO AMEND THE QUALIFYING AGE OF VOTERS FOR ANY STATE OR LOCAL ELECTION.	Proposes a constitutional amendment to lower the qualifying age of voters for any state or local election to sixteen years of age.	1/22/2021 S Referred to JDC, WAM.	JDC, WAM	MONITOR
115	SB35	RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.	Prohibits landlords from recovering possession of a dwelling unit from tenants if habitability of the premises is significantly impaired. Sets a tenant's liability for rent if habitability of the premises is significantly impaired. Provides remedies for retaliatory evictions.	1/22/2021 S Referred to CPN, JDC.	CPN, JDC	MONITOR
116	SB36	RELATING TO RENTAL DISCRIMINATION.	Prohibits discrimination, including in advertisements for available real property, based on participation in a housing assistance program, or requirements related to participation in housing assistance programs, in rental transactions and requirements.	1/22/2021 S Referred to HOU, JDC.	HOU, JDC	SUPPORT
117	SB38	RELATING TO LEASEHOLD CONDOMINIUMS ON LANDS CONTROLLED BY THE STATE.	Authorizes the Hawaii Housing Finance and Development Corporation to enter into ninety-nine-year leases of units in residential condominiums located on state lands.	1/22/2021 S Referred to WTL, CPN/JDC.	WTL, CPN/JDC	OPPOSE
118	SB40	RELATING TO HOUSING.	Exempts from income restrictions for-sale housing projects that are built for Hawaii residents, who will be owner-occupants in perpetuity, and who own no other property.	1/25/2021 S The committee(s) on HOU has scheduled a public hearing on 01-28-21 1:00PM in conference room 225.	HOU, JDC	MONITOR

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
119	SB41	RELATING TO HOUSING.	Requires state or county agencies to issue discretionary permits for housing development projects that meet certain requirements within sixty days of receipt of a permit application deemed to be complete by the receiving state or county agency.	1/22/2021 S Referred to PSM/WTL, JDC.	PSM/WTL, JDC	OPPOSE
120	SB42	RELATING TO HOUSING.	Restricts any county from disapproving or imposing certain conditions on a housing development project for housing or an emergency shelter unless the county meets certain requirements.	1/22/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
121	SB56	RELATING TO REVENUE GENERATION.	Increases the personal income tax rate and implements a rate recapture mechanism that phases out lower tax brackets for high earners for taxable years beginning after 12/31/2020. Increases the tax on capital gains. Increases the corporate income tax and establishes a single corporate income tax rate. From 7/1/2021 through 6/30/23, temporarily repeals certain general excise tax exemptions. Increases conveyance taxes for the sale of properties valued at \$1,000,000 or greater.	1/22/2021 S Referred to WAM.	WAM	MONITOR

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
122	SB59	RELATING TO HEALTH.	Requires operators of adult residential care homes, assisted living facilities, long-term care facilities, nursing homes, and community care facilities to establish and implement infectious disease control and prevention training and other related protocols. Requires the Department of Health to ensure compliance with infectious disease control and prevention training programs prior to the issuance or renewal of a license. Authorizes the Department of Health to conduct random audits to determine compliance with infectious disease control and prevention training program or course requirements. Requires the Department of Health to establish a hotline to field calls and complaints regarding violations. Authorizes the Department of Health to adopt rules, including emergency rules, and assess fines. Requires the Department of Health to conduct an annual announced and scheduled visit and inspection for all state-licensed or state-certified care facilities, in addition to its required annual inspections without notice. Requires applicants for nursing home administrator licenses to demonstrate at least five years of experience and the ability to document all training, experience, and certifications.	1/22/2021 S Referred to HTH/HMS, CPN/JDC.	HTH/HMS, CPN/JDC	SUPPORT
123	SB60	RELATING TO SPECIAL NUMBER PLATES.	Authorizes the issuance of special number license plates representing the Polynesian Voyaging Society for electric vehicles.	1/22/2021 S Referred to TRS, WAM.	TRS, WAM	MONITOR
124	SB86	RELATING TO HAWAIIAN AFFAIRS.	Short form bill.	1/22/2021 S Referred to HWN.	HWN	MONITOR
125	SB87	RELATING TO HAWAIIAN AFFAIRS.	Short form bill.	1/22/2021 S Referred to HWN.	HWN	MONITOR
126	SB117	RELATING TO LAND.	Short form bill.	1/22/2021 S Referred to WTL.	WTL	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
127	SB135	RELATING TO TELECOMMUNICATION.	Requires the Office of Enterprise Technology Services to conduct a study to determine appropriate state office buildings that can provide equitable telecommunication access to allow residents to remotely participate in legislative hearings for the counties of Hawaii, Kauai, and Maui and rural areas of the City and County of Honolulu.	1/22/2021 S Referred to GVO, WAM.	GVO, WAM	MONITOR
128	SB136	RELATING TO THE SCHOOL FACILITIES AGENCY.	Requires the department of education school facilities agency to adopt and publish administrative rules necessary to implement Act 72, Session Laws of Hawaii 2020, by July 1, 2021. Requires the office of the governor to provide a report to the legislature regarding the process by which the department of education purchases land and executes capital improvement project contracts through the school facilities agency.	1/22/2021 S Referred to EDU, WAM.	EDU, WAM	MONITOR
129	SB137	RELATING TO LAND USE.	Authorizes county land use decision—making authorities to amend district boundaries involving land areas greater than fifteen acres, except non important agricultural land or rural land areas greater than fifteen acres but not more than twenty-five acres if the land areas are proposed for reclassification to the urban district and at least sixty per cent of the land areas will be dedicated for the development of affordable housing.	1/26/2021 S The committee(s) on WTL has scheduled a public hearing on 01-29-21 1:00PM; Via Videoconference.	WTL, WAM	COMMENT
130	SB140	RELATING TO COMMUNITY DEVELOPMENT.	Requires the Hawai'i Community Development Authority (HCDA) to develop a transit-oriented development (TOD) zone improvement program to foster community development by strategically investing in public facilities. Appropriates funds to HCDA for staff necessary to develop and manage the TOD zone improvement program.	1/26/2021 S The committee(s) on WTL has scheduled a public hearing on 01-29-21 1:00PM; Via Videoconference.	WTL, WAM	MONITOR
131	SB143	RELATING TO HOUSING.	Establishes an affordable homeownership revolving fund within HHFDC to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects. Makes appropriations into and out of the affordable homeownership revolving fund.	1/25/2021 S The committee(s) on HOU has scheduled a public hearing on 01-28-21 1:00PM in conference room 225.	HOU, WAM	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
132	SB149	RELATING TO PROPERTY FORFEITURE.	Restricts asset forfeiture to cases involving the commission of a covered criminal misdemeanor or felony offense. Requires seized property to be forfeited only when the property owner has been convicted of an underlying covered criminal misdemeanor or felony offense. Changes the standard of proof that the State must meet in order for property to be forfeited from "preponderance of the evidence" to "beyond a reasonable doubt". Requires the State to prove that owners consented to or possessed knowledge of the crime that led to the seizure of their property. Requires that the agency seizing the property pay for safe and secure storage of the seized property until the completion of the forfeiture proceeding or final disposition of the property. Directs any proceeds from a civil forfeiture to the general revenue fund for public education purposes. Repeals administrative forfeiture proceedings.	1/22/2021 S Referred to PSM, JDC.	PSM, JDC	COMMENT
133	SB150	RELATING TO IGNITION INTERLOCK DEVICES.	Requires consecutive terms of imprisonment for anyone convicted as a repeat or habitual offender if arising from same conduct as conviction for operating a vehicle without an ignition interlock device. Requires any person operating a vehicle with an ignition interlock to have government issued identification in their immediate possession. Extends the lookback period under provisions relating to ignition interlock requirements from five to ten years. Expands the offense of circumventing or tampering with an ignition interlock to include obscuring the camera lens or not providing a picture of the driver.	1/22/2021 S Referred to TRS, JDC.	TRS, JDC	MONITOR
134	SB159	RELATING TO VOTING.	Requires any person who is eligible to vote and applies for a motor vehicle driver's license or identification card to be automatically registered to vote unless the applicant affirmatively declines. Allows an applicant to affirmatively decline to have any of the applicant's information electronically transmitted. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation that contains driver's license or identification card information to election officials and the online voter registration system.	1/22/2021 S Referred to JDC.	JDC	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
135	SB169	RELATING TO RANKED CHOICE VOTING.	Establishes ranked choice voting for special federal elections and special elections of vacant county council seats.	1/22/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
136	SB179	RELATING TO IRRIGATION.	Transfers operational authority over portions of the east Kauai irrigation system operated and maintained by the east Kauai water users" cooperative as of 7/1/21, to the Department of Agriculture. Appropriates funds.	1/22/2021 S Referred to AEN, WAM.	AEN, WAM	MONITOR
137	SB181	RELATING TO AQUATIC RESOURCES.	Establishes the aquatic resources management advisory commission in the department of land and natural resources.	1/25/2021 S Referred to WTL, WAM.	WTL, WAM	MONITOR
138	SB187	RELATING TO COUNTIES.	Makes explicit the counties" authority to enact ordinances to amortize or phase out permitted, nonconforming, or otherwise allowed short-term rentals in any zoning classification. Includes swapping, bartering, or exchange of a residential dwelling, or portion thereof, in definition of "short-term rental" for this purpose.	1/25/2021 S Referred to WTL/PSM, JDC.	WTL/PSM, JDC	MONITOR
139	SB195	RELATING TO THE ELECTION OF MEMBERS TO THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS.	Amends the process for electing members to the Office of Hawaiian Affairs Board of Trustees. Requires the Reapportionment Commission to establish a reapportionment plan based on basic island units for the members of the Board of Trustees of the Office of Hawaiian Affairs so that they are elected according to their respective districts, rather than an at-large statewide election for each seat.	1/25/2021 S Referred to HWN, JDC.	HWN, JDC	COMMENT

