

PHONE (808) 594-1888

FAX (808) 594-1865

Committee on Beneficiary Advocacy and Empowerment  
Trustee John D. Waihe'e, IV, *Chair*  
Trustee Rowena Akana, *Vice-Chair*  
*Members*

Trustee Peter Apo, O'ahu  
Trustee S. Haunani Apoliona, At-Large  
Trustee Donald B. Cataluna, Kaua'i / Ni'ihau  
Trustee Carmen Hulu Lindsey, Maui  
Trustee Robert K. Lindsey, Jr., Hawai'i  
Trustee Colette Y. Machado, Moloka'i / Lāna'i  
Trustee Oswald K. Stender, At-Large



**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

LIUTENANT GOVERNOR'S  
OFFICE

'12 FEB -9 AIO :05

**MEETING OF THE**  
**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**  
**(BAE)**

**DATE:** Wednesday, February 15, 2012

**TIME:** 1:30 p.m.

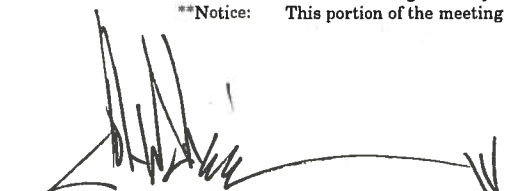
**PLACE:** OHA Boardroom, 5<sup>TH</sup> Floor

**AGENDA**

- I. Call to Order
- II. Approval of Minutes
  - A. February 1, 2012
- III. Community Concerns\*
- IV. Unfinished Business
  - A. 2012 OHA Legislative Package - Updates
- V. New Business
  - A. 2012 OHA Legislative Positions  
Matrix of proposed legislation consisting of measures which cannot be summarized separately. Matrix may be available upon request.
  - B. Evaluation Report - Chaminade University of Honolulu  
Kāko'o Ho'ona'auao Family Education (K-12) Assistance Services Agreement
- VI. Executive Session\*\*
- VII. Beneficiary Comments\*
- VIII. Announcements
- IX. Adjournment

\*Notice: Persons wishing to provide testimony are requested to submit 10 copies of their testimony to the OHA Chief Executive Officer at 711 Kapi'olani Boulevard, Suite 500, Honolulu, HI 96813 or fax to 594-1865, 48 hours prior to the scheduled meeting.  
Persons wishing to testify orally may do so at the meeting, provided that oral testimony shall be limited to five minutes.

\*\*Notice: This portion of the meeting will be closed pursuant to HRS § 92-4 and § 92-5. For further information, please call 594-1954.

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

  
Date

**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT  
711 KAPI'OLANI BOULEVARD, SUITE 500  
MINUTES  
February 15, 2012 1:30 p.m.**

**ATTENDANCE:**

Chairperson John Waihe'e, IV  
Vice-Chairperson Rowena Akana  
Trustee Peter Apo  
Trustee Haunani Apoliona  
Trustee Oswald Stender

**EXCUSED:**

Trustee Donald Cataluna  
Trustee Carmen Hulu Lindsey  
Trustee Robert Lindsey  
Trustee Colette Machado

**BOT STAFF:**

Capsun Poe  
Crayn Akina  
Lei-Ann Durant  
Liana "Ani" Pang  
Nathan Takeuchi  
Reynold Freitas  
Shelsea Apana

**ADMINISTRATION STAFF:**

Deirdra Alo, ADV  
Jeffrey Kent, PUBL  
Jerry Norris, COMP  
Jim Patterson, PROG  
Jocelyn Doane, PUBL  
Kai Markell, COMP  
Keala Nichols, PUBL  
Paulette Hedemark, PROG  
Richard Pezzulo, ICEO  
Sterling Wong, PUBL

**VOLUNTEERS:**

Apolei Bargamento

**GUESTS:**

NONE

**I. CALL TO ORDER**

**Chair Waihe'e** calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, February 15, 2012 to order at **1:36 p.m.**

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

MEMBERS			AT CALL TO ORDER (1:36 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	ROWENA	AKANA	PRESENT	
TRUSTEE	PETER	APO	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	OSWALD	STENDER	PRESENT	

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

**EXCUSED** from the BAE meeting are:

MEMBERS			COMMENT
TRUSTEE	DONALD	CATALUNA	MEMO - REQUESTING TO BE EXCUSED
TRUSTEE	CARMEN HULU	LINDSEY	MEMO - REQUESTING TO BE EXCUSED
TRUSTEE	ROBERT	LINDSEY	MEMO - REQUESTING TO BE EXCUSED
TRUSTEE	COLETTE	MACHADO	MEMO - REQUESTING TO BE EXCUSED

**Chair Waihe`e** seeks a **MOTION**:

**To waive the OHA Board of Trustees Operations Manual (published: July 2007) practice at which materials will be reviewed, discussed, or acted upon at least 72-hours prior to the meeting regarding items:**

- IV. Unfinished Business**
  - A. 2012 OHA Legislative Package - Updates**
- and**
- V. New Business**
  - A. 2012 OHA Legislative Positions**

**Vice Chair Akana** moves.

**Trustee Apoliona** seconds the motion.

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

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

							1:37 p.m.
TRUSTEE		1	2	AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA	1		X			
PETER	APO			X			
HAUNANI	APOLIONA		2	X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY						EXCUSED
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
OSWALD	STENDER			X			
CHAIR JOHN	WAIHE`E			X			
TOTAL VOTE COUNT				5	0	0	4

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

## II. APPROVAL OF MINUTES

A. February 1, 2012

**Vice-Chair Akana moves to approve the minutes of February 1, 2012.**

**Trustee Apoliona seconds the motion.**

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

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

						1:38 p.m.
TRUSTEE		1	2	AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)
VICE ROWENA	AKANA	1		X		
PETER	APO			X		
HAUNANI	APOLIONA		2	X		
DONALD	CATALUNA					EXCUSED
CARMEN HULU	LINDSEY					EXCUSED
ROBERT	LINDSEY					EXCUSED
COLETTE	MACHADO					EXCUSED
OSWALD	STENDER			X		
CHAIR JOHN	WAIHE`E			X		
TOTAL VOTE COUNT				5	0	0
						4

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

## III. COMMUNITY CONCERNS

None.

