

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



LIEUTENANT GOVERNOR'S  
OFFICE

**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

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

12 MAR 14 A9:56

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

**DATE:** Wednesday, March 21, 2012  
**TIME:** 1:30 p.m.  
**PLACE:** OHA Boardroom, 5<sup>TH</sup> 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.
  - B. Briefing on Keauhou Aquifer - Kaloko Honokohau National Park regarding history and purpose of the Park, water-related cultural and natural resources, possible impacts to cultural resources, and management possibilities.
- 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  
March 21, 2012 1:30 p.m.**

**ATTENDANCE:**

Chairperson John Waihe'e, IV  
Vice-Chairperson Rowena Akana  
Trustee Peter Apo  
Trustee Haunani Apoliona  
Trustee Carmen Hulu Lindsey  
Trustee Robert Lindsey  
Trustee Colette Machado  
Trustee Oswald Stender

**EXCUSED:**

Trustee Donald Cataluna

**BOT STAFF:**

Capsun Poe  
Crayn Akina  
Kama Hopkins  
Lehua Itokazu  
Liana Pang  
Makana Chai  
Melissa Wennihan  
Nathan Takeuchi  
Reynold Freitas  
Shelsea Apana

**ADMINISTRATION STAFF:**

Aulii George, PUBL  
Breann Nu'uhiwa, PUBL  
Deirdra Alo, ADV  
Jeffrey Kent, PUBL  
Jerome Yasuhara, COMP  
Jerry Norris, COMP  
Jim McMahon, ADV  
Jocelyn Doane, PUBL  
Kai Markell, COMP  
Kaiwinui Yoon, HLID  
Kalani Akana, PUBL  
Kamaile Maldonado, PUBL  
Kamana'opono Crabbe, Ph.D., Ka Pouhana/CEO  
Keala Nichols, PUBL  
Luci Meyer, OUTR  
Sterling Wong, PUBL

**GUESTS:**

Fred Cachola  
Jeff Zimpfer  
Jonathan Scheuer  
Kapua Sproat  
Kathy Billings  
Keith Johnston  
Paula Cutillo  
Peter Fahmy

**I. CALL TO ORDER**

**Chair Waihe'e** calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, March 21, 2012 to order at **1:30 p.m.**

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

MEMBERS			AT CALL TO ORDER (1:30 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	ROWENA	AKANA	PRESENT	1:37pm
TRUSTEE	PETER	APO	PRESENT	1:37pm
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	CARMEN "HULU"	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	
TRUSTEE	OSWALD	STENDER	PRESENT	

At the Call to Order, **Six (6) Trustees are PRESENT**, thereby constituting a quorum.

**EXCUSED** from the BAE meeting are:

MEMBERS			COMMENT
TRUSTEE	DONALD	CATALUNA	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**

**V. New Business**

**A. 2012 OHA Legislative Positions**

**B. Briefing on Keauhou Aquifer- Kaloko Honokohau National Park**

**Trustee Colette Machado** moves.

**Trustee Robert Lindsey** 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.

							1:31 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA						Not Present at Time of Vote
PETER	APO						Not Present at Time of Vote
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY		2	X			
COLETTE	MACHADO	1		X			
OSWALD	STENDER			X			
CHAIR JOHN	WAIHE`E			X			
TOTAL VOTE COUNT				6	0	0	3

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

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

## **II. APPROVAL OF MINUTES**

None.

## **III. COMMUNITY CONCERNS\***

None.

**Chair Waihe`e** informs the committee that they will take item V.B. out of order due to another appointment that the group needs to attend.

## **V. NEW BUSINESS**

- B. Briefing on Keauhou Aquifer – Kaloko Honokohau National Park regarding history and purpose of the Park, water-related cultural and natural resources, possible impacts to cultural resources, and management possibilities.**

**Chair Waihe`e** turns the floor over to Ka Pouhana Kamana`opono Crabbe.

**Ka Pouhana Crabbe** calls on Public Policy Advocate Jocelyn Doane to give an introduction on the matter.

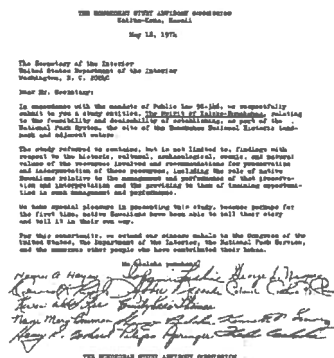
**Jocelyn Doane** Aloha Trustees, discussion today is in line with the resolution passed by the Board on September 14, 2011 that encourages stakeholders interested in the sustainability of the Keauhou Aquifer to actively work to protect the traditional and customary practices of Native Hawaiians that are dependent on abundant clean groundwater. The staff has started to develop a relationship with the National Park Service to better understand what the natural and cultural resources are at the park and the potential impacts that may occur without sufficient fresh water. Today we have some members of the National Park here to share some of their mana`o. Also here is Jonathan Scheuer, former OHA Land Manager, who is a consultant for the National Park Service and will introduce the rest of the guests.

**Trustee Robert Lindsey** requests that the OHA Board also hear from the Department of Hawaiian Homelands and Queen Lili`uokalani Trust as to their position on the Keauhou Aquifer.