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
140	SB196	PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO REQUIRE THE REAPPORTIONMENT COMMISSION TO ESTABLISH A REAPPORTIONMENT PLAN TO DRAW DISTRICT LINES FOR THE MEMBERS OF THE OFFICE OF HAWAIIAN AFFAIRS BOARD OF TRUSTEES.	Amends the State Constitution to require the Reapportionment Commission to establish a reapportionment plan to draw district lines for the total number of members of the Board of Trustees of the Office of Hawaiian Affairs.	1/25/2021 S Referred to HWN, JDC.	HWN, JDC	COMMENT
141	SB201	RELATING TO CORPORATIONS.	Requires domestic and foreign corporations to provide their shareholders with reports of independent expenditures and political contributions.	1/25/2021 S Referred to CPN, JDC.	CPN, JDC	MONITOR
142	SB205	RELATING TO DEFERRED DEPOSITS.	Reduces the maximum fee a check casher may charge under a payday loan agreement for deferring the deposit of a check from fifteen per cent to seven per cent of the face value of the check.	1/25/2021 S Referred to CPN, JDC.	CPN, JDC	SUPPORT
143	SB206	RELATING TO RENTAL DISCRIMINATION.	Prohibits discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirements.	1/25/2021 S Referred to CPN, JDC.	CPN, JDC	SUPPORT
144	SB209	RELATING TO EMPLOYMENT.	Amends the definition of "employer" in chapter 388, Hawaii Revised Statutes, relating to wages and other compensation to include the State and counties when a provision in that chapter has no comparable provision in chapter 78, Hawaii Revised Statutes, relating to public officers and employees.	1/25/2021 S Referred to LCA/PSM, JDC.	LCA/PSM, JDC	MONITOR



THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
145	SB210	RELATING TO ARRANGEMENT OF CANDIDATE NAMES ON BALLOTS.	Requires candidate names to be randomized on individual ballots and randomly rotated across precincts. Requires the Office of Elections to inform voters and candidates, by a method suited for the voting system, that the names of candidates may not be in alphabetical order. Requires that any new contract entered into by the Office of Elections for equipment or services relating to preparing ballots or counting votes include the capability to randomize the names of candidates appearing on the ballot if technologically possible.	1/25/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
146	SB211	RELATING TO HAWAIIAN AS AN OFFICIAL LANGUAGE OF THE STATE OF HAWAI'I.	Requires that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and then translated into English.	1/28/2021 S The committee(s) on HWN has scheduled a public hearing on 02-02-21 1:00PM in conference room Via Videoconference.	HWN, JDC	SUPPORT
147	SB215	RELATING TO ELECTIONS.	Provides ranked choice method of voting for all partisan primary elections, special elections, and nonpartisan general elections held in this State on or after 1/1/2022 pursuant to certain conditions.	1/25/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
148	SB221	RELATING TO HOMELESSNESS.	Allows the governor's coordinator on homelessness, in conjunction with the Hawaii interagency council on homelessness, to develop plans for the City and County of Honolulu and the counties of Hawaii, Kauai, and Maui to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of communities impacted by homelessness and the needs of the homeless population within each county.	1/25/2021 S Referred to HMS/PSM, WAM.	HMS/PSM, WAM	MONITOR
149	SB234	RELATING TO TELEWORK.	Requires that each state department, board, commission, or agency develop policies under which eligible employees may be authorized to telework.	1/25/2021 S Referred to GVO/LCA, WAM.	GVO/LCA, WAM	MONITOR
150	SB238	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Amends ballot requirements to display candidates for the Office of Hawaiian Affairs Board of Trustees, by residency and non-residency requirements and to randomize the order of candidate names within those groupings.	1/25/2021 S Referred to HWN, JDC.	HWN, JDC	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
151	SB244	RELATING TO FOOD DONATION.	Expands liability protection for donors to include donations of food and similar donations made directly to needy persons. Authorizes the donation of expired food when the donor reasonably believes in good faith that the food remains fit for human consumption.	1/25/2021 S Referred to AEN/HTH, CPN.	AEN/HTH, CPN	MONITOR
152	SB250	RELATING TO PUBLIC LANDS.	Designates the fourth Saturday in September as Public Lands Day.	1/25/2021 S Referred to GVO, WAM.	GVO, WAM	MONITOR
153	SB257	RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.	Authorizes the Board of Land and Natural Resources to extend certain leases of public lands for commercial, industrial, resort, or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements.	1/26/2021 S The committee(s) on WTL has scheduled a public hearing on 01-29-21 1:00PM; Via Videoconference.	WTL, JDC	OPPOSE
154	SB282	RELATING TO VOTING.	Requires that any person who is eligible to vote and applies for a new or renewal motor vehicle driver's license, provisional license, or instruction permit, or a new, renewal, or duplicate identification card be automatically registered to vote if that person is not already registered to vote unless the applicant affirmatively declines to be registered to vote. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation containing driver's license or identification card information to election officials and the statewide voter registration system. Effective 1/1/2022.	1/25/2021 S Referred to TRS, JDC.	TRS, JDC	MONITOR
155	SB284	RELATING TO STATE WATER CODE PENALTIES.	Adds a minimum penalty of \$50 per violation of the state water code and makes each day that a violation exists or continues a separate offense. Requires the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation.	1/25/2021 S Referred to WTL, JDC.	WTL, JDC	MONITOR
156	SB294	RELATING TO PROPERTY FORFEITURE.	Restricts civil asset forfeiture to cases involving the commission of a felony offense where the property owner has been convicted of an underlying felony offense. Directs any forfeiture proceeds to the general fund.	1/25/2021 S Referred to JDC.	JDC	COMMENT

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
157	SB297	RELATING TO JUDICIAL ENFORCEMENT OF THE UNIFORM INFORMATION PRACTICES ACT.	Clarifies and expands procedural requirements for judicial review of an agency's denial of access to a government record. Provides procedural requirements and standards of review upon appeal.	1/25/2021 S Referred to GVO, JDC.	GVO, JDC	MONITOR
158	SB304	RELATING TO CARBON OFFSETS.	Establishes procedures for the department of transportation to assist and enable a person to voluntarily purchase a verified carbon offset for carbon dioxide emissions resulting from their air travel to or from an airport in the State.	1/25/2021 S Referred to TRS/AEN, WAM.	TRS/AEN, WAM	MONITOR
159	SB306	RELATING TO THE LANDLORD-TENANT CODE.	Prohibits landlords from recovering possession of a dwelling unit from tenants if habitability of the premises is significantly impaired. Sets a tenant's liability for rent if habitability of the premises is significantly impaired. Provides remedies for retaliatory evictions.	1/25/2021 S Referred to CPN, JDC.	CPN, JDC	MONITOR
160	SB312	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION REGARDING THE FREEDOM OF SPEECH.	Proposes a constitutional amendment to provide that freedom of speech does not include the expenditure of money to influence elections.	1/25/2021 S Referred to JDC.	JDC	MONITOR
161	SB321	RELATING TO INCREASING THE PAYMENT AMOUNT FOR THE OFFICE OF HAWAIIAN AFFAIRS" PRO RATA SHARE OF THE PUBLIC LAND TRUST.	Requires agencies that collect receipts for any disposition of the public land trust shall each fiscal quarter transfer to the Office of Hawaiian Affairs twenty per cent of each receipt from the disposition. Returns to the Office of Hawaiian Affairs certain moneys previously claimed as public land trust overpayments to the office. Establishes a public land trust revenues negotiating committee.	1/25/2021 S Referred to HWN, JDC/WAM.	HWN, JDC/WAM	SUPPORT