## IV. UNFINISHED BUSINESS

### A. 2012 OHA Legislative Package- Updates

**Chair Waihe`e** calls on Interim Chief Executive Officer (ICEO) Richard Pezzulo.

**Richard Pezzulo** recognizes Senior Public Policy Advocate Sterling Wong.

**Sterling Wong** reviews the Legislative Calendar with the committee and highlights that the next deadline staff is faced with is the lateral deadline on February 17th, which means that all bills will need to be in their final committee of referral in whichever house they originated in. With the triple referral deadline last week and this week's deadline there will be a number of bills that will come to an end. He continued on to the OHA Legislative Package (legal sized document) as inserted below.

OHA Package	Bill No.	Measure Title	Report Title	Description	Status	Referral	Staff	Postion
OHA 2012 Legislative Package								
OHA-11	<a href="#">HB 1988</a>	RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT.	Office of Hawaiian Affairs Package; Earned Income Tax Credit Outreach Program; Appropriation	Requires the department of taxation to coordinate an outreach initiative to increase awareness and use of the federal earned income tax credit. Makes an appropriation.	2/9/2012 H The committees on HUS recommend that the measure be PASSED, WITH AMENDMENTS.	HUS, FIN	Aulii George	S
OHA-11	<a href="#">SB 2179</a>	RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT.	Office of Hawaiian Affairs Package; Earned Income Tax Credit Outreach Program; Appropriation	Requires the department of taxation to coordinate an outreach initiative to increase awareness and use of the federal earned income tax credit. Makes an appropriation.	The committee(s) on HMS has scheduled a public hearing on 02-14-12 1:25PM in conference room 016.	HUS, WAM	Aulii George	S
OHA-12	<a href="#">HB 1987</a>	RELATING TO HUMAN SERVICES.	Human Services; TANF Program; Office of Hawaiian Affairs Package	Increases the asset limit for TANF program eligibility from \$5,000 to \$15,000.	Referred to HUS, FIN	HUS, FIN	Aulii George	S
OHA-12	<a href="#">SB 2178</a>	RELATING TO HUMAN SERVICES.	Human Services; TANF Program; Office of Hawaiian Affairs Package	Increases the asset limit for TANF program eligibility from \$5,000 to \$15,000.	2/9/2012 S The committee(s) on HMS recommend(s) that the measure be PASSED, WITH AMENDMENTS.	HMS, WAM	Aulii George	S
OHA-13	<a href="#">HCR 7</a>	REQUESTING THE ADDITION OF FINANCIAL LITERACY EDUCATION TO THE PUBLIC SCHOOL CURRICULUM.	Financial Literacy; Office of Hawaiian Affairs Package	REQUESTING THE ADDITION OF FINANCIAL LITERACY EDUCATION TO THE PUBLIC SCHOOL CURRICULUM.	1/20/2012 Referred to EDN, FIN	EDN, FIN	Aulii George	S
OHA-13	<a href="#">SCR 3</a>	REQUESTING THE ADDITION OF FINANCIAL LITERACY EDUCATION TO THE PUBLIC SCHOOL CURRICULUM.	Financial Literacy; Office of Hawaiian Affairs Package	REQUESTING THE ADDITION OF FINANCIAL LITERACY EDUCATION TO THE PUBLIC SCHOOL CURRICULUM.	1/20/2012 Referred to EDU, WAM	EDU, WAM	Aulii George	S
OHA-14	<a href="#">HCR 6</a>	REQUESTING THE STATE'S FULL COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006.	Office of Hawaiian Affairs Package; Requesting the State's Full Compliance with Section 5 of Act 178, SLH 2006.	REQUESTING THE STATE'S FULL COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006.	Resolution scheduled to be heard by HAW/HLT on Wednesday, 02-15-12 10:30AM in conference room 329.	HAW/HLT, WLO/HSG, FIN	Koa Kaulukukui	S

OHA-14	<a href="#">SCR 2</a>	REQUESTING THE STATE'S FULL COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006.	Office of Hawaiian Affairs Package; Requesting the State's Full Compliance with Section 5 of Act 178, SLH 2006.	REQUESTING THE STATE'S FULL COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006.	1/20/2012 Referred to HWN/WLH, WAM	HWN/WLH, WAM	Koa Kaulukukui	S
OHA-15	<a href="#">HB 1986</a>	RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM.	Hawaiian Language Immersion Program; Office of Hawaiian Affairs Package	Requires the DOE to develop reading, math, and science assessment tests in the Hawaiian language for grades 3 and 4 students in the Hawaiian language immersion program.	2/6/2012 H The committees on EDN recommend that the measure be PASSED, UNAMENDED	HAW, EDN, FIN	Sterling Wong	S
OHA-15	<a href="#">SB 2177</a>	RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM.	Hawaiian Language Immersion Program; Office of Hawaiian Affairs Package	Requires the DOE to develop reading, math, and science assessment tests in the Hawaiian language for grades 3 and 4 students in the Hawaiian language immersion program.	1/20/2012 S Referred to HWN/EDU, WAM	HWN/EDU, WAM	Sterling Wong	S
OHA-16	<a href="#">HB 1985</a>	RELATING TO INNOCENCE REDRESS.	Crime; Wrongful Conviction and Imprisonment; Innocence Redress; Office of Hawaiian Affairs Package	Provides compensation and services to persons who can demonstrate they were wrongfully convicted of a crime and imprisoned.	2/9/2012 H The committee(s) on JUD recommend(s) that the measure be deferred.	JUD, FIN	Jeff Kent	S
OHA-16	<a href="#">SB 2176</a>	RELATING TO INNOCENCE REDRESS.	Crime; Wrongful Conviction and Imprisonment; Innocence Redress; Office of Hawaiian Affairs Package	Provides compensation and services to persons who can demonstrate they were wrongfully convicted of a crime and imprisoned.	1/20/2012 S Referred to JDL, WAM	JDL, WAM	Jeff Kent	S
OHA-17	<a href="#">HB 1984</a>	RELATING TO HAWAIIAN LANGUAGE.	Hawaiian Language; Olelo Hawaii; Month; February; Office of Hawaiian Affairs Package	Designates the month of February as "Olelo Hawaii Month" to celebrate and encourage the use of Hawaiian language.	1/30/2012 H Passed Second Reading and referred to the committee(s) on FIN	HAW, FIN	Sterling Wong	S
OHA-17	<a href="#">SB 2175</a>	RELATING TO HAWAIIAN LANGUAGE.	Hawaiian Language; Olelo Hawaii; Month; February; Office of Hawaiian Affairs Package	Designates the month of February as "Olelo Hawaii Month" to celebrate and encourage the use of Hawaiian language.	1/20/2012 Referred to HWN/EDT	HWN/EDT	Sterling Wong	S
OHA-18	<a href="#">HB 1983</a>	RELATING TO THE COLLECTION OF DEMOGRAPHIC DATA BY STATE AGENCIES, BOARDS, AND COMMISSIONS.	Demographic Data; State Agencies; Publication; Ethnicities; Office of Hawaiian Affairs Package	Requires state agencies to disaggregate data consistent with federal standards and requires publication of the data.	2/6/2012 H The committees on CUA recommend that the measure be PASSED, WITH AMENDMENTS.	CUA, FIN	Breann Nu'uhiwa	S
OHA-18	<a href="#">SB 2174</a>	RELATING TO THE COLLECTION OF DEMOGRAPHIC DATA BY STATE AGENCIES, BOARDS, AND COMMISSIONS.	Demographic Data; State Agencies; Publication; Ethnicities; Office of Hawaiian Affairs Package	Requires state agencies to disaggregate data consistent with federal standards and requires publication of the data.	2/13/2012 S Passed Second Reading and referred to WAM.	PGM, WAM	Breann Nu'uhiwa	S

