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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



LIEUTENANT GOVERNOR'S
OFFICE

'12 FEB 23 P12:23

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS**

711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

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

DATE: Wednesday, February 29, 2012

TIME: 1:30 p.m.

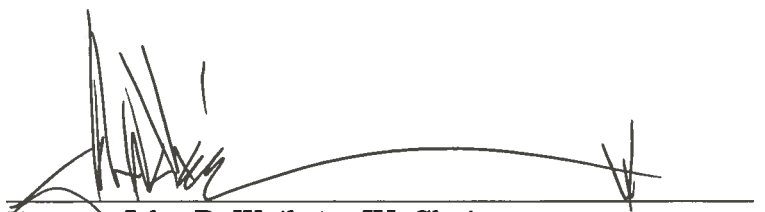
PLACE: OHA Boardroom, 5TH Floor

AGENDA

- I. Call to Order
- II. Approval of Minutes
- 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.
- 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 29, 2012 1:30 p.m.**

ATTENDANCE:

Chairperson John Waihe'e IV
Trustee Haunani Apoliona
Trustee Carmen Hulu Lindsey
Trustee Robert Lindsey
Trustee Oswald Stender

EXCUSED:

Vice Chair Rowena Akana
Trustee Peter Apo
Trustee Donald Cataluna
Trustee Colette Machado

BOT STAFF:

Capsun Poe
Crayn Akina
Dayna Pa
Kama Hopkins
Lehua Itokazu
Lei-Ann Durant
Liana "Ani" Pang
Melissa Wennihan
Nathan Takeuchi
Reynold Freitas
Shelsea Apana

ADMINISTRATION STAFF:

Breann Nu'uhiwa, PUBL
Jeffrey Kent, PUBL
Jerry Norris, COMP
Jim McMahon, ADV
Jocelyn Doane, PUBL
Kai Markell, COMP
Kamana'opono Crabbe, Ph.D, Appointed CEO
Luci Meyer, OUTR
Sterling Wong, PUBL

VOLUNTEERS:

Apolei Bargamento

GUESTS:

Kalehua Krug
Kau'i Sang
Baba Yim

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, February 29, 2012 to order at **1:33 p.m.**

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

MEMBERS			AT CALL TO ORDER (1:33 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	CARMEN "HULU"	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	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	ROWENA	AKANA	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	PETER	APO	MEMO - REQUESTING TO BE EXCUSED
TRUSTEE	DONALD	CATALUNA	MEMO - REQUESTING TO BE EXCUSED
TRUSTEE	COLETTE	MACHADO	MEMO - REQUESTING TO BE EXCUSED

II. APPROVAL OF MINUTES

None.

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**

Trustee Machado moves.

Trustee Akana 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.

							1:34 p.m.
TRUSTEE		1	2	AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA						EXCUSED
PETER	APO						EXCUSED
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
OSWALD	STENDER		2	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**.

III. COMMUNITY CONCERNS

Kalehua Krug, Kau'i Sang, and Baba Yim spoke to the BAE Committee regarding their concerns with the Hawaiian Language Immersion Program (HLIP) testing. The three are seeking support of HB2875 which would require reading, math, science, and other assessments administered to students in grades three through six of the Department of Education's (DOE) Hawaiian language immersion program to be developed originally in the Hawaiian language. They expressed concerns with past assessment tests where immersion students had difficulty with the 1-to-1 correlation of translation from English to the Hawaiian language. They would like the tests to be developed by Hawaiian speakers/teachers in the Hawaiian language so that students are given a fair and equal chance to pass the assessments required. Their hope is that though this bill deals only with grades three through six assessments that perhaps by the success of it, it can be explored at the grade levels as well in the future.

Kau'i Sang wanted to make it clear that her participation in today's meeting is as a parent. She has 2 keiki who attend Ke Kula Kaiapuni `O Anuenue in Palolo; though she is also employed by the DOE as the Acting Educational Specialist for the Hawaiian Immersion Program.