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
162	SB335	RELATING TO AGRICULTURE.	Requires the Department of Agriculture and Agribusiness Development Corporation to annually lease at least fifty per cent of land leased or up for lease renewal to operations whose primary business is local food production beginning 1/1/2022. Requires the Department of Agriculture and Agribusiness Development Corporation to submit reports to the legislature on leasing activities.	1/25/2021 S Referred to AEN/EET, WAM.	AEN/EET, WAM	MONITOR
163	SB341	RELATING TO TARO.	Establishes an exemption from state income tax for the first \$100,000 of income derived from taro, taro products, and land used to produce taro if the total amount of land used to cultivate taro in Hawaii does not exceed thirty thousand acres at any point in the year.	1/25/2021 S Referred to AEN, WAM.	AEN, WAM	SUPPORT
164	SB361	RELATING TO GENERAL EXCISE TAX.	Provides a general excise tax exemption for certain food or food ingredients.	1/25/2021 S Referred to AEN, WAM.	AEN, WAM	MONITOR
165	SB363	RELATING TO TRAILS.	Requires government entities that engage in search and rescue operations to seek reimbursement when the rescued person required search and rescue efforts because that person acted in disregard of that person's safety, including intentionally disregarding a warning or notice. Creates a penalty for restricting public access to a trail. Creates a penalty for entering or remaining unlawfully on a trail or state land that has been closed to public use.	1/25/2021 S Referred to PSM/WTL, JDC.	PSM/WTL, JDC	OPPOSE
166	SB367	RELATING TO WATER QUALITY.	Waives the requirement for section 401 water quality certification for certain small scale beach restoration projects authorized by the Department of Land and Natural Resources.	1/25/2021 S Referred to WTL/AEN, JDC.	WTL/AEN, JDC	MONITOR
167	SB368	RELATING TO CESSPOOL CONVERSION.	Removes the limitation on specific types of wastewater systems to which cesspools must be upgraded or converted, and instead requires a cesspool to be upgraded or converted to a wastewater system approved by the department of health, prior to 1/1/2050.	1/25/2021 S Referred to HTH/AEN, WAM.	HTH/AEN, WAM	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
168	SB369	RELATING TO WASTEWATER SYSTEMS.	Establishes the time of transfer wastewater system inspection program in the Department of Health to oversee the inspection and repair of any individual wastewater system at the time of sale or transfer of residential real property attached to the wastewater system. Excludes certain sales or transfers.	1/25/2021 S Referred to HTH/AEN, WAM.	HTH/AEN, WAM	MONITOR
169	SB387	RELATING TO THE ROOM CONFINEMENT OF CHILDREN AT DETENTION AND SHELTER FACILITIES.	Establishes conditions and time limits for placing a child in room confinement at a detention or shelter facility.	1/25/2021 S Referred to HMS, JDC.	HMS, JDC	MONITOR
170	SB409	RELATING TO SEX TRAFFICKING.	Amends section 712-1202, Hawaii Revised Statutes, to include coercion as a means of committing the offense of sex trafficking.	1/25/2021 S Referred to HMS, JDC.	HMS, JDC	MONITOR
171	SB410	RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBER.	Adds abuse of a family or household member to those felonies that qualify for repeat offender sentencing.	1/25/2021 S Referred to HMS, JDC.	HMS, JDC	MONITOR
172	SB412	RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.	Excludes habitually operating a vehicle under the influence of an intoxicant from qualifying for deferred acceptance of guilty plea or nolo contendere plea.	1/25/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
173	SB418	RELATING TO VOTER REGISTRATION.	Establishes automatic voter registration upon application for a driver's license or civil identification card, except when an applicant affirmatively declines on an application to register to vote. Requires the examiner of drivers to electronically transmit to the Office of Elections certain information associated with currently registered and newly registered voters. Requires accessibility of certain databases maintained or operated by the Department of Transportation or the counties.	1/25/2021 S Referred to TRS, JDC.	TRS, JDC	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
174	SB423	RELATING TO ELECTIONS.	Amends or clarifies certain statutory deadlines relating to elections by mail, including the date to which the clerk must continue mailing ballot packages to voters who update their voter registration address and the date on which ballots may begin to be tabulated. Authorizes a county clerk to operate additional voter service centers with varying days or hours of operation. Provides that voters standing in line at a voter service center at the time the voter service center closes may vote or register to vote, if eligible. Authorizes a county clerk to open places for ballot deposit not earlier than the initial day that ballots are mailed.	1/25/2021 S Referred to JDC .	JDC	MONITOR
175	SB441	RELATING TO ANIMAL CONTROL SERVICES.	Repeals statutory language that: (1) Requires the County of Kauai to contract with the Kauai Humane Society for animal control services; and (2) Authorizes the Kauai Humane Society to construct a dog pound with Kauai County Council approval.	1/25/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
176	SB504	RELATING TO THE PROTECTION OF SHARKS.	Establishes an offense of knowingly capturing, entangling, or killing a shark in state marine waters, and provides penalties and fines. Provides certain exemptions.	1/27/2021 S Referred to AEN/WTL, JDC.	AEN/WTL, JDC	SUPPORT
177	SB516	RELATING TO EDUCATION.	Requires the State board for career and technical education to oversee and review annually statewide data collection processes and reporting requirements related to the student attainment of industry-recognized credentials. Requires certain agencies to collect and report disaggregated data on students' attainment of industry-recognized credentials. Requires certain agencies to pursue data-sharing agreements with credentialing entities. Requires an annual report to the governor and legislature.	1/27/2021 S Referred to EDU/EET, WAM.	EDU/EET, WAM	SUPPORT WITH AMENDMENTS
178	SB524	RELATING TO COMMUTING.	Requires the director of human resources development, in consultation with the Hawai'i climate change mitigation and adaptation commission, state energy office, and department of accounting and general services to develop and implement a comprehensive commuting choice benefit program for all state employees regardless of mode of transportation.	1/27/2021 S Referred to LCA/TRS, WAM.	LCA/TRS, WAM	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
179	SB527	RELATING TO DRUG OFFENSES.	Establishes a new misdemeanor offense of promoting a dangerous drug in the fourth degree, to include possession of dangerous drugs in amounts under two grams. Limits the class C felony offense of promoting a dangerous drug in the third degree to include possession of dangerous drugs in an amount of two grams or more. Takes effect 8/1/2021.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	SUPPORT
180	SB533	RELATING TO VOTERS WITH SPECIAL NEEDS.	Establishes voters with special needs advisory committees at the state and county levels to ensure equal and independent access to voter registration, casting of ballots, and all other office of elections services.	1/27/2021 S Referred to HMS, JDC.	HMS, JDC	MONITOR
181	SB534	RELATING TO ELECTRONIC TRANSMISSION OF BALLOTS.	Provides that a voter with special needs shall be provided a means of electronic authentication of an electronic transmission of replacement ballot that does not include the voter's handwritten signature or a waiver of secrecy.	1/27/2021 S Referred to HMS, JDC.	HMS, JDC	MONITOR
182	SB540	RELATING TO EMERGENCY RULES.	Allows for lesser emergency period penalties to be adopted and promulgated by the governor or a mayor. Authorizes the county prosecutors to exercise discretion with the offense charged and the penalty sought for certain first-time violations of COVID-19 emergency orders incurred since March 4, 2019.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
183	SB544	RELATING TO DISCRIMINATION.	Establishes provisions relating to civil remedies for discriminatory reporting to a law enforcement officer. Provides that a person who summons or reports to a law enforcement officer, without reason to suspect a crime, offense, or imminent danger has occurred or is occurring, because of that person's belief or perception involving a member of a protected class shall be civilly liable.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	SUPPORT
184	SB548	RELATING TO ELECTIONS BY MAIL.	Makes amendments to elections laws to clarify the administration of elections by mail. Renames districts as precincts. Extends voter registration deadlines. Requires additional voter service centers on election day. Repeals election days as designated state holidays.	1/27/2021 S Referred to JDC.	JDC	MONITOR



THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
185	SB550	RELATING TO VOTING.	Allows an individual who is seventeen years of age but will be eighteen years of age on or before the next state or local general election to register and vote at the state or local primary election immediately preceding that state or local general election. Takes effect upon ratification of an appropriate constitutional amendment.	1/27/2021 S Referred to JDC.	JDC	MONITOR
186	SB551	PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII STATE CONSTITUTION TO CHANGE THE AGE QUALIFICATION FOR VOTING IN STATE OR LOCAL ELECTIONS.	Proposes a constitutional amendment to allow individuals who are seventeen years of age but will be eighteen years of age on or before the next state or local general election to vote at the state or local primary election immediately preceding the state or local general election by which the citizen will attain the age of eighteen.	1/27/2021 S Referred to JDC.	JDC	MONITOR
187	SB560	RELATING TO RANKED CHOICE VOTING.	Establishes ranked choice voting for special federal elections and special elections of vacant county council seats.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
188	SB561	RELATING TO GAMING.	Establishes the Hawaii lottery and gaming corporation for the purpose of conducting gambling in Hawaii. Allocates proceeds to capital improvements at public schools and the University of Hawaii system, scholarships and educational loan repayments for medical students who practice in Hawaii for ten years, support for the family practice rural residency program, watershed protection, and reduction and prevention of problem gambling. Effective 7/1/2021.	1/27/2021 S Referred to CPN, JDC/WAM.	CPN, JDC/WAM	MONITOR
189	SB563	RELATING TO COMMERCIAL TENANT PROTECTION.	Prohibits a commercial landlord from initiating or continuing any action to evict or collect unpaid rent from a commercial tenant that has been adversely impacted by the economic effects of COVID-19 or official measures intended to mitigate the spread of COVID-19. Sunsets 7/1/2022.	1/27/2021 S Referred to CPN, JDC.	CPN, JDC	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
190	SB566	RELATING TO HOMESTEAD EXEMPTIONS.	Increases the homestead exemption for all persons up to \$2,000,000 and requires that the real property be the principal residence.	1/27/2021 S Referred to JDC.	JDC	MONITOR
191	SB568	RELATING TO TORT LIABILITY.	Clarifies that persons that enter private property for recreational purposes have no cause of action, unless exempted under law. Requires a court to award attorneys' fees and costs to landowners if plaintiffs bring unreasonable claims. States that, as a matter of law, persons participating in outdoor recreational activities accept the inherent dangers in the activities.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
192	SB578	RELATING TO COMMERCIAL SHARK TOURS.	Prohibits commercial shark tour operations from operating without a permit. Requires the department of land and natural resources to adopt rules to regulate commercial shark tours, including adherence to a code of conduct. Effective 1/1/2022.	1/27/2021 S Referred to WTL, CPN/JDC.	WTL, CPN/JDC	MONITOR
193	SB597	RELATING TO CAMPAIGN FINANCE.	Allows candidates seeking election to use campaign funds for child care costs under certain conditions.	1/27/2021 S Referred to HMS, JDC.	HMS, JDC	MONITOR
194	SB608	RELATING TO GENERAL EXCISE TAX EXEMPTIONS.	Establishes a general excise tax exemption for the gross proceeds or income from the sale of groceries that are eligible under the Supplemental Nutrition Assistance Program or Special Supplemental Nutrition Program for Women, Infants, and Children, regardless of the means of purchase and the program eligibility of the purchaser. Establishes a general excise tax exemption for the gross proceeds or income from the sale of nonprescription drugs.	1/27/2021 S Referred to HMS, WAM.	HMS, WAM	MONITOR
195	SB614	RELATING TO TAXATION.	Retroactively exempts from state income tax, unemployment compensation received from March 1, 2020, to December 31, 2020. Requires the department of taxation to retroactively refund state income tax deducted and withheld from individuals for unemployment compensation during that time period.	1/27/2021 S Referred to LCA, WAM.	LCA, WAM	MONITOR
196	SB623	RELATING TO HEALTH CARE.	Requires health insurance coverage for various sexual and reproductive health care services.	1/27/2021 S Referred to HTH, CPN.	HTH, CPN	MONITOR

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
197	SB643	RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.	Authorizes the counties to adopt an ordinance regulating the operation of hosting platforms that provide booking services for transient accommodation operators.	1/27/2021 S Referred to PSM/EET, WAM.	PSM/EET, WAM	MONITOR
198	SB657	RELATING TO PERMITS.	Allows the counties to exempt permits for certain kinds of repetitive construction projects for facilities under the control of the department of education, University of Hawaii, and school facilities agency.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	OPPOSE
199	SB661	RELATING TO BOARD MEETINGS.	Allows boards to use interactive conference technology to remotely conduct public meetings under the Sunshine Law in conjunction with in-person meetings, even when no emergency has been declared by government authorities. Authorizes boards to exclude the public from nonpublic locations, such as homes, where board members are physically present when remote board meetings are held by interactive conference technology. Establishes requirements for the conduct of remote meetings. Establishes a new notice requirement to provide the board's contact information for the submission of written testimony by electronic or postal mail. Amends existing option to hold in-person meetings at multiple public meeting sites connected by interactive conference technology to require termination of meeting only if audio communication is lost and cannot be reestablished within an hour and the board had not provided reasonable notice of how the meeting would be continued. Allows for additional courtesy sites open to the public for both remote and in-person meetings held by interactive conference technology. Allows for contact tracing and social distancing during states of emergency caused by contagious diseases.	1/27/2021 S Referred to GVO, JDC.	GVO, JDC	MONITOR
200	SB664	RELATING TO PUBLIC SAFETY.	Requires the department of public safety to develop the new Oahu community correctional center.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
201	SB666	RELATING TO ENVIRONMENTAL PROTECTION.	Establishes a green fee surcharge on transient accommodations for the purposes of funding workforce and services that promote certain environmental goals. Repeals on June 30, 2031.	1/27/2021 S Referred to EET, WAM.	EET, WAM	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
202	SB669	RELATING TO CONTROLLED SUBSTANCES.	Requires the department of health to submit a request for an exception to regulations and a petition to initiate proceedings for federal rulemaking to the drug enforcement administration to clarify that the state-authorized use of cannabis does not violate federal controlled substances laws.	1/27/2021 S Referred to HTH/PSM, JDC.	HTH/PSM, JDC	MONITOR
203	SB689	RELATING TO LANDS CONTROLLED BY THE STATE.	Exempts the sale of the leased fee interest in certain affordable leasehold developments by the HHFDC from legislative approval.	1/27/2021 S Referred to WTL/HOU, JDC.	WTL/HOU, JDC	COMMENT
204	SB690	RELATING TO FISHING.	Conditions the designation of community-based subsistence fishing areas upon approval of the affected community.	1/27/2021 S Referred to WTL, JDC.	WTL, JDC	OPPOSE
205	SB691	RELATING TO THE KAHOO LAWE ISLAND RESERVE COMMISSION.	Transfers administrative duties of the department of land and natural resources for the Kahoolawe Island Reserve Commission to the Office of Hawaiian Affairs.	1/27/2021 S Referred to WTL/HWN, JDC.	WTL/HWN, JDC	OPPOSE
206	SB694	RELATING TO SUSTAINABLE DEVELOPMENT GOALS.	Codifies sustainable development goals based on the United Nations' Sustainable Development Goals and indicators.	1/27/2021 S Referred to GVO, WAM.	GVO, WAM	SUPPORT
207	SB695	RELATING TO STATE HOLIDAYS.	Reestablishes La Ku'oko'a, Hawaiian Recognition Day, as an official state holiday. Repeals election day as an official state holiday.	1/27/2021 S Referred to GVO, JDC.	GVO, JDC	SUPPORT
208	SB696	RELATING TO THE FESTIVAL OF PACIFIC ARTS.	Extends the date on which the temporary commission on the thirteenth festival of pacific arts shall cease to exist to August 31, 2025. Permits the commission members to discuss matters relating to official board business without regard to chapter 92, Hawaii Revised Statutes, to enable them to perform their duties faithfully.	1/27/2021 S Referred to GVO, JDC.	GVO, JDC	SUPPORT