OHA-19	<a href="#">HB 1982</a>	RELATING TO CEMETERIES.	Cemeteries; Office of Hawaiian Affairs Package	Requires the director of commerce and consumer affairs to adopt rules by 7/31/13, for any disinterment of human burials that is done for the purpose of removing the dedication of a cemetery.	H 1/19/2012 Referred to CPC, FIN	CPC, FIN	Kai Markell	S
OHA-19	<a href="#">SB 2173</a>	RELATING TO CEMETERIES.	Cemeteries; Office of Hawaiian Affairs Package	Requires the director of commerce and consumer affairs to adopt rules by 7/31/13, for any disinterment of human burials that is done for the purpose of removing the dedication of a cemetery.	The committee on CPN has rescheduled its decision making to 02-22-12 9:00AM in conference room 229.	CPN	Kai Markell	S
OHA-20	<a href="#">HB 1981</a>	RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION.	PLDC; Cultural Practices; Public Land Trust; Office of Hawaiian Affairs Package	Adds 2 new members of the board of directors of the PLDC. Requires that the Hawaii public land optimization plan provide for the protection of cultural practices. Requires the PLDC to comply with certain provisions of law relating to the alienation of land and the OHA's pro rata portion of the public land trust.	1/27/2012 H The committee(s) on WLO recommend(s) that the measure be deferred.	WLO, HAW, FIN	Jocelyn Doane	S
OHA-20	<a href="#">SB 2172</a>	RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION.	PLDC; Cultural Practices; Public Land Trust; Office of Hawaiian Affairs Package	Adds 2 new members of the board of directors of the PLDC. Requires that the Hawaii public land optimization plan provide for the protection of cultural practices. Requires the PLDC to comply with certain provisions of law relating to the alienation of land and the OHA's pro rata portion of the public land trust.	S 1/20/2012 S Referred to HWN/WLH, WAM	HWN/WLH, WAM	Jocelyn Doane	S
OHA-21	<a href="#">HB 1989</a>	RELATING TO CHARTER SCHOOLS.	Charter Schools; Office of Hawaiian Affairs Package	Short form bill.	H 1/19/2012 Referred to HAW	HAW	Kalani Akana	S
OHA-21	<a href="#">SB 2180</a>	RELATING TO CHARTER SCHOOLS.	Charter Schools; Office of Hawaiian Affairs Package	Short form bill.	S 1/20/2012 Referred to EDU	EDU	Kalani Akana	S
OHA-22	<a href="#">HB 1990</a>	RELATING TO NATIVE HAWAIIAN RECOGNITION.	Native Hawaiian Recognition; Office of Hawaiian Affairs Package	Short form bill.	S 1/19/2012 Referred to HAW	HAW	Breann Nu'uhiwa	S
OHA-22	<a href="#">SB 2181</a>	RELATING TO NATIVE HAWAIIAN RECOGNITION.	Native Hawaiian Recognition; Office of Hawaiian Affairs Package	Short form bill.	S 1/20/2012 S Referred to HWN	HWN	Breann Nu'uhiwa	S

**Sterling Wong** stated that overall the package is looking good. All bills currently have a vehicle to proceed into the first lateral except for 2 bills which are the Innocence Redress and the PLDC. He continued to give status updates on each bill. OHA-19 is a bill asking for rule-making and was developed by an issue brought to the foreground by Kawaiaha'o Church and who is responsible for the iwi removal process.

**Kai Markell** has been in contact with DCCA and mentions that this deals with more than just Kawaiaha'o cemetery and includes cemeteries across the islands. OHA is hopeful to work with DCCA and DOH to get better clarity for the process.



## V. NEW BUSINESS

### A. 2012 OHA LEGISLATIVE POSITIONS

**Chair Waihe`e** calls on Interim Chief Executive Officer (ICEO) Richard Pezzulo

**Richard Pezzulo** recognizes Senior Public Policy Advocate Sterling Wong.

**Sterling Wong** begins with the 2 settlement bills HB 2521 and SB 2783 reminding the committee that the House bill has died and that the House is now waiting for the Senate version. On Monday, the Senate Committees on Hawaiian Affairs and Water, Land and Housing both passed the Senate version of the bill without amendments in time to make the lateral deadline and transition to the Senate Committees on Judiciary and Labor and Ways and Means.