IV. NEW BUSINESS

A. 2012 OHA Legislative Package- Updates

Chair Waihe`e calls on Appointed Chief Executive Officer (ACEO) Kamana'opono Crabbe, Ph.D.

Kamana'opono Crabbe recognizes Public Policy Manager Breann Nu'uhiwa and Senior Public Policy Advocate Sterling Wong.

Sterling Wong begins by reviewing the 2012 Session Calendar that was handed out to the trustees and highlights that the first decking deadline is on March 2, 2012. He reminds the committee that bills will start dying if they do not meet that deadline and crossover.

Sterling Wong continues on to the Legal-sized document titled OHA Legislative Package and dated 2/29/12 which contains OHA's Package Bills. The bills highlighted in Red are dead because they didn't make it through the lateral deadline and the bills highlighted in yellow made it through the first lateral deadline but need to get a hearing within the next 2 days or they will also die. He continues through the document and updates the committee on the status of each bill.

OHA Package	Bill No.	Measure Title	Report Title	Description	Status	Referral	Staff	Position
OHA 2012 Legislative Package								
OHA-11	HB1988 HD1	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. Effective July 1, 2050. (HB1988 HD1)	2/16/2012 H Passed Second Reading as amended in HD 1 and referred to FIN	HUS, FIN	Aulii George	S
OHA-11	SB 2179	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.	WAM will hold a public decision making on 02-29-12 9:15AM in conference room 211.	HUS, WAM	Aulii George	S
OHA-12	HB 1987	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	SB 2178 SD1	RELATING TO HUMAN SERVICES.	Human Services; TANF Program; TAONF Program; Med-QUEST; Office of Hawaiian Affairs Package	Requires the department of human services to conduct a study on asset limits for public assistance programs. Requires a report to the legislature. (SD1)	WAM will hold a public decision making on 02-29-12 9:15AM in conference room 211.	HMS, WAM	Aulii George	S
OHA-13	HCR 7	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	SCR 3	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	HCR 6	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.	The committees on HAW/HLT recommend that the measure be PASSED, WITH AMENDMENTS	HAW/HLT, WLO/HS G, FIN	Koa Kaulukukui	S
OHA-14	SCR 2	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	HB 1986	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.	2/14/2012 H Referred to the committee(s) on FIN	HAW, EDN, FIN	Sterling Wong	S
OHA-15	SB 2177	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	HB 1985	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	SB 2176	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	HB 1984	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	SB 2175	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.	HWN recommend(s) that the measure be PASSED, WITH AMENDMENTS.	HWN/ED T	Sterling Wong	S
OHA-18	HB 1983 HD1	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. (HB1983 HD1)	2/15/2012 H Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN	CUA, FIN	Breann Nu'uhiwa	S
OHA-18	SB 2174	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	HB 1982	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	SB 2173	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.	2/22/2012 S The committee on CPN deferred the measure.	CPN	Kai Markell	S

OHA-20	HB 1981	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	SB 2172	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	HB 1989	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	SB 2180	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	HB 1990	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	SB 2181	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

Trustee Apoliona asks if there could be a resolution drafted for OHA-18 to help keep it alive.

Kamana'opono Crabbe agrees with Trustee Apoliona since the bills deal with a mandate from the Federal Government which requires the State to comply with disaggregating data.

Sterling Wong confirms that a resolution will be drafted.

V. NEW BUSINESS

A. 2012 OHA LEGISLATIVE POSITIONS

Sterling Wong begins by updating the committee on the 2 settlement bills. SB2783's decision is deferred until 3/1/12 at 10:00am which is the same time as the OHA BOT Meeting. On 2/29/12 there was a hearing on SB682 SD1 and decision making was deferred until 3/1/12.

Sterling Wong moves onto the Twenty-Sixth State Legislature, 2012 Matrix dated 2/29/12. There are a few new bills added to the matrix.