**Dr. Jonathan Scheuer** greets the committee and introduces the group members in attendance. Kathy Billings; superintendent of Kaloko-Honokohau National Park, Fred Cachola; one of the original commissioners who established the park, Peter Fahmy; a solicitor out of Colorado with the National Park Service, Paula Cutillo; a hydrologist, Jeff Zimpfer, Environmental Protection Specialist, and Kapua Sproat and Keith Johnston from Ka Huli Ao William S. Richardson School of Law who have been working with the environmental law clinic on this particular issue. He thanks the board for passing the resolution back in September 2011 and continues with the update of what has transpired since the resolution was passed. They've been meeting with various stakeholders including Alapaki Nahale-a of DHHL, the mayor, councilmembers and community members of Hawaii Island. They've also touched base and will meet with the Queen Lili`uokalani Trust

**Trustee Robert Lindsey** asks if the group has met with the Hawaii County Water Round Table.

**Fred Cachola** represents Kaloko Honokohau National Park as a kokua and provides background to the committee regarding the park and its history. Congress authorized Kaloko Honokohau to become a National Park in 1978, though we as Hawaiians know that the significance of the park goes back to Papa and Wakea, Pele and Kanaloa which all created a unique environment in the area. He shared stories and this document (inserted below) which lists the Native Hawaiians who helped establish Honokohau as a National Park: Norma Hayes, 'Iolani Luahine, George Na'ope, David Roy, Abbie Napeahi, Colonel Arthur Chun, Kwai Wah Lee, Emily Ka'ai, Nani Bowman, George Pinehaka, Kenneth Emory, Henry Boshard, Pilipo Springer, and Fred Cachola.

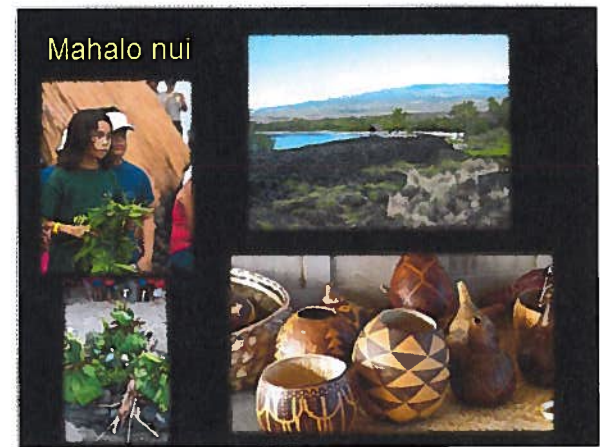
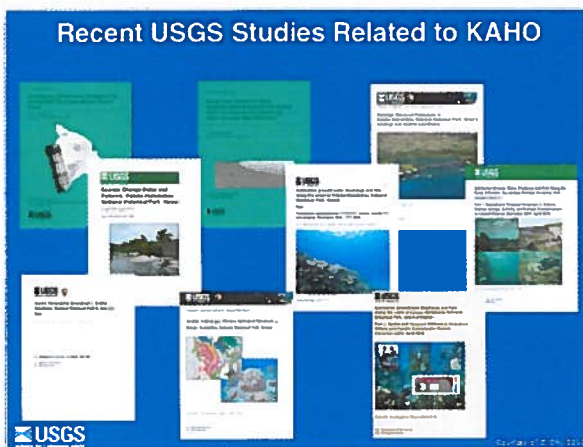


**Fred Cachola** affirms that it was an honor for David Roy, Abbie Napeahi and himself to deliver the above letter to the Department of Interior in 1974, while there they shared that according to Hawaiian resources this area is one of the places considered to hold some of the iwi of Kamehameha I and other significant Hawaiians.

**Kathy Billings** continues with the power point presentation captured below. The Spirit of Kaloko Honokohau; the spirit is essentially the water and the connection of people to the place. The park continues to do outreach with school groups and cultural practices in the park working with many different people. She thanks the trustees for the resolution to work together in protecting the Keauhou Aquifer which is important for the water that flows through the park. In 1978, there were 3 million gallons of water a day being pumped from about 4 to 5 wells south of the Park, today there are 13 million gallons of water being pumped out of many more wells. Our projection based on development plans for the area is that there will be an additional 22 million gallons of water pumped daily as the developments occur. So as you can see there is a huge demand for water. We have funded and worked with many partners to have studies done to understand the system and have met with partners to try and figure out how to protect the aquifer. We really appreciate your interest and your time and look forward to working with you and your staff.







**Trustee Stender** asks what all the yellow colored areas, mauka of the site on Slide 8 are.

**Dr. Scheuer** informs the committee that the land in yellow are proposed land development sites, some of which already have their state land use commission and county entitlements and others that are in the process.

**Trustee Stender** follows up by asking if there will still be a sustainable amount of water with all of this proposed development.

**Dr. Scheuer** responds that there are differing opinions on whether or not there will be enough water to provide for the area. Personally, he feels that if there is wise planning then yes there can be sufficient water for all.

**Trustee Apoliona** asks where we are in terms of timing and critical milestones that could be on the way with these developments.

**Dr. Scheuer** responds that right now there are no active applications however they can appear at any time. One of the things that the park service suggested to the water commission was that they examine the idea of designating the aquifer as a ground water area, which does not stop development of water by any sense. It allows the state to evaluate whether private use of water also protects public trust uses and is reasonable and beneficial.