Legend		Legend		
Color/Description		C = Comments      S = Support		
	Alive/Enacted	M = Monitor		
	OHA Impacted	O = Oppose		
	Key Bills	SA = Support w/ amendments		
	Act 176			
Item #	Bill #	Report	Description	Position
<b>New Bills</b>				
1	<u>GM</u>	KAHOOLAWE ISLAND RESERVE COMMISSION.	Submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, Gubernatorial Nominee, AMBER NAMAKA WHITEHEAD	S
2	<u>GM</u>	KAHOOLAWE ISLAND RESERVE COMMISSION.	Submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, Gubernatorial Nominee, NOA EMMETT ALULI	S
3	<u>GM</u>	KAHOOLAWE ISLAND RESERVE COMMISSION.	Submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, Gubernatorial Nominee, CHRISTOPHER KALIKO BAKER	S
4	<a href="#">HB2429</a>	RELATING TO THE BOARD OF AGRICULTURE.	Allows ex officio members of the Board of Agriculture to designate a representative for board meetings	M
5	<a href="#">HB2435</a> <a href="#">HD1</a>	RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.	Transfers the State Foundation on Culture and the Arts within the Department of Business, Economic Development, and Tourism from the Department of Accounting and General Services. Effective July 1, 2012. (HB2435 HD1)	M
6	<a href="#">HB2455</a>	RELATING TO THE STATE CODE OF ETHICS.	Excepts members of groups convened solely to provide comments, share technical knowledge or expertise, or assist in formulating recommendations to, with or for the Legislature, Governor, or other state departments, agencies, or boards, from chapter 84, Hawaii Revised Statutes, State Ethics Code.	M



7	<a href="#">HB2475 HD1</a>	RELATING TO PUBLIC MEETINGS.	Allows use of interactive conference technology to increase ability of members of state and county boards and commissions to attend board meetings. Effective January 7, 2059. (HB2475 HD1)	S
8	<a href="#">HB2483 HD1</a>	RELATING TO ENVIRONMENT.	Amends the Hawaii State Planning Act to include climate change adaptation priority guidelines. (HB2483 HD1)	M
9	<a href="#">HB2513 HD1</a>	RELATING TO EDUCATION.	Repeals certain operational requirements for student health programs established for a 1970 pilot project. (HB2513 HD1)	M
10	<a href="#">HB2527 HD1</a>	RELATING TO EDUCATION.	Requires the Department of Education to establish a performance management system that includes an evaluation component for teachers and educational officers. Requires that teachers entering the service of the Department of Education for the first time serve a minimum probationary period of three years. (HB2527 HD1)	C
11	<a href="#">HB2588 HD1</a>	RELATING TO GROUNDED VESSELS.	Authorizes the Department of Land and Natural Resources to assume control of and remove a vessel grounded on a coral reef or in imminent danger of breaking up if the vessel cannot be removed by the owner within 24 hours of the grounding. Allows the vessel's owner to remain in control of removing a vessel if the owner provides proof of a marine insurance policy listing the State as an additional insured and produces evidence showing that salvage efforts are already underway and that the vessel can be saved within a reasonable amount of time. (HB2588 HD1)	M
12	<a href="#">HB2614 HD1</a>	RELATING TO THE COMMERCIAL HARBORS.	Amends chapter 266, Hawaii Revised Statutes, to clarify that persons cited for non-criminal violations are subject to administrative appeal and not District Court. Clarifies that enforcement agents such as the harbor master, harbor agents, facility security officer, or district manager can issue citations for criminal violations. Provides that penalties and fines are deposited into the Harbor Special Fund. Allows the Department of Transportation to seek reimbursement from tenants or harbor users that violate security rules in harbor secured areas thereby causing a fine or penalty from the U.S. Coast Guard to be levied on the Department of Transportation. (HB2614 HD1)	M
13	<a href="#">HB2671 HD1</a>	RELATING TO SUSTAINABILITY	Authorizes the office of planning to convene a statewide sustainability partnership, develop sustainability guidelines, establish benchmarks for measuring sustainability progress, and coordinate sustainability progress made by the State and counties. Makes appropriation. Effective July 1, 2012 (HB2671 HD1)	O
14	<a href="#">HB2740</a>	RELATING TO TAXATION.	Repeals the sunset provision relating to the tax on naphtha fuel sold for use in a power-generating facility.	M
15	<a href="#">HB2828</a>	RELATING TO GAMBLING.	Establishes a gambling task force to perform a comprehensive social and financial analysis of the different types of gambling and their impact on the State in order for legislators to make informed policy decisions.	M
16	<a href="#">HR006</a>	Aquatic Life Resolution; Kauai County Package	REQUESTING THE LEGISLATURE OF THE STATE OF HAWAII TO AMEND CHAPTER 188, HAWAII REVISED STATUTES, BY ADDING A NEW SECTION TO BE APPROPRIATELY DESIGNATED PROHIBITING THE SALE OF AQUATIC LIFE FOR AQUARIUM PURPOSES AND AMEND EXISTING SECTION 188F-4 REGARDING THE WEST HAWAII REGIONAL FISHERY MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN DUPLICATE; A RESOLUTION REQUESTING THE GOVERNOR TO ISSUE A MORATORIUM ON THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS; AND REQUESTING THE HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT A RULE PROHIBITING THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS.	M

17	<a href="#">HRO08</a>	Incarceration; Rehabilitation	REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ADDRESS THE HIGH COST OF INCARCERATION WITHOUT REHABILITATION BY ESTABLISHING APPROPRIATE REHABILITATION PROGRAMS IN LIEU OF INCARCERATION FOR CERTAIN CONVICTED INDIVIDUALS.	S
18	<a href="#">HRO10</a>	Chronic Obstructive Pulmonary Disease	REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE HEALTH PLAN INITIATIVE TO REDUCE THE OCCURRENCES OF CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN HAWAII.	M
19	<a href="#">SB0833</a>	RELATING TO FOOD ESTABLISHMEN TS.	Authorizes preparation of food in private kitchens for sale to consumers from roadside stands in rural areas. Requires the director of health to issue a certified home kitchen permit to an applicant, provided that the applicant meets certain requirements. Defines minimum standards for certified home kitchens. Allows the permittee to designate a portion of the residence as "private living quarters", and deems these areas as separate for purposes of inspection purposes or for law enforcement searches. Makes certified home kitchens and roadside stands a permitted use in the agricultural, conservation, and rural state land use districts.	M
20	<a href="#">SB2134</a>	RELATING TO HEALTHCARE.	Makes an appropriation to the executive office on aging to conduct a program evaluation of QUEST Expanded Access program.	M
21	<a href="#">SB2140</a> <a href="#">SD1</a>	RELATING TO HUMAN SERVICES.	Requires the department of human services to develop an advance health care directive form and make the form available to each medicaid recipient. Allows the medicaid recipient to submit a completed advance health care directive form to the recipient's primary care provider. (SD1)	M
22	<a href="#">SB2143</a>	RELATING TO MEDICAID.	Directs the Auditor to conduct a management and financial audit of the services provided by Evercare and Ohana Health Plan to medicaid clients under QUEST Expanded Access. Requires the Auditor to submit its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days before the convening of the Regular Session of 2013. Effective July 1, 2012.	M
23	<a href="#">SB2154</a>	RELATING TO EDUCATION.	Requires the DOE to provide the Hawaii National Guard Youth Challenge Academy with the names, addresses, and dates of attendance of students who have dropped out of high school.	S
24	<a href="#">SB2158</a>	RELATING TO BAIL.	Requires law enforcement agencies to accept cash bail, certified copies of pre-filed bail bonds, and original bail bonds when the court is closed, including nights, weekends, and holidays. Specifies from whom bail may be accepted. Requires prompt release after acceptance of bail.	S
25	<a href="#">SB2169</a>	RELATING TO FUNDS.	Addresses the auditor's recommendations regarding the transfer of non-general funds to the general fund.	M
26	<a href="#">SB2305</a>	RELATING TO OCEAN RESOURCES.	Deletes the "one-gallon per person per day" exception to the prohibition against the removal of sand and other beach or marine deposits, except for materials inadvertently taken, such as those carried away on the body, clothes, toys, recreational equipment, and bags.	SA
27	<a href="#">SB2307</a>	RELATING TO KUPUNA CARE.	Appropriates funds for the kupuna care program. Requires executive office on aging to establish a sliding fee schedule for the kupuna care program.	M
28	<a href="#">SB2370</a>	RELATING TO COMMUNITY DEVELOPMENT.	Authorizes counties to adopt a program to facilitate residential and commercial development in specified areas, and to expedite approval of development projects within those areas. Exempts certain development projects from all statutes, ordinances, charter provisions, and rules of any state or county government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units. Requires the environmental council to adopt rules relating to ridership impact analysis for environmental assessments or impact statements relating to certain development projects.	O