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
209	SB711	RELATING TO HAWAIIAN LANGUAGE.	Requires all letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate and appropriate Hawaiian names, spelling, and punctuation. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. Clarifies that the full text of bills and other official documents are not required to be written in Hawaiian and that misspelled or incorrectly punctuated Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly.	1/27/2021 S Referred to GVO, JDC.	GVO, JDC	SUPPORT
210	SB718	RELATING TO PROTECTION OF NATURAL RESOURCES.	Imposes a \$20 per guest tax on users of transient accommodations for the purposes of funding conservation efforts.	1/27/2021 S Referred to EET, WAM.	EET, WAM	MONITOR
211	SB732	RELATING TO THE NON-VIOLENT RESPONSE TEAM PILOT PROGRAM.	Directs the department of health to create a two-year non-violent response team pilot program. Appropriates funds.	1/27/2021 S Referred to HTH, WAM.	HTH, WAM	MONITOR
212	SB740	RELATING TO THE DEPARTMENT OF HOUSING.	Creates the department of housing. Places the Hawaii community development authority, Hawaii housing finance and development corporation, the office of planning, and Hawaii public housing authority under the department of housing for administrative purposes.	1/27/2021 S Referred to GVO/HOU, WAM.	GVO/HOU, WAM	MONITOR
213	SB742	RELATING TO POLICING.	Requires each county police department to collect certain data regarding police stops, uses of force, and arrests, and submit to the legislature annual reports.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	SUPPORT WITH AMENDMENTS

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
214	SB743	RELATING TO PERMIT PROCESSING.	Beginning July 1, 2021, requires the State or an appropriate county agency to approve, approve with modification, or disapprove an application for a permit necessary for the development, pre-development, construction, or substantial rehabilitation of a project within sixty-five days of submission. Provides for automatic permit approval if the State or respective county agency does not make a timely decision on the application.	1/27/2021 S Referred to WTL/PSM, JDC.	WTL/PSM, JDC	OPPOSE
215	SB744	RELATING TO CORRECTIONAL FACILITIES.	Repeals the authorization for the governor to negotiate with any person for the development or expansion of private correctional facilities. Prohibits the establishment of private correctional facilities in the State.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
216	SB751	RELATING TO BLOOD DONATIONS.	Prohibits blood banks operating in the State from rejecting or deferring blood donors on the basis of sexual orientation, actual gender identity, or perceived gender identity.	1/27/2021 S Referred to HTH, JDC.	HTH, JDC	SUPPORT
217	SB752	RELATING TO INSURANCE.	Prohibits health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition. Requires insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.	1/27/2021 S Referred to HTH, CPN/JDC.	HTH, CPN/JDC	SUPPORT
218	SB759	PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1 OF THE HAWAII STATE CONSTITUTION TO ALLOW THE LEGISLATURE TO EXPAND THE RIGHT TO VOTE.	Proposes an amendment to Article II, Section 1, of the Hawaii State Constitution to allow the legislature to expand the right to vote in state and local elections to those who are fifteen years of age or older who pass a test of citizenship as prescribed by law for those less than eighteen years of age.	1/27/2021 S Referred to JDC.	JDC	MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
219	SB767	RELATING TO CANNABIS.	Legalizes the personal use, possession, and sale of cannabis in a specified quantity. Requires licensing to operate cannabis establishments. Subjects cannabis establishments to excise taxes and income taxes.	1/27/2021 S Referred to PSM, JDC/WAM.	PSM, JDC/WAM	MONITOR
220	SB782	RELATING TO LAW ENFORCEMENT.	Amends the law enforcement officer independent review board to include review of any specific incident of alleged misconduct recommended by certain officials and make it a permanent board. Amends the membership of the law enforcement standards board. Amends the term for members of each board to four years.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
221	SB783	RELATING TO LAW ENFORCEMENT.	Establishes a private cause of action for persons injured by the deprivation of rights under the United States Constitution or the Hawaii Constitution by law enforcement officers. Requires that employers of law enforcement officers indemnify officers for judgments or settlements arising from that cause of action over a certain amount. Requires political subdivisions of the State who employ law enforcement officers to publicly disclose a list of officers against whom a judgment or settlement is entered as well as the amount of the judgment or settlement and any disciplinary actions or criminal charges brought against the officer.	1/27/2021 S Referred to PSM, JDC.	PSM, JDC	MONITOR
222	SB800	RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.	Removes county councils as the nominating authority for members of the HCDA who serve as representatives of the Heeiea, Kalaeloa, and Kakaako community development districts. Provides that the president of the senate and the speaker of the house of representatives shall each nominate representatives of each of the three community development districts.	1/27/2021 S Referred to WTL/PSM, JDC.	WTL/PSM, JDC	MONITOR
223	SB811	RELATING TO THE DEPARTMENT OF EDUCATION.	Requires the department of education to publish a weekly report on schools that have reported COVID-19 cases.	1/25/2021 S Passed First Reading.		SUPPORT
224	SB813	RELATING TO CHARTER SCHOOLS.	Requires authorizers to provide to each charter schools it oversees a list of approved independent auditors.	1/25/2021 S Passed First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
225	SB824	PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO AMEND THE QUALIFYING AGE OF VOTERS FOR ANY STATE OR LOCAL ELECTION.	Proposes a constitutional amendment to lower the qualifying age of voters for any state or local election to sixteen years of age.	1/25/2021 S Passed First Reading.		MONITOR
226	SB841	RELATING TO THE TERMINATION OF PREGNANCY.	Prohibits the abortion of a fetus that is capable of feeling pain. Prohibits abortions by dismemberment. Provides certain exceptions. Establishes penalties.	1/25/2021 S Passed First Reading.		MONITOR
227	SB844	RELATING TO DOWN PAYMENTS.	Establishes within the Hawaii housing finance and development corporation a current and returning resident down payment program to provide matching funds for the down payment on a primary residence. Appropriates moneys.	1/25/2021 S Passed First Reading.		MONITOR
228	SB858	RELATING TO COMMUNITY HEALTH WORKERS.	Requires the Department of Health to establish a certification process, oversight board, and reimbursement process for services performed by community health workers. Requires the Department of Health, supported by a task force of stakeholders, to provide a report to the legislature no later than twenty days prior to the start of the 2022 legislative session.	1/25/2021 S Passed First Reading.		MONITOR
229	SB877	RELATING TO THE HAWAIIAN HOMES COMMISSION.	Allows the Department of Hawaiian Home Lands to retain independent legal counsel as needed. Authorizes the Department of Hawaiian Home Lands to use the services of the Attorney General as needed and when the interests of the State and the Department of Hawaiian Home Lands are aligned. Provides that funds owed to independent legal counsel shall be paid by the State.	1/25/2021 S Passed First Reading.		SUPPORT



THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
230	SB878	RELATING TO THE COUNTY BOARDS OF WATER SUPPLY.	Requires each board of water supply to send an annual accounting of water credits to the department of Hawaiian home lands. Requires the boards to annually reserve the water credits requested by the department of Hawaiian home lands. Prohibits counties from withholding any water developed by the department of Hawaiian home lands for the board of water supply's own use and allocation in the negotiation of any water development, water credit, or similar agreement. Requires the counties to credit the department of Hawaiian home lands the full amount of credits justified by the water development. Requires each board of water supply to develop water shortage policies that first require reductions in non-public trust uses of water, including the uses on Hawaiian home lands under section 221 of the Hawaiian Homes Commission Act rather than equal percentage reductions in use. Requires each county board of water supply to apply for water licenses of any waters they develop or have in their system emanating from state lands under section 171-58 before July 30, 2022. Adds representation of the interests set forth on section 221 of the Hawaiian homes commission Act onto the county boards of water supply.	1/25/2021 S Passed First Reading.		SUPPORT
231	SB890	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Requires that, beginning 1/1/2024, of the four seats on the OHA board of trustees without an island residency requirement, two shall require residency in an urban district and two shall require residency in a rural district. Requires one urban district candidate and one rural district candidate to be elected in any election cycle. Limits voting for board of trustees seats with a residency requirement to voters who have residency on the same island or in the same district. Changes the term of the member who receives the lowest number of votes in the 2022 general election to serve a term of two years and a term of four years after the general election of 2024.	1/25/2021 S Passed First Reading.		MONITOR
232	SB893	RELATING TO MIDWIVES.	Amends various provisions related to the licensure of midwives. Allows direct-entry midwives to practice midwifery under certain conditions.	1/25/2021 S Passed First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
233	SB896	RELATING TO FINANCIAL HARDSHIP.	Provides judges with greater discretion to adjust the amount owed or financial circumstances by a person who violates certain traffic offenses based on the person's inability to pay. Decreases the imprisonment term to contumacious nonpayment ratio. Increases the amount of credit given to a person committed for contumacious nonpayment.	1/25/2021 S Passed First Reading.		MONITOR
234	SB899	RELATING TO THE COMPOSITION OF THE STATE COUNCIL ON MENTAL HEALTH.	Requires that at least 3 members of the state council on mental health have demonstrated knowledge of or work experience involving Native Hawaiian concepts of well-being, culturally-grounded mental health methodologies, or traditional healing or health practices.	1/25/2021 S Passed First Reading.		SUPPORT
235	SB902	RELATING TO FEDERAL LANDS.	Establishes within the department of land and natural resources a Makua Valley task force to prepare for the transition of the management of the Makua military reservation from the United States Army upon the expiration of the Army's lease for the land. Requires a report to the legislature.	1/25/2021 S Passed First Reading.		SUPPORT
236	SB905	RELATING TO THE STATE COUNCIL ON MENTAL HEALTH.	Requires the state council on mental health to include an unspecified number of members with demonstrated knowledge of or work experience involving native Hawaiian health practices.	1/25/2021 S Passed First Reading.		SUPPORT
237	SB909	RELATING TO INTERNET ACCESS.	Requires the department of business, economic development, and tourism to develop a plan to ensure that all communities in the State having schools receiving federal Title I education funds have high-speed broadband internet access.	1/25/2021 S Passed First Reading.		COMMENT
238	SB914	RELATING TO BROADBAND ACCESS.	Requires the Hawaii Public Housing Authority to conduct a study on the state of broadband access in all public housing projects in the State. Requires the Public Housing Authority to submit a report of its findings and recommendations to the legislature prior to the convening of the regular session of 2022. Authorizes the Hawaii Public Housing Authority to request assistance from the Legislative Reference Bureau as may be necessary.	1/25/2021 S Passed First Reading.		COMMENT