Jocelyn Doane shares with the committee that they would recommend Comment on the Governor's Message nomination for Jonathan Starr (Item #1) because although he is qualified it is not clear which position he is being nominated for. The reason for recommending Oppose on the Governor's

Message nomination for Ted Yamamura (Item #2) is because it's not believed that he fulfills the statutory mandate of having substantial experience in water resource management.

Trustee Hulu Lindsey spoke about attending the hearing regarding Item #6 SB682 SD1 and suggests that the position be changed from Comment to Support.

Chairperson Waihe'e and the BAE Committee Members agreed to the change in position.

Trustee Apoliona asks to add GM726 for Marilyn Leimomi Khan to the King Kamehameha Celebration Commission as support to the Matrix.

Sterling Wong agrees to add it on.

Item #	Bill #	Report	Description	Status	Referrals	Position	Staff
New Bills							
1	<u>GM754</u>	Commission on Water Resource Management	Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, JONATHAN STARR, for a term to expire 6-30-2016.	2/22/2012 S Referred to WLH.	WLH	C	Jocelyn Doane
2	<u>GM755</u>	Commission on Water Resource Management	Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, TED YAMAMURA, for a term to expire 6-30-2016.	2/22/2012 S Referred to WLH.	WLH	O	Jocelyn Doane
3	<u>HB1589</u>	DESIGNATING FEBRUARY AS HAWAIIAN GROWN CACAO MONTH.	Designates February as "Hawaiian Grown Cacao month."	H 2/24/2012 The committees on AGR recommend that the measure be PASSED, WITH AMENDMENTS.	AGR	M	Sterling Wong
4	<u>HB2416</u> <u>HD1</u>	RELATING TO EDUCATION.	Establishes a School Attendance Working Group within the Department of Education to address issues surrounding high absentee rates in K-12 schools. Effective July 1, 2012. (HB2416 HD1)	H 2/14/2012 Passed Second Reading as amended in HD 1 and referred to the committee on FIN	EDN, FIN	S	Kalani Akana
5	<u>HB2516</u> <u>HD1</u>	MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH.	Appropriates funds to the Department of Health to support early childhood development. Addresses a housekeeping issue regarding the Hawaii Early Intervention Coordinating Council to ensure compliance with current federal requirements for the council. (HB2516 HD1)	H 2/14/2012 Passed Second Reading as amended in HD 1 and referred to the committee on FIN	HLT, FIN	M	Analika Nahulu

6	<u>SB682</u> <u>Proposed</u> <u>SD1</u>	RELATING TO KAKAAKO.	Increases the reserved housing requirement for a development in the Kakaako community development district, mauka area.	S 2/24/2012 The committees on WLH/JDL has scheduled a public hearing on 02-29-12 10:00AM in conference room 016	WLH, JDL	C	Jim McMahon
7	<u>SB2778</u> <u>SD1</u>	MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH.	Establishes a childhood obesity prevention task force. Appropriates funds to the department of health to support early childhood development. (SD1)	S 2/24/2012 The committee(s) on WAM recommend(s) that the measure be PASSED, UNAMENDED.	HTH, WAM	S	Analika Nahulu

Sterling Wong moves into the Bills for Reconsideration and highlights Item #10 SB2378 SD1 Legacy Lands Act. Initially there were proposals to change the act which would limit certain entities, like OHA from applying for funds. There have been changes and some of our concerns have been addressed so we would now recommend to change our position from Oppose to Comment.