29	<a href="#">SB2376</a>	RELATING TO AGRICULTURAL LANDS.	Authorizes the use of photovoltaic systems producing energy solely for use by the agricultural activities of the fee or leasehold owner of the property in agricultural districts.	M
30	<a href="#">SB2574</a>	RELATING TO COMMUNITY PLACEMENT PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM INCARCERATION TO THE COMMUNITY.	Requires the department of public safety to establish a community placement program for female offenders transitioning from incarceration back into the community.	S
31	<a href="#">SB2645</a>	RELATING TO PUBLIC UTILITIES.	Directs public utilities to establish preferential rates for public utility services provided to ratepayers engaged in agricultural activities in agricultural districts. Effective January 1, 2013.	M
32	<a href="#">SB2646</a>	RELATING TO BUILDING PERMITS.	Exempts specified nonresidential agricultural and aquacultural buildings and structures, and their appurtenances, located on commercial farms from building permit requirements other than applicable electric and wastewater regulations. Effective	C
33	<a href="#">SB2650</a>	RELATING TO PROMOTION OF CONTROLLED SUBSTANCES.	Extends prohibition of promoting a controlled substance in, on, or near schools, school vehicles, or public parks to include public housing projects and complexes.	M
34	<a href="#">SB2752 SD1</a>	RELATING TO ELECTRIC UTILITIES.	Authorizes the Public Utilities Commission to allow electric utility companies to recover all power purchase costs that have been approved by the Commission. (SD1)	M
35	<a href="#">SB2781</a>	RELATED TO EARLY LEARNING.	Appropriates funds to the Department of Education to support early childhood education.	M
36	<a href="#">SB2817</a>	RELATING TO VITAL STATISTICS FEES.	Raises the fees associated with vital statistics certified copy and expedited and correction services.	O
37	<a href="#">SB2834</a>	RELATING TO STATE EMPLOYMENT.	Clarifies exemptions from civil service for federally funded work experience programs and temporary public service employment; allows persons with criminal conviction to participate in such programs provided reasonable safeguards are in place.	M
38	<a href="#">SB2855</a>	RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT.	Broadens the conditions under which emergency rules may be adopted to include instances of imminent threat to natural resources or the health of the environment.	M
39	<a href="#">SB2864</a>	RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO	Clarifies circumstances under which defendants may earn pretrial credit for time of detention when already serving a sentence for an unrelated offense.	M

		SENTENCE.		
40	<a href="#">SB2895</a>	RELATING TO NEW MARKETS TAX CREDITS.	Expands methods for delivering funding to a community development entity by allowing guarantees and credit enhancements. Increases total maximum funding amounts from \$250,000 to \$5,000,000.	M
41	<a href="#">SB2935</a>	RELATING TO HEALTH CARE COORDINATION	Establishes a public-private partnership in a county with a population between 100,000 and 170,000; partnership to develop an integrated system to deliver health care across the spectrum of care; partnership to work at addressing the current crisis in acute care.	M
42	<a href="#">SB3059</a>	RELATING TO SUSTAINABILITY	Requires the office of planning to convene a workgroup for sustainability guidelines, establish benchmarks for measuring sustainability progress, and coordinate sustainability progress made by the State and counties. Authorizes the office of planning to contract for a coordinator or facilitator.	M
43	<a href="#">SR005</a>	Chronic Obstructive Pulmonary Disease	REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE HEALTH PLAN INITIATIVE TO REDUCE THE OCCURRENCES OF CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN HAWAII.	M

Bill Positions for Reconsideration				
Item #	Bill #	Report	Description	Position
44	<a href="#">SB2804</a>	RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS.	Establishes the Hawaii Interagency Council on Homelessness to be administratively placed within the Department of Human Services; makes an appropriation for administrative expenses.	C > S
45	<a href="#">HB2634</a>	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Requires DHHL to develop and administer an off-the-grid living program to place eligible native Hawaiians on DHHL land prior to installation of utility infrastructure provided that federal and basic habitation requirements are met.	M > S
46	<a href="#">SB2047</a>	RELATING TO HOUSING.	Increases the time the county councils have to review affordable housing projects from 45 to 60 days.	M > O
47	<a href="#">SB2197</a>	RELATING TO LAND USE.	Adds lands with soil classified as productivity rating class B or class C to the agricultural lands exempt from subdivision requirements for purposes of leases or easements for renewable energy facilities.	C > M
48	<a href="#">SB2639</a>	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Requires DHHL to develop and administer an off-the-grid living program to place eligible native Hawaiians on DHHL land prior to installation of utility infrastructure provided that federal and basic habitation requirements are met.	M > S
49	<a href="#">SB2936</a>	RELATING TO PUBLIC ASSISTANCE PROGRAMS.	Eliminates the asset limit for Hawaii's temporary assistance for needy families program eligibility. Exempts the fair market value of all motor vehicles in a household when determining eligibility for Hawaii's temporary assistance for needy families program.	S > C

**Sterling Wong** continues on to New Bills and Bills for Reconsideration as listed above. He highlights Items #1-3 which are GM's for the Kaho'olawe Island Reserve Commission they are waiting on one more vacancy to be filled, at which time the Governor will confirm the 4 spots together. Staff recommends supporting the current 3 candidates. On the bottom of page 3, Item #13 relating to sustainability HB2671 HD1 we are opposing because it could have an effect on Na Wai 'Eha and similar water cases, this bill has been deferred.