**Trustee Machado** asks why OHA is involved.

**Jocelyn Doane** replies that at this point OHA is not involved in an organized way. However, in September 2011 the board passed a resolution stating that we encouraged more communication among the stakeholders in the area and because there are traditional and customary rights involved we felt it would be good to better understand what the resources are and what the potential impacts to Native Hawaiians are. So we are not formally involved in the situation but we are doing some background research and felt that we should provide an update to the trustees.

#### **IV. UNFINISHED BUSINESS**

##### **A. 2012 OHA Legislative Package- Updates**

**Chair Waihe'e** calls on Chief Executive Officer (CEO)/ Ka Pouhana Kamana'o pono Crabbe.

**Ka Pouhana Crabbe** recognizes Public Policy Manager Breann Nu'uhiwa and Jim McMahon.

**Breann Nu'uhiwa** begins with the session calendar and points out that March 22<sup>nd</sup> is the second lateral filing which means that the bills have to be in their final committee by then in order to move forward. All of our bills are alive and well with the exception of a few which we will go over now on the OHA Legislative Package Matrix. OHA 11 & 12 have both been amended and we are waiting to see the amendments. OHA 13 is now a resolution where OHA has a hearing on Friday March 23<sup>rd</sup> with the Water, Land and Housing and Hawaiian Affairs committees in Room 224 at 2:55pm. OHA 15 is a vehicle for our originally proposed bill which is no longer alive; Sterling is at that hearing now and will provide us with an update when he gets back. OHA 17 will be heard later today in the House; however the Senate version does not look like it will be moving forward. Outside of our package, the settlement bill passed without amendments on March 20, 2012 and it will need to go through one more committee. The enhanced entitlements bill deferred decision-making to March 22 at 3:15pm.

OHA Package	Bill No.	Measure Title	Report Title	Description	Status	Referral	Staff	Position
<b>OHA 2012 Legislative Package</b>								
OHA-11	<a href="#">SB 2179 SD1</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. Effective 7/1/2050. (SD1)	3/20/2012 H Reported from HUS recommending passage on Second Reading and referral to FIN.	HUS, WAM	Aulii George	S
OHA-12 Vehicle	<a href="#">HB 2685 HD2</a>	RELATING TO HUMAN SERVICES.	Department of Human Services; Public Assistance Programs	Raises the asset limit for public assistance for households with minor dependents from \$5,000 to \$10,000. Effective July 1, 2030. (HB2685 HD2)	3/13/2012 S The committee(s) on HMS recommend(s) that the measure be PASSED, WITH AMENDMENTS.	HMS, WAM.	Aulii George	S
OHA-12	<a href="#">SB 2178 SD2</a>	RELATING TO HUMAN SERVICES.	Human Services; TANF Program; TAONF Program; Med-QUEST; Office of Hawaiian Affairs Package	Requires DHS to conduct a study on asset limits for public assistance programs. Requires a report to the legislature. Effective 7/1/2050. (SD2)	3/19/2012 H The committees on HUS recommend 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 HD1</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.	The committees on HAW/HLT recommend that the measure be PASSED, WITH AMENDMENTS	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 Vehicle	<a href="#">HB 2875</a>	RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM	Hawaiian Language Immersion Program; Student Assessment	Requires reading, math, science, and other assessments administered to students in grades three through six of the department of education's Hawaiian language immersion program to be developed originally in the Hawaiian language; requires the board of education to adopt rules establishing procedures for the development of these assessments in collaboration with the Hawaiian language community; requires status reports to the 2013 and 2014 legislatures.	The committee(s) on HWN/EDU has scheduled a public hearing on 03-21-12 1:15PM in conference room 225.	HWN/EDU, WAM	Sterling Wong	S
OHA-17	<a href="#">HB 1984</a>	RELATING TO HAWAIIAN LANGUAGE.	Hawaiian Language; 'Ōlelo Hawaii; Month; February; Office of Hawaiian Affairs Package	Designates the month of February as "'Ōlelo Hawaii Month" to celebrate and encourage the use of Hawaiian language.	The committee(s) on HWN/EDT has scheduled a public hearing on 03-21-12 2:45PM in conference room 224.	HWN/EDT	Sterling Wong	S
OHA-17	<a href="#">SB 2175 SD1</a>	RELATING TO HAWAIIAN LANGUAGE.	Hawaiian Language; Month; February; Public Documents; Letterhead; Symbols	Designates the month of February as "'Ōlelo Hawaii Month" to celebrate and encourage the use of Hawaiian language. Requires that all letterheads, documents, symbols, and emblems of the State and other political subdivisions include accurate and appropriate Hawaiian names and language. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. (SD1)	3/16/2012 H Passed Second Reading and referred to the committee(s) on JUD	HAW, JUD, FIN	Sterling Wong	S

OHA 2011 Legislative Package								
OHA-7	<a href="#">SB 981</a> <a href="#">SD2</a> <a href="#">HD1</a>	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Office of Hawaiian Affairs; Customary Rights; Training	Requires certain council, board, and commission members to take a training course offered by the Office of Hawaiian Affairs relating to native Hawaiian traditional and customary rights, natural resource protection and access rights, and the public trust. Effective upon approval. (SB981 HD1)	H Carried over to 2012 Regular Session	HAW, JUD, FIN	Jocelyn Doane	S