Bill Positions for Reconsideration							
Item #	Bill #	Report	Description	Status	Referrals	Position	Staff
8	<u>HB2412</u>	RELATING TO HOUSING.	Temporarily allows the dwelling unit revolving fund to reimburse the general fund for the principal of general obligation bonds issued for housing projects and programs. Appropriates the moneys reimbursed to repair and maintain public housing units. Effective on 7/1/12, and terminates on 6/30/14.	H 2/24/2012 Bill scheduled to be heard by FIN on Tuesday, 02-28-12 11:00AM in House conference room 308.	FIN	C > M	Jeff Kent
9	<u>HB2808</u>	RELATING TO KIKALA-KEOKEA.	Provides an additional period of ten years within which lessees of the Kikala-Keokea homestead may construct dwellings, as required in their leases, commencing upon the effective date of this Act.	H 2/24/2012 Bill scheduled to be heard by FIN on Monday, 02-27-12 10:00AM in House conference room 308.	HAW, WLO, FIN	M > S	Jeff Kent

10	<u>SB2378</u> <u>SD1</u>	RELATING TO LEGACY LANDS.	Requires nonprofit land conservation organizations to provide, in addition to a conservation easement, a deed restriction or covenant, as a condition to the receipt of funds under the legacy land program. Requires the board of land and natural resources to be made a full or partial owner of any conservation provided by a state or county agency or nonprofit land conservation organization as a condition for receipt of funding under the legacy lands program. Allows for the exemption of the easement requirements by the board. Requires applicants for legacy land funds to submit the project's public benefit and to consult with the staff of the department of land and natural resources, the department of agriculture, the agribusiness development corporation, and the public land development corporation. (SD1)	S 2/22/2012 The committee(s) on WAM will hold a public decision making on 02-28-12 9:00AM in conference room 211.	WLH/AG L, WAM	O > C	Miranda Smith
11	<u>SB2936</u> <u>SD1</u>	RELATING TO PUBLIC ASSISTANCE PROGRAMS.	Allows the department of human services to draw from other funds appropriated to the department in the event the general assistance appropriation is insufficient to meet general assistance benefits programs. (SD1)	S 2/24/2012 The committee(s) on WAM will hold a public decision making on 02-29-12 9:15AM in conference room 211.	HMS, WAM	C > M	Aulii George
12	<u>HB2531</u>	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Allows the chairman, with unanimous consent of the commission, to suspend administrative rules for the purpose of awarding a lease to a native Hawaiian who has been on the waitlist for at least twenty years.	The committee(s) on FIN recommend(s) that the measure be deferred.	HAW, FIN	C > SA	Jeff Kent
13	<u>SB2793</u> <u>SD1</u>	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Allows the chairman, with unanimous consent of the commission, to suspend administrative rules for the purpose of awarding a lease to a native Hawaiian who has been on the waitlist for at least twenty years. Repeals 6/30/2017. (SD1)	S 2/24/2012 JDL deferred the measure until 02-28-12 10:00AM in conference room 016.	HWN, JDL	C > SA	Jeff Kent

14	<u>SB2792</u> <u>SD1</u>	RELATING TO RENEWABLE ENERGY REVENUE.	Identifies geothermal royalties and revenue from public land dispositions to nongeothermal renewable energy producers as supplemental sources of revenue for the Native Hawaiian Rehabilitation Fund. (SD1)	S 2/22/2012 WAM will hold a public decision making on 02-28-12 9:00AM in conference room 211.	HWN/WL H/ENE, WAM	SA > S	Kamaile Maldonado
15	<u>HB2530</u> <u>HD1</u>	RELATING TO RENEWABLE ENERGY REVENUE.	Identifies geothermal and nongeothermal royalties and revenue from mining leases and public land dispositions as supplemental sources of revenue for the Native Hawaiian Rehabilitation Fund. Decreases the percentage of those royalties and revenues to the appropriate counties and allocates a percentage of those royalties and revenues to the Department of Hawaiian Home Lands. Effective July 1, 2012. (HB2530 HD1)	H 2/9/2012 Passed Second Reading as amended and referred to WLO/EEP.	HAW, WLO/EEP , FIN	SA > S	Kamaile Maldonado
16	<u>HB2246</u> <u>HD1</u>	RELATING TO HAIKU VALLEY.	Establishes the Haiku Valley cultural preserve commission to provide policy and management oversight of the Haiku Valley cultural preserve. Initiates process of conveying Haiku valley in fee simple to the Department of Land and Natural Resources. (HB2246 HD1)	H 2/26/2012 Bill scheduled to be heard by FIN on Wednesday, 02- 29-12 1:30PM in House conference room 308.	WLO/HA W, FIN	SA > C	Jim McMahon

Sterling Wong continues into the positions already approved to highlight Item #401 on Page 69-SB3071 SD1; Relating to Education – The Ho’okulaiwi Bill which passed on 2/28/12. He reminds members that OHA’s language was taken out and WAM zeroed out the appropriations.