**Trustee Apoliona** asks if this could be explained in simple terms and how it would impact Na Wai `Eha.

**Public Policy Advocate Jocelyn Doane** prefaces her statement by saying that it is actually a complicated matter, basically they took a generic sustainability bill which would create a sustainability team and the bill also has several inaccuracies. Staff is paying close attention to this and other bills similar to this one.

**Sterling Wong** moves on to Page 6 Item #28 which staff is also recommending opposition. SB2370, Relating to Community Development, is another bill that is trying to exempt projects from permitting and other processes. Page 7 Item #36 SB2817 is related to Vital Statistics and raising the fees, which is problematic for our beneficiaries who often need to obtain those certificates to prove their heritage so staff is suggesting opposition.

**Sterling Wong** continues on to Page 9 and 10 Bills for Reconsideration Item #'s 44-49. Most of these bills we are trying to align the Senate and the House versions to reflect the same position.

**Sterling Wong** moves on to the Bills where positions were previously approved. He points out bills that we are still concerned with, on Page 51 Item #249 HB2706 relating to Education, the Ho'okulaiwi Bill which required a \$400,000 match.

**ICEO Pezzulo** stated that when they attended the hearing in the House they heard that the match was the grant that OHA already approved for the current fiscal year and next fiscal year for \$195,000 each year, \$390,000 in total. Staff informed the House Committee that OHA's current position is to oppose the bill because of the new policy passed on 2/8/12 by the BAE committee regarding OHA Funding and Placement of Entities within OHA. Staff continued on to say that if there were clarity in the language of the bill that clearly states no matching funds from OHA then staff would ask the BAE Committee to reconsider its position, no amendments were made after that comment was made. Chairperson Machado testified to the same bill on the Senate side and informed the Senate committee of the same technicalities and the Senate passed the bill out with amendments striking the language of the match from OHA.

**Sterling Wong** asks Chairperson Waihe'e and the BAE Committee members if they would like to change their position on the Senate Version SB3071 (Ho'okulaiwi Bill) to support now.

**Trustee Apoliona** asks if staff has seen the actual amendments in the bill with the matching funds from OHA removed from the language yet.

**Sterling Wong** responds that a committee report or bill with such language has yet to be released. Staff suggests that the position remain until the new bill is released.

**Chair Waihe'e and the BAE Committee members concur.**

Chair Waihe`e asks for a **MOTION**:

To approve the Administration's recommendations on the matrix titled **Twenty-Sixth State Legislature, 2012, dated February 14, 2012 for New Bills and Bills for Reconsideration, Items #1-49 as follows.**

Legend		Legend		
Color/Description		C = Comments      S = Support		
	Alive/Enacted	M = Monitor		
	OHA Impacted	O = Oppose		
	Key Bills	SA = Support w/ amendments		
	Act 176			
Item #	Bill #	Report	Description	Position
<b>New Bills</b>				
1	<u>GM</u>	KAHOOLAWE ISLAND RESERVE COMMISSION.	Submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, Gubernatorial Nominee, AMBER NAMAKA WHITEHEAD	S
2	<u>GM</u>	KAHOOLAWE ISLAND RESERVE COMMISSION.	Submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, Gubernatorial Nominee, NOA EMMETT ALULI	S
3	<u>GM</u>	KAHOOLAWE ISLAND RESERVE COMMISSION.	Submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, Gubernatorial Nominee, CHRISTOPHER KALIKO BAKER	S
4	<u>HB2429</u>	RELATING TO THE BOARD OF AGRICULTURE.	Allows ex officio members of the Board of Agriculture to designate a representative for board meetings	M
5	<u>HB2435 HD1</u>	RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.	Transfers the State Foundation on Culture and the Arts within the Department of Business, Economic Development, and Tourism from the Department of Accounting and General Services. Effective July 1, 2012. (HB2435 HD1)	M
6	<u>HB2455</u>	RELATING TO THE STATE CODE OF ETHICS.	Excepts members of groups convened solely to provide comments, share technical knowledge or expertise, or assist in formulating recommendations to, with or for the Legislature, Governor, or other state departments, agencies, or boards, from chapter 84, Hawaii Revised Statutes, State Ethics Code.	M
7	<u>HB2475 HD1</u>	RELATING TO PUBLIC MEETINGS.	Allows use of interactive conference technology to increase ability of members of state and county boards and commissions to attend board meetings. Effective January 7, 2059. (HB2475 HD1)	S
8	<u>HB2483 HD1</u>	RELATING TO ENVIRONMENT.	Amends the Hawaii State Planning Act to include climate change adaptation priority guidelines. (HB2483 HD1)	M
9	<u>HB2513 HD1</u>	RELATING TO EDUCATION.	Repeals certain operational requirements for student health programs established for a 1970 pilot project. (HB2513 HD1)	M
10	<u>HB2527 HD1</u>	RELATING TO EDUCATION.	Requires the Department of Education to establish a performance management system that includes an evaluation component for teachers and educational officers. Requires that teachers entering the service of the Department of Education for the first time serve a minimum probationary period of three years. (HB2527 HD1)	C
11	<u>HB2588 HD1</u>	RELATING TO GROUNDED VESSELS.	Authorizes the Department of Land and Natural Resources to assume control of and remove a vessel grounded on a coral reef or in imminent danger of breaking up if the vessel cannot be removed by the owner	M