**Breann Nu'uhiwa** continues to update the committee on other related bills. Beginning with the Ho'okulaiwi Bill; the original bills included provisions requiring OHA to provide funding to Ho'okulaiwi which was a concern to us because we have already provided funding through other channels. Our concern was what exactly is being asked of OHA by the bills. We were successful in getting the language requiring OHA to match State Funds removed from the Senate version which is still moving, but the language remained in the House bill and the House version died so we thought everything was ok. However, we saw the Budget bill which is HB 2012 that has a provision requiring the state to provide \$100,000 to Ho'okulaiwi and for OHA to match that. So staff has had a conversation with the House Finance Staff and they stated that they were instructed to put that language into the bill and were also told at that time that that language refers to funding that OHA has already approved. We are not comfortable with it just being an "understanding" and have asked if they could make it clearer in the language. They've responded that it's something that will need to be worked out in conference, but that everyone is aware and understands it. We are preparing a letter right now to make it abundantly clear that this is money that OHA has already approved and isn't referring to further funding by OHA.

**Jim McMahon** switches to update the committee on the Ha'iku Valley Bill; a House Bill which would create a Ha'iku Valley Preserve Commission that would exercise management and policy oversight of Ha'iku Valley. As the bill moved through legislature disagreements arose as to who should pay for the commission and where the commission should be located. We are still waiting to see what the bill will look like, but know that some of the legislators are willing to ask OHA to provide some funding though the extent is unknown.

**Trustee Machado** asks what Mahealani Cypher and Rocky Kaluhiwa are asking of OHA as OHA has already provided the initial master planning funding to them.

**Jim McMahon** responds that he spoke with Mahealani after the hearing and she's thinking that OHA could possibly help with land transaction costs and she is also keeping in mind that there once was discussion that there would be a land transfer between DHHL and DLNR. At the hearing DLNR Chairperson William Aila testified that they would be happy to have the commission within DLNR however they do not have the funding for it.

**Trustee Machado** comments that the measure is so broad and doesn't specify whether it's pre-planning, commission operation, or clean up that they're asking of OHA.

**Jim McMahon** responds that ultimately they: envision a transformation of the valley, rehabilitation of the coast guard Omega Station to become a possible educational museum, protection of native rights, and access for native Hawaiian practitioners. However the limited goal is simply to gain access when they want access to go into the valley. We should have a formal official version of the latest amendments from judiciary/water land next week that would help us to know what kind of funding their talking about from OHA.

**Jim McMahon** briefs the committee on the Aha Moku Bill situation; basically companion bills were introduced in this legislature that would establish an Aha Moku advisory committee to advise the Board of Land and Natural Resources among other things on integrating indigenous resource management and practices with western practices in the various regions of the state. Both bills are moving however there's a bit of struggle, the key senators want the committee to be within OHA and funded by OHA, and the key representatives want it to be within DLNR and funded by State General Funds. We are speaking of this in the context of OHA's recently enacted board policy on opposing efforts to ask for OHA funding or to install entities within OHA without adequate consultation and approval from OHA. I have been tasked with drafting an action item which will be heard in a couple of weeks by the Joint ARM/BAE committee which would start the process of committing approximately \$75,000 from OHA to the Aha Moku Advisory Committee.

**Trustee Machado** asks if these three bills are the only ones that are looking to OHA for funding.

**Breann Nu'uhiwa** confirms that the three bills are the only measures seeking OHA funding.

## **V. NEW BUSINESS**

### **A. 2012 OHA LEGISLATIVE POSITIONS**

**Breann Nu'uhiwa** moves into NEW BUSINESS- 2012 OHA Legislative Positions. She first reviews SCR 66 which is a new issue not on the matrix that staff just became aware of. It is a resolution that's trying to redefine how the pro-rata amount owed to OHA from the conveyance of lands for the development of housing projects is defined. Currently it's defined as the most profitable, probable and legal use to which the land can be put, which tries to maximize the amount that OHA receives it's pro-rata shares from. This resolution is saying that language is ambiguous and it doesn't allow for proper evaluation and it suggests "fair market value means the amount of money that a purchaser willing but not obliged to buy the land would pay to an owner willing but not obliged to sell it taking into consideration the use of the land at the time of conveyance". Staff doesn't feel that this would be a beneficial nor clarifying change, so we intend to provide comment to that effect and to advocate for keeping the language and definition of fair market value the way it is.

**Breann Nu'uhiwa** continues on to another item not listed on the matrix, SB 2001, SD 1 which was heard by the House committee on Hawaiian affairs relating to indigenous renewable energy that we understand will be gutted and replaced with a bill repealing the PLDC.

**Trustee Machado** suggests monitoring the bill.

***The sense of the committee agrees to monitor SB 2001.***

**Breann Nu'uhiwa** transitions on to the matrix beginning on Page 1 and highlights the bills that Staff is suggesting to Oppose.

