

PHONE (808) 594-1888

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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



**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

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

LIEUTENANT GOVERNOR'S  
OFFICE

12 MAR 29 10:28

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

**DATE:** Wednesday, April 4, 2012

**TIME:** Immediately following the 4/4 JOINT ARM/BAE meeting

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

**AGENDA**

- I. Call to Order
- II. Approval of Minutes
  - A. March 7, 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.
- 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.

A handwritten signature in black ink, appearing to read "John D. Waihe'e, IV".

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

A handwritten signature in black ink, followed by the word "Date" printed below it.

**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT  
711 KAPI`OLANI BOULEVARD, SUITE 500  
MINUTES  
April 4, 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

**EXCUSED:**

Trustee Donald Cataluna  
Trustee Oswald Stender

**BOT STAFF:**

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

**ADMINISTRATION STAFF:**

Breann Nu`uhiwa, PUBL  
Dirk Soma, OUTR  
Ernest Kimoto, CC  
Hawley Alamodin, CFO  
Jeffrey Kent, PUBL  
Jerry Norris, COMP  
Jim McMahon, ADV  
Jocelyn Doane, PUBL  
Kai Markell, COMP  
Kaiwinui Yoon, HLID  
Kamaile Maldonado, PUBL  
Keala Nichols, PUBL  
Sterling Wong, PUBL

**GUESTS:**

Mahealani Cypher  
Leimana Damate  
Rocky Kaluhiwa

**I. CALL TO ORDER**

**Chair Waihe`e** calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, April 4, 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	
VICE-CHAIR	ROWENA	AKANA	PRESENT	
TRUSTEE	PETER	APO	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	CARMEN "HULU"	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	

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

**EXCUSED** from the BAE meeting are:

MEMBERS			COMMENT
TRUSTEE	DONALD	CATALUNA	MEMO - REQUESTING TO BE EXCUSED
TRUSTEE	OSWALD	STENDER	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

**Trustee Colette Machado** moves.

**Trustee Rowena 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		2	X			
PETER	APO			X			
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO	1		X			
OSWALD	STENDER						EXCUSED
CHAIR JOHN	WAIHE`E			X			
TOTAL VOTE COUNT				7	0	0	2

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

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

## **II. APPROVAL OF MINUTES**

A. March 7, 2012

**Trustee Rowena Akana moves to approve the minutes of March 7, 2012.**

**Trustee Machado 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.**

							1:35 p.m.
TRUSTEE		1	2	`AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA	1		X			
PETER	APO			X			
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO		2	X			
OSWALD	STENDER						EXCUSED
CHAIR JOHN	WAIHE`E			X			
TOTAL VOTE COUNT				7	0	0	2

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

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

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

Mahealani Cypher and Rocky Kaluhiwa address the committee regarding the Ha`ikū Valley Bill, from the Ko`olaupoko Native Hawaiian Civic Club and Ko`olau Foundation. Primarily they were concerned that issues had been raised in part due to changes made by the legislature on HB 2246. The bill would create a cultural preserve in Ha`ikū Valley. We want to ensure the trustees that we have no intention of having OHA's name put into the bill. We understand that was submitted by someone in the Senate. We attempted to change the bill in the Ways and Means (WAM) committee which met last week to eliminate the land exchange as well as eliminate any demand on OHA to pay any expenses. We were informed by Representative Ito's office that we couldn't do it because they needed concurrence from the committee chairs and the Senate committee chairs weren't in agreement with the changes, so the legislators have said that they will try to make changes in conference. One change that the Senate WAM chair did agree to change was to eliminate section 3 of the bill which calls for the conveyance of Ha`ikū Valley to DLNR, so that land exchange would not have to happen. We agree to leave it with Hawaiian Homes, but create the cultural preserve. The problem is section 4 which talks about OHA paying for additional expenses. We would like to ask the committee conferees to eliminate section 4 as well. The House version has a funding mechanism which really is about applying for grants from various entities; that's a little safer so they may end up with the House version. The Senate version has OHA funding and we did not ask for that. We know

that we will need to learn to be self-sustaining. We need a little bit of time to set up a financial sustainability plan; that's something that the community is trying to work on. We apologize for any impression that the Trustees may have had that we were expecting OHA to pay the bills because we know that OHA has many demands and we just want to mālama this 'āina. We just want to take care of the cultural resources and make it a productive place for the community and its people. The community has worked on this plan for almost 20 years.