2012 Legislative Session (All Positions Previously Approved)							
Item #	Bill #	Report	Description	Status	Referrals	Position	Staff
401	<u>SB3071</u> <u>SD1</u>	RELATING TO EDUCATION.	Appropriates funds for three permanent positions and operating expenses for Ho’okulaiwi: ‘Aha Ho’ona’auao ‘Oiwī (the center for Native Hawaiian and indigenous education) within the University of Hawaii at Manoa. Effective 7/1/2050. (SD1)	S 2/22/2012 WAM will hold a public decision making on 02-28-12 9:00AM in conference room 211.	HWN/ED U, WAM	S	Breann Nuuhiwa

Sterling Wong reviews the Aha Moku bill on Page 391 Item #68 this also had a hearing on 2/28/12 and we are opposing the measure to align with our new policy of placing entities within OHA.

391	<u>SB3053</u> <u>SD1</u>	RELATING TO NATIVE HAWAIIANS.	Establishes aha moku advisory committee within OHA. Establishes a quorum requirement for island burial councils. Makes an appropriation. (SD1)	S 2/22/2012 WAM will hold a public decision making on 02-28-12 9:00AM in conference room 211.	HWN/WL H, WAM	O	Sterling Wong
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Chair Waihe`e asks for a **MOTION:**

To approve the Administration's recommendations regarding New Bills and Bill Positions for Reconsideration on the matrix titled Twenty-Sixth State Legislature 2012, dated February 29, 2012 as amended.

Legend		Legend	
Color/Description		C = Comments S = Support	
	Not Moving	M = Monitor	
	OHA Impacted	O = Oppose	
	Key Bills	SA = Support w/ amendments	
	Act 176		

Item #	Bill #	Report	Description	Position
New Bills				
1	<u>GM754</u>	Commission on Water Resource Management	Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, JONATHAN STARR, for a term to expire 6-30-2016.	C
2	<u>GM755</u>	Commission on Water Resource Management	Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, TED YAMAMURA, for a term to expire 6-30-2016.	O
ADDED	<u>GM726</u>	King Kamehameha Celebration Commission	Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, MARILYN KHAN, for a term to expire 6-30-2015.	S
3	<u>HB1589</u>	DESIGNATING FEBRUARY AS HAWAIIAN GROWN CACAO MONTH.	Designates February as "Hawaiian Grown Cacao month."	M
4	<u>HB2416</u> <u>HD1</u>	RELATING TO EDUCATION.	Establishes a School Attendance Working Group within the Department of Education to address issues surrounding high absentee rates in K-12 schools. Effective July 1, 2012. (HB2416 HD1)	S

5	<u>HB2516</u> <u>HD1</u>	MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH.	Appropriates funds to the Department of Health to support early childhood development. Addresses a housekeeping issue regarding the Hawaii Early Intervention Coordinating Council to ensure compliance with current federal requirements for the council. (HB2516 HD1)	M
6	<u>SB682</u> <u>Proposed</u> <u>SD1</u>	RELATING TO KAKAAKO.	Increases the reserved housing requirement for a development in the Kakaako community development district, mauka area.	S
7	<u>SB2778</u> <u>SD1</u>	MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH.	Establishes a childhood obesity prevention task force. Appropriates funds to the department of health to support early childhood development. (SD1)	S