**Jocelyn Doane** reviews Items #1 & 2 which deal with the Environmental Council. The Environmental Council is responsible for carrying out mandates under HRS 341 which include drafting administrative rules for HRS 343, Hawaii Environmental Review Law as well as working with State agencies who desire to obtain exemptions from the environmental review process. While they are advisory, their role in drafting the rules and their monitoring of other agencies compliance with our environmental laws are significant to our beneficiaries. We are recommending Support of the two nominees that the Governor has selected, both Koa Kaulukukui and Glenn Teves. On page 4 Items #24 & 25, we are suggesting to oppose HCR 200 because the resolution is asking for an exemption of the law. Item #33 on page 6 we are recommending opposition of SB0755 SD2 Proposed HD2. This is a bill introduced in 2011 which has been gutted and contains language from five other bills that we are opposing. It is a highly controversial bill. The next bill we are recommending to oppose is SB2012 SD1, Item #34 also on Page 6. It primarily involves general obligation bonds, appropriations and procurement; however it also involves exemptions to county permitting and licensing which may include coastal zone management which covers our fragile ecosystems near the shoreline. SCR067, Item #41 on Page 7 is similar to a bill that the Board has already opposed; this would transfer all the rights, powers, functions and duties of HHFDC, HCDA and the State's geothermal Resources to PLDC, so we are suggesting opposition of this resolution as well.

**Breann Nu'uhiwa** explains the reason for suggesting opposing item #40 on Page 7, SCR064 and item #53 on Page 9, SR025. Both resolutions involve the PLDC and urge the PLDC to work with DLNR to develop geothermal development projects on Maui and Hawai'i Island.

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
<b>New Bills</b>				
1	<u>GM785</u>	Environmental Council	Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, KOALANI KAULUKUKUI, for a term to expire 6-30-2016.	S
2	<u>GM788</u>	Environmental Council	Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, GLENN TEVES, for a term to expire 6-30-2016.	S
3	<u>HB2415 HD2</u>	RELATING TO MEDICAID.	Requires certain Medicaid recipients to pay a copayment for prescription drugs covered under the recipients' Medicaid benefits in accordance with a program developed by the Department of Human Services. Requires the Department of Human Services to seek the approval of the Centers for Medicare and Medicaid Services prior to the establishment and implementation of the program. (HB2415 HD2)	C
4	<u>HCR072</u>	Solar Photovoltaic Energy Systems; Construction	ENCOURAGING SINGLE-FAMILY RESIDENCE BUILDERS TO CONSIDER CERTAIN FACTORS THAT WILL FACILITATE INSTALLATION OF PHOTOVOLTAIC SYSTEMS WHEN CONSTRUCTING AND DEVELOPING SINGLE-FAMILY RESIDENCES.	S

5	<u>HCR077</u>	Urging the United States Congress to support the creation of a national broadband network.	URGING THE UNITED STATES CONGRESS TO SUPPORT AND ESTABLISH A NATIONAL BROADBAND NETWORK.	M
6	<u>HCR078</u>	Correctional Facility on Hawaiian Home Lands; Hilo International Airport	URGING THE GOVERNOR, DEPARTMENT OF HAWAIIAN HOME LANDS, AND DEPARTMENT OF PUBLIC SAFETY TO CONSIDER DEVELOPING A NEW CORRECTIONAL FACILITY ON THE LAND ADMINISTERED BY THE DEPARTMENT OF HAWAIIAN HOME LANDS THAT IS ADJACENT TO HILO INTERNATIONAL AIRPORT.	M
7	<u>HCR079</u>	Education; Attendance	REQUESTING THE BOARD OF EDUCATION TO REQUIRE EACH SCHOOL COMMUNITY COUNCIL TO REVIEW ITS SCHOOL'S ATTENDANCE POLICY, CREATE BENCHMARKS TO IMPROVE ATTENDANCE, AND DEVELOP AN IMPLEMENTATION PLAN TO MEET THOSE BENCHMARKS.	M
8	<u>HCR082</u>	Homelessness; Non-governmental Organizations	SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII.	M
9	<u>HCR085</u>	Hawaiian Studies Program; DOE; Report on Progress	REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM.	S
10	<u>HCR086</u>	Mokauea Island; Fishermen; Fishers; Fishing Village; Native Hawaiian; Keehi Lagoon; Hawaii and National Register of Historic Places	URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES.	S
11	<u>HCR087</u>	Honu; Hawaiian Green Sea Turtle; Protection; Harvesting; Fishing	URGING THE UNITED STATES TO RECOGNIZE THE RECOVERY OF HAWAIIAN GREEN SEA TURTLES AND BEGIN ACTIVE MANAGEMENT OF THIS IMPORTANT SPECIES.	M
12	<u>HCR088</u>	Natural Resources; Rules and Regulations; Native Hawaiian; Resource Management	URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT.	S
13	<u>HCR090</u>	Hawaii Public Housing Authority; Federal Housing Projects	URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS TO MODERNIZE DILAPIDATED FEDERAL PUBLIC HOUSING PROJECTS.	M
14	<u>HCR095</u>	Department of Hawaiian Home Lands; Financial Audit	REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS.	M
15	<u>HCR096</u>	Hawaiian National	RECOGNIZING HAWAIIAN NATIONALS AS A POPULATION RESIDING LAWFULLY IN THE HAWAIIAN ISLANDS.	C
16	<u>HCR101</u>	Department of Agriculture; Hawaii-Grown Agricultural Commodities; Incentive Program	REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES.	S
17	<u>HCR112</u>	Aha Moku Natural Resource Management; Aha Moku Advisory Commission	RECOGNIZING AND SUPPORTING THE POSITION OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS AND URGING THE GOVERNOR TO SUPPORT THE DEVELOPMENT OF THE AHA MOKU SYSTEM OF NATURAL RESOURCE MANAGEMENT AND TO ESTABLISH THE AHA MOKU ADVISORY COMMITTEE WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE GUIDANCE IN THE MANAGEMENT OF NATURAL RESOURCES IN HAWAII.	S
18	<u>HCR116</u>	Coastal and Marine Spatial Planning	URGING THE STATE OF HAWAII TO PARTICIPATE IN THE COASTAL AND MARINE SPATIAL PLANNING INITIATIVE OF THE WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY, INTERAGENCY OCEAN POLICY TASK FORCE.	C
19	<u>HCR137</u>	Conversion Charter Schools; Working Group; Stakeholder Involvement; Hookakoo Corporation	REQUESTING HOOKAKOO CORPORATION TO CONVENE A WORKING GROUP TO DETERMINE STAKEHOLDER INVOLVEMENT IN CONVERSION CHARTER SCHOOLS.	S