			within 24 hours of the grounding. Allows the vessel's owner to remain in control of removing a vessel if the owner provides proof of a marine insurance policy listing the State as an additional insured and produces evidence showing that salvage efforts are already underway and that the vessel can be saved within a reasonable amount of time. (HB2588 HD1)	
12	<a href="#">HB2614 HD1</a>	RELATING TO THE COMMERCIAL HARBORS.	Amends chapter 266, Hawaii Revised Statutes, to clarify that persons cited for non-criminal violations are subject to administrative appeal and not District Court. Clarifies that enforcement agents such as the harbor master, harbor agents, facility security officer, or district manager can issue citations for criminal violations. Provides that penalties and fines are deposited into the Harbor Special Fund. Allows the Department of Transportation to seek reimbursement from tenants or harbor users that violate security rules in harbor secured areas thereby causing a fine or penalty from the U.S. Coast Guard to be levied on the Department of Transportation. (HB2614 HD1)	M
13	<a href="#">HB2671 HD1</a>	RELATING TO SUSTAINABILITY.	Authorizes the office of planning to convene a statewide sustainability partnership, develop sustainability guidelines, establish benchmarks for measuring sustainability progress, and coordinate sustainability progress made by the State and counties. Makes appropriation. Effective July 1, 2012 (HB2671 HD1)	O
14	<a href="#">HB2740</a>	RELATING TO TAXATION.	Repeals the sunset provision relating to the tax on naphtha fuel sold for use in a power-generating facility.	M
15	<a href="#">HB2828</a>	RELATING TO GAMBLING.	Establishes a gambling task force to perform a comprehensive social and financial analysis of the different types of gambling and their impact on the State in order for legislators to make informed policy decisions.	M
16	<a href="#">HR006</a>	Aquatic Life Resolution; Kauai County Package	REQUESTING THE LEGISLATURE OF THE STATE OF HAWAII TO AMEND CHAPTER 188, HAWAII REVISED STATUTES, BY ADDING A NEW SECTION TO BE APPROPRIATELY DESIGNATED PROHIBITING THE SALE OF AQUATIC LIFE FOR AQUARIUM PURPOSES AND AMEND EXISTING SECTION 188F-4 REGARDING THE WEST HAWAII REGIONAL FISHERY MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN DUPLICATE; A RESOLUTION REQUESTING THE GOVERNOR TO ISSUE A MORATORIUM ON THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS; AND REQUESTING THE HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT A RULE PROHIBITING THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS.	M
17	<a href="#">HR008</a>	Incarceration; Rehabilitation	REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ADDRESS THE HIGH COST OF INCARCERATION WITHOUT REHABILITATION BY ESTABLISHING APPROPRIATE REHABILITATION PROGRAMS IN LIEU OF INCARCERATION FOR CERTAIN CONVICTED INDIVIDUALS.	S
18	<a href="#">HR010</a>	Chronic Obstructive Pulmonary Disease	REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE HEALTH PLAN INITIATIVE TO REDUCE THE OCCURRENCES OF CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN HAWAII.	M
19	<a href="#">SB0833</a>	RELATING TO FOOD ESTABLISHMENTS.	Authorizes preparation of food in private kitchens for sale to consumers from roadside stands in rural areas. Requires the director of health to issue a certified home kitchen permit to an applicant, provided that the applicant meets certain requirements. Defines minimum standards for certified home kitchens. Allows the permittee to designate a portion of the residence as "private living quarters", and deems these areas as separate for purposes of inspection purposes or for law enforcement searches. Makes certified home kitchens and roadside stands a permitted use in the agricultural, conservation, and rural state land use districts.	M

20	<a href="#">SB2134</a>	RELATING TO HEALTHCARE.	Makes an appropriation to the executive office on aging to conduct a program evaluation of QUEST Expanded Access program.	M
21	<a href="#">SB2140</a> <a href="#">SD1</a>	RELATING TO HUMAN SERVICES.	Requires the department of human services to develop an advance health care directive form and make the form available to each medicaid recipient. Allows the medicaid recipient to submit a completed advance health care directive form to the recipient's primary care provider. (SD1)	M
22	<a href="#">SB2143</a>	RELATING TO MEDICAID.	Directs the Auditor to conduct a management and financial audit of the services provided by Evercare and Ohana Health Plan to medicaid clients under QUEST Expanded Access. Requires the Auditor to submit its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days before the convening of the Regular Session of 2013. Effective July 1, 2012.	M
23	<a href="#">SB2154</a>	RELATING TO EDUCATION.	Requires the DOE to provide the Hawaii National Guard Youth Challenge Academy with the names, addresses, and dates of attendance of students who have dropped out of high school.	S
24	<a href="#">SB2158</a>	RELATING TO BAIL.	Requires law enforcement agencies to accept cash bail, certified copies of pre-filed bail bonds, and original bail bonds when the court is closed, including nights, weekends, and holidays. Specifies from whom bail may be accepted. Requires prompt release after acceptance of bail.	S
25	<a href="#">SB2169</a>	RELATING TO FUNDS.	Addresses the auditor's recommendations regarding the transfer of non-general funds to the general fund.	M
26	<a href="#">SB2305</a>	RELATING TO OCEAN RESOURCES.	Deletes the "one-gallon per person per day" exception to the prohibition against the removal of sand and other beach or marine deposits, except for materials inadvertently taken, such as those carried away on the body, clothes, toys, recreational equipment, and bags.	SA
27	<a href="#">SB2307</a>	RELATING TO KUPUNA CARE.	Appropriates funds for the kupuna care program. Requires executive office on aging to establish a sliding fee schedule for the kupuna care program.	M
28	<a href="#">SB2370</a>	RELATING TO COMMUNITY DEVELOPMENT.	Authorizes counties to adopt a program to facilitate residential and commercial development in specified areas, and to expedite approval of development projects within those areas. Exempts certain development projects from all statutes, ordinances, charter provisions, and rules of any state or county government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units. Requires the environmental council to adopt rules relating to ridership impact analysis for environmental assessments or impact statements relating to certain development projects.	O
29	<a href="#">SB2376</a>	RELATING TO AGRICULTURAL LANDS.	Authorizes the use of photovoltaic systems producing energy solely for use by the agricultural activities of the fee or leasehold owner of the property in agricultural districts.	M
30	<a href="#">SB2574</a>	RELATING TO COMMUNITY PLACEMENT PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM INCARCERATION TO THE COMMUNITY.	Requires the department of public safety to establish a community placement program for female offenders transitioning from incarceration back into the community.	S
31	<a href="#">SB2645</a>	RELATING TO PUBLIC UTILITIES.	Directs public utilities to establish preferential rates for public utility services provided to ratepayers engaged in agricultural activities in agricultural districts. Effective January 1, 2013.	M