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
239	SB916	RELATING TO TAXATION.	Specifies that the \$1,000,000 of transient accommodations tax revenues currently allocated to operate a Hawaiian center and the museum of Hawaiian music and dance may also be used to plan, design, and construct these facilities at an unspecified location.	1/25/2021 S Passed First Reading.		MONITOR
240	SB926	RELATING TO TRANSIENT ACCOMMODATIONS TAX.	Repeals the allocation of excess transient accommodations tax revenues to the Turtle Bay conservation easement special fund, for the operation of a Hawaiian center and the museum of Hawaiian music and dance, to the counties, and to the special land and development fund.	1/25/2021 S Passed First Reading.		MONITOR
241	SB941	RELATING TO THE ENVIRONMENT.	Requires the chairperson of the board of land and natural resources to establish a task force to make recommendations on how to allow public and private employees to work at least one day a week to protect the environment, reduce wear on infrastructure, decrease traffic congestion, and reduce motor vehicle accidents.	1/27/2021 S Passed First Reading.		MONITOR
242	SB946	RELATING TO COMMERCIAL PROPERTY RENT RELIEF.	Establishes a Commercial Rent Relief Grant Program. Requires that the commercial rent relief grants be given priority for moneys received through federal funding.	1/27/2021 S Passed First Reading.		MONITOR
243	SB947	RELATING TO A BROADBAND AND DIGITAL EQUITY OFFICE.	Establishes the Hawaii broadband and digital equity office within the Governor's office. Appropriates funds for the establishment and staffing for the Hawaii broadband and digital equity office.	1/27/2021 S Passed First Reading.		MONITOR
244	SB955	RELATING TO FISHING.	Authorizes a police officer or conservation and resources officer of the department of land and natural resources to conduct an administrative inspection, without a search warrant, if the law enforcement officer has reason to believe that certain aquatic life is taken or held for sale, storage, or transportation in violation of the laws relating to fishing rights and regulations.	1/27/2021 S Passed First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
245	SB968	RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION.	Establishes the department of environmental protection. Transfers jurisdiction of certain functions and employees of the department of land and natural resources, department of agriculture, and department of health to the department of environmental protection.	1/27/2021 S Passed First Reading.		MONITOR
246	SB989	RELATING TO ENVIRONMENTAL IMPACT FEES.	Establishes environmental impacts fees for commercial ocean recreation vessels. Increases the rental motor vehicle and tour vehicle surcharge tax and directs moneys from the tax to the Hawaii statewide trail and access program, Na Ala Hele. Increases the aircraft operator registration fee and directs moneys from the fee to the special land and development fund for, among other things, the protection, preservation, maintenance, and enhancement of natural resources.	1/27/2021 S Passed First Reading.		MONITOR
247	SB997	RELATING TO ENVIRONMENTAL MANAGEMENT.	Allows county governments to enter into private-public partnerships for the services and transferring, or joint venturing of one or more of their wastewater treatment facilities to a private entity, or its wholly owned nonprofit management entity, for the delivery of those services.	1/27/2021 S Passed First Reading.		MONITOR
248	SB1001	RELATING TO AGRICULTURAL LEASES.	Gives preference rights for an agricultural park lot and a non-agricultural park land lease to lessees who have made a significant improvement. Adds the same preferences for a non-agricultural park land lease as those for an agricultural park lot lease.	1/27/2021 S Passed First Reading.		MONITOR
249	SB1025	RELATING TO AGRICULTURAL ENTERPRISES.	Authorizes 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 program. Establishes the Agricultural Enterprise Special Fund. Requires the Board of Agriculture to annually report an accounting of non-agricultural park lessees to the Legislature. Effective 7/1/2021.	1/27/2021 S Passed First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
250	SB1067	RELATING TO THE HAWAII BROADBAND AND DIGITAL EQUITY OFFICE.	Establishes the Hawaii Broadband and Digital Equity Office within the Department of Business, Economic Development, and Tourism.	1/27/2021 S Passed First Reading.		Monitor
251	SB1117	MAKING AN EMERGENCY APPROPRIATION TO THE OFFICE OF THE GOVERNOR RELATING TO COVID-19 EXPENDITURES.	Provides an emergency appropriation to the Office of the Governor in fiscal year 2020-2021 to continue funding for various COVID-19 response related programs and activities.	1/27/2021 S Passed First Reading.		MONITOR
252	SB1133	RELATING TO GENDER-BASED ANALYSIS TRAINING.	Requires the Commission on the Status of Women to provide biannual gender-based analysis training to government officials.	1/27/2021 S Passed First Reading.		MONITOR
253	SB1135	RELATING TO RENTAL DISCRIMINATION.	Creates a new chapter on "source of income" discrimination in rental transactions, adds definitions, and enforcement remedies by direct civil action.	1/27/2021 S Passed First Reading.		SUPPORT
254	SB1166	RELATING TO RENTALS FOR PUBLIC LAND LEASES.	Authorizes the Board of Land and Natural Resources to approve rental reductions or waivers for leases on public lands that require substantial demolition or infrastructure improvement costs in order for the lessee to utilize the premises.	1/27/2021 S Passed First Reading.		MONITOR
255	SB1167	RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.	Authorizes the Board of Land and Natural Resources to extend leases of public lands for commercial, industrial, or resort use upon approval of a proposed development agreement to make substantial improvements to the existing improvements. Repeals on June 30, 2026.	1/27/2021 S Passed First Reading.		OPPOSE
256	SB1224	RELATING TO UNIVERSITY DISTRICTS.	Provide a framework that supports consistent land use planning and development across the University of Hawaii System and allows project partnerships with qualified persons.	1/27/2021 S Passed First Reading.		MONITOR

THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
257	SB1317	RELATING TO PUBLIC LAND TRUST FUNDS.	Requires agencies that collect receipts for any disposition of the public land trust shall each fiscal quarter transfer to the department of Hawaiian home lands or the Office of Hawaiian Affairs twenty per cent of each receipt from the disposition. Returns to the Office of Hawaiian Affairs certain moneys previously claimed as public land trust overpayments to the office. Establishes a public land trust revenues negotiating committee.	1/27/2021SPassed First Reading.		OPPOSE
258	SB1334	RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.	Allows the raising of the building height limit for two of the six parcels owned by the office of Hawaiian affairs in the Kakaako makai area to four hundred feet. Lifts the current restriction against residential development in Kakaako makai to allow residential development by the office of Hawaiian affairs or by third parties to which the office of Hawaiian affairs conveys the parcels.	1/27/2021SIntroduced.		SUPPORT
259	SB1352	RELATING TO APPROPRIATIONS.	Establishes a workforce development grant program within the office of community services of the department of labor and industrial relations, which shall award workforce development grants to organizations that provide workforce development services to native Hawaiians. Funds the grant program using revenues from the public land trust. Makes an appropriation.	1/27/2021SIntroduced.		OPPOSE
260	SB1409	RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS.	Prohibits council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility.	1/27/2021SIntroduced.		SUPPORT
261	HCR11		REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO STUDY MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS.	1/25/2021 H Offered		SUPPORT WITH AMENDMENTS
262	HCR14		REQUESTING A REVIEW OF THE EFFICACY OF THE TECHNOLOGY RESOURCES OF THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.	1/25/2021 H Offered		SUPPORT

## THIRTY-FIRST STATE LEGISLATURE, 2021

ItemNo	BillNo	Report	Description	Status	Referrals	Position
263	HCR15		REQUESTING A REVIEW OF THE EFFICACY OF THE TECHNOLOGY RESOURCES OF THE DEPARTMENT OF HEALTH.	1/25/2021 H Offered		SUPPORT
264	HR12		REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO STUDY MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS.	1/25/2021 H Offered		SUPPORT WITH AMENDMENTS
265	HR13		CONVENING A TASK FORCE TO ADDRESS IMPLEMENTATION OF HAWAII'S STATE LAW COROLLARY TO TITLE IX IN LIGHT OF RECENT CHANGES TO FEDERAL TITLE IX REGULATIONS.	1/25/2021 H Offered		MONITOR
266	HR14		REQUESTING A REVIEW OF THE EFFICACY OF THE TECHNOLOGY RESOURCES OF THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.	1/25/2021 H Offered		SUPPORT
267	HR15		REQUESTING A REVIEW OF THE EFFICACY OF THE TECHNOLOGY RESOURCES OF THE DEPARTMENT OF HEALTH.	1/25/2021 H Offered		SUPPORT
268	SCR2		REQUESTING THE COUNTIES TO STUDY HOW INCLUSIONARY ZONING IMPACTS HOUSING SUPPLY.	1/21/2021 S Offered.		MONITOR
269	SCR8		REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO STUDY MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS.	1/25/2021 S Offered.		SUPPORT WITH AMENDMENTS
270	SR3		REQUESTING THE COUNTIES TO STUDY HOW INCLUSIONARY ZONING IMPACTS HOUSING SUPPLY.	1/21/2021 S Offered.		MONITOR
271	SR7		REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO STUDY MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS.	1/25/2021 S Offered.		SUPPORT WITH AMENDMENTS