20	<u>HCR160</u>	Department of Human Services; Asset Limits; Study	REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON ASSET LIMITS TO QUALIFY FOR PUBLIC ASSISTANCE.	S
21	<u>HCR166</u>	Department of Education; Memorandum of Agreement; 'Aha Kauleo Kaiapuni Hawai'i	REQUESTING A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF EDUCATION AND AHA KAULEO KAIAPUNI HAWAII FOR DEVELOPMENT IN THE HAWAIIAN LANGUAGE OF THE READING, MATH, SCIENCE, AND OTHER ASSESSMENTS ADMINISTERED TO STUDENTS IN GRADES THREE THROUGH SIX OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN LANGUAGE IMMERSION PROGRAM AND FORMAL ACKNOWLEDGMENT BY STATUTE OR RULE OF AHA KAULEO KAIAPUNI HAWAII.	C
22	<u>HCR167</u>	Review; ESL; Hawaiian Language Programs	REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES.	C
23	<u>HCR191</u>	Coastal Zone Management Act of 1972; 40th Anniversary	RECOGNIZING THE 40TH ANNIVERSARY OF THE COASTAL ZONE MANAGEMENT ACT OF 1972.	S
24	<u>HCR200</u>	Small Boat Harbors; Commercial Harbors; Coral Reef Ecosystem Protection; Department of Transportation; Department of Land and Natural Resources; Executive Order 13089	REQUESTING THE PRESIDENT TO AMEND EXECUTIVE ORDER 13089 TO EXEMPT MAINTENANCE AND DREDGING ACTIVITIES IN EXISTING SMALL BOAT AND COMMERCIAL HARBORS WITHIN THE STATE OF HAWAII.	O
25	<u>HCR200</u>	Small Boat Harbors; Commercial Harbors; Coral Reef Ecosystem Protection; Department of Transportation; Department of Land and Natural Resources; Executive Order 13089	REQUESTING THE PRESIDENT TO AMEND EXECUTIVE ORDER 13089 TO EXEMPT MAINTENANCE AND DREDGING ACTIVITIES IN EXISTING SMALL BOAT AND COMMERCIAL HARBORS WITHIN THE STATE OF HAWAII.	O
26	<u>HCR203</u>	Maui Regional Public Safety Complex at Puunene	REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI.	M
27	<u>HCR206</u>	Alternative Energy Task Force	REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A SUSTAINABLE AND ALTERNATIVE ENERGY ASSESSMENT TASK FORCE.	C
28	<u>HCR209</u>	Department of Education; Childcare Services; Hana School Infant and Toddler Program	REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT AND PROVIDE ADEQUATE FUNDING TO THE HANA SCHOOL INFANT AND TODDLER PROGRAM FOR THE HANA COMMUNITY.	S
29	<u>HCR227</u>	Diabetes; Task Force	REQUESTING THE CREATION OF A DIABETES PREVENTION TASK FORCE TO STUDY PREVENTION STRATEGIES, TRACK POLICY CHANGES AND REPORT TO THE LEGISLATURE WITH RECOMMENDED ACTIONS HALTING THE DIABETES EPIDEMIC IN HAWAII.	S
30	<u>HR059</u>	Hawaiian Studies Program; DOE; Report on Progress	REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM.	S
31	<u>HR060</u>	Mokauea Island; Fishermen; Fishers; Fishing Village; Native Hawaiian; Keehi Lagoon; Hawaii and National Register of Historic Places	URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES.	S
32	<u>HR062</u>	Natural Resources; Rules and Regulations; Native Hawaiian; Resource Management	URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT.	S