Additionally, Mahealani shared that they do have the conceptual plan that OHA funded. It's not complete yet because they still need to have consultation with stakeholders. As soon as they finish a few more meetings they will bring it to OHA.

#### IV. UNFINISHED BUSINESS

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

**Chair Waihe`e** calls on Chief Financial Officer (CFO) Hawley Alamodin.

**CFO Alamodin** recognizes Public Policy Manager Breann Nu`uhiwa and Senior Public Policy Advocate Sterling Wong.

**Sterling Wong** begins with the session calendar and points out that we've passed yesterday (April 3<sup>rd</sup>) and last Friday (March 30<sup>th</sup>); the lateral deadlines for Concurrent Resolutions where a bunch of concurrent resolutions have died. We are looking at tomorrow April 5<sup>th</sup> as the Second Decking Deadline, which is an important deadline for bills to make in order to pass third reading in their second chamber and then to cross back over. We may see a lot of bills die and see a lot of activity in the bracket A committees. Crossover deadline and disagree is next Thursday April 12, so the originating houses will have the opportunity to agree or disagree with the versions of the bills that are coming back over.

**Sterling Wong** moves into the legal sized matrix titled OHA Legislative Package. Marked in RED are the bills that appear to not make the lateral deadlines for the Resolutions or not poised to pass the Second Decking Deadline, so basically they appear that they will die. He proceeds to update the committee on the status of each bill listed in the matrix.

OHA Package	Bill No.	Measure Title	Report Title	Description	Status	Referral	Staff	Position
OHA 2012 Legislative Package								
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, FIN	Aulii George	S
OHA-12 Vehicle	<a href="#">HB 2685 HD2 SD1</a>	RELATING TO HUMAN SERVICES.	Department of Human Services; Public Assistance Programs	Requires DHS to conduct a study on asset limits for public assistance programs. Requires a report to the legislature. Effective July 1, 2030. (SD1)	3/28/2012 S The committee on WAM recommends that the measure be PASSED, WITH AMENDMENTS.	HMS, WAM.	Aulii George	S

OHA-12	<a href="#">SB 2178 SD2 HD1</a>	RELATING TO HUMAN SERVICES.	DHS; Public Assistance; Appropriations	Requires DHS to conduct a study on asset limits for public assistance programs. Requires a report to the legislature. Appropriates funds to the Department of Human Services to maintain levels of programs essential to public welfare. Effective July 1, 2050. (SB2178 HD1)	3/22/2012 H Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN	HUS, FIN	Aulii George	S
OHA-12 Vehicle	<a href="#">HCR160</a>	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.	4/3/2012 H Referred to the committee on FIN	HUS, FIN	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.	3/2/2012 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.	3/23/2012 S The committees on HWN and WLH recommend that the measure be PASSED, WITH AMENDMENTS.	HWN/WLH, WAM	Koa Kaulukukui	S
OHA-15 Vehicle	<a href="#">HB 2875 SD1</a>	RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM	Hawaiian Language Immersion Program; Student Assessment	Requires the DOE to develop annual assessments in the Hawaiian language in language arts and mathematics to be administered to students in grades three through six of the DOE's Hawaiian language immersion program and in science to be administered to students in grade four of the DOE's Hawaiian language immersion program. Requires the DOE, with the Hawaiian language community, to establish procedures for the development of the assessments. Report to the 2013 legislature. (SD1)	3/29/2012 S The committee on WAM recommends that the measure be PASSED, WITH AMENDMENTS.	HWN/EDU, WAM	Sterling Wong	S
OHA-16 Vehicle	<a href="#">HCR120 HD1</a>	Innocence Redress Task Force		REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN DEMONSTRATE THEY WERE WRONGFULLY CONVICTED OF A CRIME AND IMPRISONED.	4/3/2012 H Referred to the committee on FIN as amended in HD 1	JUD, FIN	Jeff Kent	S