32	<a href="#">SB2646</a>	RELATING TO BUILDING PERMITS.	Exempts specified nonresidential agricultural and aquacultural buildings and structures, and their appurtenances, located on commercial farms from building permit requirements other than applicable electric and wastewater regulations. Effective	C
33	<a href="#">SB2650</a>	RELATING TO PROMOTION OF CONTROLLED SUBSTANCES.	Extends prohibition of promoting a controlled substance in, on, or near schools, school vehicles, or public parks to include public housing projects and complexes.	M
34	<a href="#">SB2752 SD1</a>	RELATING TO ELECTRIC UTILITIES.	Authorizes the Public Utilities Commission to allow electric utility companies to recover all power purchase costs that have been approved by the Commission. (SD1)	M
35	<a href="#">SB2781</a>	RELATED TO EARLY LEARNING.	Appropriates funds to the Department of Education to support early childhood education.	M
36	<a href="#">SB2817</a>	RELATING TO VITAL STATISTICS FEES.	Raises the fees associated with vital statistics certified copy and expedited and correction services.	O
37	<a href="#">SB2834</a>	RELATING TO STATE EMPLOYMENT.	Clarifies exemptions from civil service for federally funded work experience programs and temporary public service employment; allows persons with criminal conviction to participate in such programs provided reasonable safeguards are in place.	M
38	<a href="#">SB2855</a>	RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT.	Broadens the conditions under which emergency rules may be adopted to include instances of imminent threat to natural resources or the health of the environment.	M
39	<a href="#">SB2864</a>	RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE.	Clarifies circumstances under which defendants may earn pretrial credit for time of detention when already serving a sentence for an unrelated offense.	M
40	<a href="#">SB2895</a>	RELATING TO NEW MARKETS TAX CREDITS.	Expands methods for delivering funding to a community development entity by allowing guarantees and credit enhancements. Increases total maximum funding amounts from \$250,000 to \$5,000,000.	M
41	<a href="#">SB2935</a>	RELATING TO HEALTH CARE COORDINATION.	Establishes a public-private partnership in a county with a population between 100,000 and 170,000; partnership to develop an integrated system to deliver health care across the spectrum of care; partnership to work at addressing the current crisis in acute care.	M
42	<a href="#">SB3059</a>	RELATING TO SUSTAINABILITY.	Requires the office of planning to convene a workgroup for sustainability guidelines, establish benchmarks for measuring sustainability progress, and coordinate sustainability progress made by the State and counties. Authorizes the office of planning to contract for a coordinator or facilitator.	M
43	<a href="#">SR005</a>	Chronic Obstructive Pulmonary Disease	REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE HEALTH PLAN INITIATIVE TO REDUCE THE OCCURRENCES OF CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN HAWAII.	M
<b>Bill Positions for Reconsideration</b>				
Item #	Bill #	Report	Description	Position
44	<a href="#">SB2804</a>	RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS.	Establishes the Hawaii Interagency Council on Homelessness to be administratively placed within the Department of Human Services; makes an appropriation for administrative expenses.	C > S

45	<a href="#">HB2634</a>	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Requires DHHL to develop and administer an off-the-grid living program to place eligible native Hawaiians on DHHL land prior to installation of utility infrastructure provided that federal and basic habitation requirements are met.	M > S
46	<a href="#">SB2047</a>	RELATING TO HOUSING.	Increases the time the county councils have to review affordable housing projects from 45 to 60 days.	M > O
47	<a href="#">SB2197</a>	RELATING TO LAND USE.	Adds lands with soil classified as productivity rating class B or class C to the agricultural lands exempt from subdivision requirements for purposes of leases or easements for renewable energy facilities.	C > M
48	<a href="#">SB2639</a>	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Requires DHHL to develop and administer an off-the-grid living program to place eligible native Hawaiians on DHHL land prior to installation of utility infrastructure provided that federal and basic habitation requirements are met.	M > S
49	<a href="#">SB2936</a>	RELATING TO PUBLIC ASSISTANCE PROGRAMS.	Eliminates the asset limit for Hawaii's temporary assistance for needy families program eligibility. Exempts the fair market value of all motor vehicles in a household when determining eligibility for Hawaii's temporary assistance for needy families program.	S > C

**Vice-Chair Akana moves.**

**Trustee Apoliona seconds the motion.**

**Chair Waihe`e** asks the committee if there is any further discussion. There is none.

							2:24 p.m.
TRUSTEE		1	2	AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA	1		X			
PETER	APO			X			
HAUNANI	APOLIONA		2	X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY						EXCUSED
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
OSWALD	STENDER			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				5	0	0	4

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

**Chair Waihe`e** notes for the record that the **MOTION CARRIES.**

## **V. NEW BUSINESS**

### **B. Evaluation Report- Chaminade University of Honolulu Kako'o Ho'ona'auao Family Education (K-12) Assistance Services Agreement.**

**DEFERRED- Due to Lack of Quorum**

## **VI. EXECUTIVE SESSION\*\***

None.

## **VII. BENEFICIARY COMMENTS\***

None.

## **VIII. ANNOUNCEMENTS**

None.

## **IX. ADJOURNMENT**

**Vice-Chair Apoliona moves to adjourn the BAE meeting. (Due to risk of quorum being lost)**

**Trustee Akana seconds the motion.**

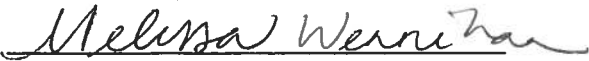
**Chair Waihe'e asks if any members vote NO or ABSTAIN. There are no dissenting votes.**

							2:25 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA		2	X			
PETER	APO			X			
HAUNANI	APOLIONA	1		X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY						EXCUSED
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
OSWALD	STENDER			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				5	0	0	4

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

**Chair Waihe'e adjourns the BAE meeting at 2:25 p.m.**

Respectfully submitted,



Melissa Wennihan

Trustee Secretary

Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on March 7, 2012.



Trustee John D. Waihe'e, IV

Chair

Committee on Beneficiary Advocacy and Empowerment

ATTACHMENTS:

- Notice of Excused Absence (4)
- Community Sign-In Sheet dated February 15, 2012.