33	<u>SB0755 SD2</u> <u>Proposed HD2</u>	RELATING TO ECONOMIC DEVELOPMENT.	Proposed HD2: Part II temporarily makes the office of planning responsible for the issuance of special management area permits and shoreline setback variances for state projects. Part III temporarily exempts airport structures and improvements from the special management area permit and shoreline setback variance requirements when the structures and improvements are necessary to comply with FAA regulations. Part IV temporarily authorizes the department of land and natural resources and department of transportation, with the approval of the governor, to exempt department projects from the special management area permit and shoreline setback variance requirements. Part V exempts all work involving submerged lands used for state commercial harbor purposes from any permit and site plan review requirements for lands in the conservation district. Part VI temporarily authorizes a more streamlined process for exempting state and county projects from the environmental review process of chapter 343, HRS, and reduces the deadline for challenging the lack of an environmental assessment for a state or county project.	O
34	<u>SB2012 SD1</u>	Capital Improvement Projects; General Obligations Bonds; Appropriation; Procurement	Issues general obligation bonds to fund the repair and maintenance or capital renewal and deferred maintenance projects of various departments, the University of Hawaii, Hawaii health systems corporation, and the judiciary. Applies small purchase procurement requirements to capital improvement projects authorized pursuant to this Act for goods, services, or construction less than \$1,000,000. Requires procurements of less than \$1,000,000 to be conducted through an electronic system. Exempts capital improvement projects that are less than \$1,000,000 from the provisions of section 103D-701, HRS, relating to protests. Provides for certain exemptions from county permitting, licensing, and certification requirements. Creates oversight committee. Requires DAGS to prepare quarterly reports. (SD1)	O
35	<u>SB2212 SD1</u>	RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.	Establishes community based governance on Hawaiian home lands. Effective 07/01/50. (SD1)	M
36	<u>SB2304 SD2</u>	RELATING TO RIGHTS OF THE ACCUSED.	Establishes procedures for eyewitness identification of persons in live lineups and photo lineups who are suspected of perpetrating an offense. Effective 07/01/50. (SD2)	S
37	<u>SB2320</u>	RELATING TO AGING	Statutorily establishes the kupuna care program. Appropriates funds for the kupuna care program, healthy aging partnership program, senior centers, and elder registration services. (SD2)	S
38	<u>SB3028 SD2</u>	RELATING TO CONSERVATION AND RESOURCES.	Establishes DLNR policies regarding sandalwood and designates sandalwood as a native forest resource in need of conservation. Requires a harvest permit for commercial harvesting of native forest resources. Establishes penalties for the destruction or harvesting of sandalwood trees. Effective 7/1/2050. (SD2)	M
39	<u>SCR063</u>	Kaho'olawe Island Reserve Commission; State Auditor; Fiscal Audit	REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT OF THE KAHOLAWE REHABILITATION TRUST FUND.	M
40	<u>SCR064</u>	Geothermal Resources; Public Land Development Corporation; Department of Land and Natural Resources	URGING THE PUBLIC LAND DEVELOPMENT CORPORATION TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND IMPLEMENT GEOTHERMAL DEVELOPMENT PROJECTS ON PUBLIC TRUST LAND ON THE ISLANDS OF MAUI AND HAWAII.	O
41	<u>SCR067</u>	PLDC; DLNR; HHFDC; Geothermal Resources	URGING THE TRANSFER OF ALL RIGHTS, POWERS, FUNCTIONS, AND DUTIES OF THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION AND THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND ALL FUNCTIONS RELATING TO THE STATE'S GEOTHERMAL RESOURCES TO THE PUBLIC LAND DEVELOPMENT CORPORATION.	O
42	<u>SCR072</u>	Hawaiian Studies Program; DOE; Report on Progress	REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM.	S
43	<u>SCR077</u>	Education; Resource Development; Endowments	REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO ESTABLISH A STATEWIDE RESOURCE DEVELOPMENT PROGRAM TO ASSIST THE COMPLEX AREAS IN CREATING ENDOWMENTS TO BENEFIT HAWAII'S PUBLIC SCHOOLS.	M
44	<u>SCR081</u>	Hawaii Public Housing Authority; Federal Housing Projects	URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS TO MODERNIZE DILAPIDATED FEDERAL PUBLIC HOUSING PROJECTS.	M