OHA-17	<a href="#">HB 1984 SD1</a>	RELATING TO HAWAIIAN LANGUAGE.	Hawaiian Language; Month; February; Public Documents; Letterhead; Symbols	Designates the month of February as "Olelo 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)	4/3/2012 Transmitted to House and House disagrees with Senate amendments	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 "Olelo 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-18 Vehicle	<a href="#">HCR185</a>	Demographics Collection; Hawaiian; Asian American; Publication		REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS.	3/20/2012 H Referred to FIN	FIN	Breann Nuuhiwa	S
OHA-18 Vehicle	<a href="#">SCR143</a>	Demographics Collection; Hawaiian; Asian American; Publication		REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS.	3/28/2012 S The committees on HWN and PGM recommends that the measure be PASSED, WITH AMENDMENTS	HWN/PGM	Breann Nuuhiwa	S
OHA-19 Vehicle	<a href="#">SCR125</a>	Study; Cemetery Decertification; Jurisdictional Issues; Office of Hawaiian Affairs		REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF LAND AND NATURAL RESOURCES, AND THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, TO CONDUCT A STUDY OF THE JURISDICTIONAL ISSUES RELATING TO THE PROCESS OF REMOVING BURIAL SITES IN ORDER TO DECERTIFY A CEMETERY.	3/16/2012 S Referred to HWN/WLH.	HWN/WLH	Sterling Wong	S
<b>OHA 2011 Legislative Package</b>								
OHA-7	<a href="#">SB 981 SD2 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** updates the committee on a few additional items that have been raised previously. The Water Commission nominees hearing will be tomorrow April 5<sup>th</sup> at 1:25pm. There is a new vehicle for SB682 which is the enhanced entitlement bill that was moving along with our settlement bill. Another bill was gutted and the contents from SB682 were inserted in its place. SCR66 is the resolution involving the valuation of OHA's pro-rata share; whether it's in use at the time of conveyance or its best and highest use and how that value should be determined. We have seen the new Senate draft of the resolution and it calls for the attorney general to have a conversation with DLNR and OHA to determine what the appropriate fair market value should be at the time of conveyance. We are planning to offer more comments on that because as previously mentioned Senator Solomon's vision of what the resolution is supposed to be isn't clearly reflected in the language of the resolution. We do want to clear it up and ensure that the resolution is not intended to change the standard or to try to redefine it. It is supposed to be the beginning of a conversation between the attorney general, DLNR, and OHA regarding revenues, going forward.

**Sterling Wong** briefs the committee on HB2842. We were given word last week that WAM had amended to basically make OHA and DOH, based on DPS's testimony, the leads on this developing work force pilot program. Senator Galuteria asked OHA staff about it, because the committee wanted his prior consent. He did not give his consent, so the bill should come out with only technical amendments and not under OHA and DoH, but we'll have to wait and see to be sure. The update on the Ho'okulaiwi bill is the senate bill that crossed over to the house does not have OHA's name in it. However, the House Education committee gutted it and put their version from the house in to keep their version alive. HB2012 – State's Supplemental budget this year; on the house side, when it came out of finance, a provision added for matching funds from OHA to Ho'okulaiwi for up to \$100,000. In speaking with House Finance staff, they understand that this is not for additional funding; it is to leverage funds that the OHA BOT has already approved. We reiterated our position and concerns that this could be interpreted as additional funds. At this point everyone understands and agrees that this is for funds already approved by OHA, but we still need to get the language straightened out.