Bill Positions for Reconsideration

Item #	Bill #	Report	Description	Position
8	<u>HB2412</u>	RELATING TO HOUSING.	Temporarily allows the dwelling unit revolving fund to reimburse the general fund for the principal of general obligation bonds issued for housing projects and programs. Appropriates the moneys reimbursed to repair and maintain public housing units. Effective on 7/1/12, and terminates on 6/30/14.	C > M
9	<u>HB2808</u>	RELATING TO KIKALA-KEOKEA.	Provides an additional period of ten years within which lessees of the Kikala-Keokea homestead may construct dwellings, as required in their leases, commencing upon the effective date of this Act.	M > S
10	<u>SB2378</u> <u>SD1</u>	RELATING TO LEGACY LANDS.	Requires nonprofit land conservation organizations to provide, in addition to a conservation easement, a deed restriction or covenant, as a condition to the receipt of funds under the legacy land program. Requires the board of land and natural resources to be made a full or partial owner of any conservation provided by a state or county agency or nonprofit land conservation organization as a condition for receipt of funding under the legacy lands program. Allows for the exemption of the easement requirements by the board. Requires applicants for legacy land funds to submit the project's public benefit and to consult with the staff of the department of land and natural resources, the department of agriculture, the agribusiness development corporation, and the public land development corporation. (SD1)	O > C
11	<u>SB2936</u> <u>SD1</u>	RELATING TO PUBLIC ASSISTANCE PROGRAMS.	Allows the department of human services to draw from other funds appropriated to the department in the event the general assistance appropriation is insufficient to meet general assistance benefits programs. (SD1)	C > M
12	<u>HB2531</u>	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Allows the chairman, with unanimous consent of the commission, to suspend administrative rules for the purpose of awarding a lease to a native Hawaiian who has been on the waitlist for at least twenty years.	C > SA

13	<u>SB2793</u> <u>SD1</u>	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Allows the chairman, with unanimous consent of the commission, to suspend administrative rules for the purpose of awarding a lease to a native Hawaiian who has been on the waitlist for at least twenty years. Repeals 6/30/2017. (SD1)	C > SA
14	<u>SB2792</u> <u>SD1</u>	RELATING TO RENEWABLE ENERGY REVENUE.	Identifies geothermal royalties and revenue from public land dispositions to nongeothermal renewable energy producers as supplemental sources of revenue for the Native Hawaiian Rehabilitation Fund. (SD1)	SA > S
15	<u>HB2530</u> <u>HD1</u>	RELATING TO RENEWABLE ENERGY REVENUE.	Identifies geothermal and nongeothermal royalties and revenue from mining leases and public land dispositions as supplemental sources of revenue for the Native Hawaiian Rehabilitation Fund. Decreases the percentage of those royalties and revenues to the appropriate counties and allocates a percentage of those royalties and revenues to the Department of Hawaiian Home Lands. Effective July 1, 2012. (HB2530 HD1)	SA > S
16	<u>HB2246</u> <u>HD1</u>	RELATING TO HAIKU VALLEY.	Establishes the Haiku Valley cultural preserve commission to provide policy and management oversight of the Haiku Valley cultural preserve. Initiates process of conveying Haiku valley in fee simple to the Department of Land and Natural Resources. (HB2246 HD1)	SA > C

Trustee Stender moves.

Trustee Hulu Lindsey seconds the motion.

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

							2:36 p.m.
TRUSTEE		1	2	AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA						EXCUSED
PETER	APO						EXCUSED
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						EXCUSED
OSWALD	STENDER	1		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.

VI. EXECUTIVE SESSION**

None.

VII. BENEFICIARY COMMENTS*

None.

VIII. ANNOUNCEMENTS

None.

IX. ADJOURNMENT

Trustee Apoliona moves to adjourn the BAE meeting.

Trustee Hulu Lindsey seconds the motion.

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

							2:37 p.m.
TRUSTEE		1	2	`AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA						EXCUSED
PETER	APO						EXCUSED
HAUNANI	APOLIONA	1		X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY			X			
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 2:37 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 28, 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 29, 2012
- Beneficiary / Community Question Form (1)