45	<u>SCR086</u>	Department of Education; Memorandum of Agreement; 'Aha Kauleo Kaiapuni Hawai'i	REQUESTING A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF EDUCATION AND AHA KAULEO KAIAPUNI HAWAII FOR DEVELOPMENT IN THE HAWAIIAN LANGUAGE OF THE READING, MATH, SCIENCE, AND OTHER ASSESSMENTS ADMINISTERED TO STUDENTS IN GRADES THREE THROUGH SIX OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN LANGUAGE IMMERSION PROGRAM AND FORMAL ACKNOWLEDGMENT BY STATUTE OR RULE OF AHA KAULEO KAIAPUNI HAWAII	C
46	<u>SCR087</u>	Review; ESL; Hawaiian Language Programs	REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES.	C
47	<u>SCR088</u>	Hawaiian Language; Automated Teller Machines	ENCOURAGING BANKS AND CREDIT UNIONS OPERATING IN THE STATE OF HAWAII TO INCORPORATE THE HAWAIIAN LANGUAGE IN THEIR AUTOMATED TELLER MACHINES.	S
48	<u>SCR094</u>	Workplace Wellness; DOH; DLIR	REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY TO PROMOTE WORKPLACE WELLNESS PROGRAMS.	S
49	<u>SCR116</u>	Aloha Order of Merit; Daniel Kahikina Akaka	APPROVING THE SELECTION OF DANIEL KAHIKINA AKAKA TO BE INDUCTED INTO THE ALOHA ORDER OF MERIT.	S
50	<u>SCR120</u>	Education; No Child Left Behind, Waiver	REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO APPLY TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR A WAIVER OF THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT.	M
51	<u>SCR123</u>	Alternative Energy Task Force	REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A SUSTAINABLE AND ALTERNATIVE ENERGY ASSESSMENT TASK FORCE.	C
52	<u>SCR155</u>	Kahoolawe Island Reserve Commission; Protect Kahoolawe Ohana; Liability and Property Damage Insurance	URGING THE KAHOLA'OLAWA ISLAND RESERVE COMMISSION TO REQUIRE THE PROTECT KAHOLA'OLAWA 'OHANA THROUGH ITS NON-PROFIT CORPORATION AND FISCAL AGENT KOHEMALAMALAMA O KANALOA TO OBTAIN LIABILITY AND PROPERTY DAMAGE INSURANCE.	M
53	<u>SR025</u>	Geothermal Resources; Public Land Development Corporation; Department of Land and Natural Resources	URGING THE PUBLIC LAND DEVELOPMENT CORPORATION TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND IMPLEMENT GEOTHERMAL DEVELOPMENT PROJECTS ON PUBLIC TRUST LAND ON THE ISLANDS OF MAUI AND HAWAII.	O
ADDED	<u>SCR066</u>	Office of Hawaiian Affairs; Department of Land and Natural Resources; Public Land Trust	URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TRANSFER A PORTION OF THE REVENUE DERIVED FROM THE CONVEYANCE OR TRANSFER OF ANY LAND OF THE PUBLIC LAND TRUST TO THE OFFICE OF HAWAIIAN AFFAIRS.	C
ADDED	<u>SB2001 SD1</u>	Hawaii State Planning Act; Renewable Energy; Public Land Trust; Geothermal	Amends the Hawaii state planning act to include promoting the development of indigenous renewable energy resources that are located on public trust land as a source of firm power and ensuring that the development of energy resources on public trust land directly benefits native Hawaiians and public beneficiaries of the trust. (SD1).  On the morning of 3/21/12, the committees on HAW recommend that the measure be PASSED, WITH AMENDMENTS.	M

**Trustee Hulu Lindsey** inquires about GM755, Item #59 on Page 9 of the matrix regarding the nomination of Ted Yamamura to the Commission on Water Resource Management. She would like to change the position of opposition to monitor or support and mentions that former Trustee Boyd P. Mossman agrees with her position.

**Jocelyn Doane** informs the committee that staff has already done extensive outreach at the legislature and the senators know that OHA has already taken a position to oppose this message.

**Trustee Hulu Lindsey** responds that they've had a change of heart and reminds the committee that she did raise concern with this position on March 7, 2012.

**Jocelyn Doane** prompts the committee that this Board has taken very strong positions on the management of water resources in our communities. The water commission makes the very hard, important decisions on whether or not our beneficiaries receive any water. With regards to Mr. Yamamura, we didn't feel as if he was qualified, considering the background of other individuals who applied, and based on the responsibilities that the water commission has. That was the basis of the suggestion to oppose. Obviously the trustees may have a different opinion from staff's suggestion.

**Trustee Hulu Lindsey** retorts that the trustees do and continues that she and Trustee Mossman know Mr. Yamamura and think he is competent.

Bill Positions for Reconsideration				
Item #	Bill #	Report	Description	Position
59	<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 > M

**Trustee Hulu Lindsey** moves to change the position from Oppose to Monitor on Item #59, GM755, on the 2012 OHA Legislative Matrix dated March 21, 2012.

**Trustee Peter Apo** seconds the motion.

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

**Chair Waihe'e** calls for the vote.

							3:33 p.m.
TRUSTEE		1	2	AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA			X			
PETER	APO		2	X			
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO			X			
OSWALD	STENDER			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				8	0	0	1

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

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

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

To approve Administration's recommendations regarding New Bills on the OHA Legislative matrix dated March 21, 2012, as amended.

Trustee Hulu Lindsey moves.

Trustee Stender seconds the motion.

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

							3:34 p.m.
TRUSTEE		1	2	`AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA			X			
PETER	APO			X			
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO			X			
OSWALD	STENDER		2	X			
CHAIR JOHN	WAIHE`E			X			
TOTAL VOTE COUNT				8	0	0	1

**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 Robert Lindsey seconds the motion.

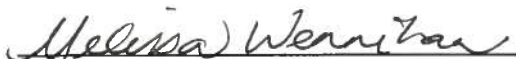
Chair Waihe`e asks if any members vote NO or ABSTAIN. There are no dissenting votes.

						3:36 p.m.
TRUSTEE		1	2	`AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)
VICE ROWENA	AKANA			X		
PETER	APO			X		
HAUNANI	APOLIONA	1		X		
DONALD	CATALUNA					EXCUSED
CARMEN HULU	LINDSEY			X		
ROBERT	LINDSEY		2	X		
COLETTE	MACHADO			X		
OSWALD	STENDER			X		
CHAIR JOHN	WAIHE`E			X		
TOTAL VOTE COUNT				8	0	0
						1

MOTION: ☒ UNANIMOUS ☐ PASSED ☐ DEFERRED ☐ FAILED

Chair Waihe`e adjourns the BAE meeting at 3:36 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 April 18, 2012.



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

### ATTACHMENTS:

- Notice of Excused Absence (1)
- Community Sign-In Sheet dated March 21, 2012