**Jim McMahon** briefs the committee on the Ha'ikū Valley Bill, his understanding is that the only change that has been made to the bill is to defect the effective date so that there would be further discussion. We only know that there were amendments but we have not seen the committee report yet nor have they issued a new draft yet.

**Breann Nu'uhiwa** reports that the Settlement Bill passed and the signing will be on April 11, 2012.

## **V. NEW BUSINESS**

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

**Breann Nu'uhiwa** reviews the two bills that have a position to Oppose. First, Item #2 HCR084 relating to hunting; OHA is staying consistent with its opposition of other bills related to the same matter. Secondly, on Page 2, Item #7 HB2848 HD3 SD1; we are changing from Comment to Oppose to the extent that we thought the Pu'uuhonua was going to be under OHA. As far as we know that will no longer be the case so even though the change is reflected on the matrix if OHA is not implicated in the bill then we would recommend maintaining our current position of comment in favor of a Pu'uuhonua.



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	Position
<b>New Bills</b>			
1	<u>GM828</u>	Board of Directors of the Hawai'i Health Connector	Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Connector, Gubernatorial Nominee, HARDY SPOEHR, for a term to expire 6-30-2015. S
2	<u>HCR084</u>	Hunting; Trespass on Private Lands; Written Permission	URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS AND TO DEFINE PLACES OF FORMAL HUNTING. O
3	<u>SCR117 SD1</u>	DLNR; Inventory of Public Lands and Facilities	URGING THE STATE TO EXPAND THE SCOPE OF THE COMPREHENSIVE INFORMATION SYSTEM ESTABLISHED PURSUANT TO ACT 54, SESSION LAWS OF HAWAII 2011, TO FURTHER INCLUDE PUBLIC FACILITIES, THEREBY CREATING A COMPREHENSIVE ASSET MANAGEMENT SYSTEM FOR PUBLIC LANDS AND PUBLIC FACILITIES. M
<b>Bill Positions for Reconsideration</b>			
4	<u>HB2121 HD2</u>	RELATING TO RENEWABLE ENERGY.	Prohibits a taxpayer from claiming the renewable energy technologies income tax credit for a renewable energy system installed for, a power purchase agreement entered into with, any county, state, or federal agency. Authorizes the issuance of general obligation bonds for renewable energy systems for state facilities. Effective July 1, 2030. (HB2121 HD2) C > M
5	<u>HB2338 HD2</u>	RELATING TO THE CREATIVE MEDIA INDUSTRY.	Authorizes the Department of Land and Natural Resources to lease public lands for purposes of developing creative media production and post-production facilities by negotiation, without public auction. Effective July 1, 2020. (HB2338 HD2) C > M
6	<u>HB2819 HD1 SD1</u>	RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.	Prohibits the sale of Kakaako makai lands by HCDA. Requires the HCDA to determine the costs and benefits of selling and purchasing certain properties, except makai lands, within the Kakaako community development district. Requires the report to be submitted to the legislature 90 days after the effective date of this Act. (SD1) M > C
7	<u>HB2848 HD3 SD1</u>	RELATING TO PUBLIC SAFETY.	Requires department of public safety to plan for a model wellness center that employs native Hawaiian cultural practices on state land and to submit a report to the legislature prior to the 2013 legislative session. Creates a work release pilot program on the Big Island to allow certain incarcerated individuals to work on community projects that benefit the local community and the State. Repeals pilot program on 6/30/15. (SD1) C > O

8	<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 > S
9	<u>SB2927 SD2 HD1</u>	RELATING TO COMMUNITY PLANNING.	Establishes planning districts and creates a process for developers to apply for residential and commercial exceptional planning projects. Establishes the transit-oriented or main-street redevelopment program. Authorizes state and county incentives for exceptional planning projects. Establishes a discretionary review process for the transfer of floor area within the planning district. Effective July 1, 2050. (SB2927 HD1)	O > M
10	<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 > SA

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

**To approve Administration's recommendations regarding New Bills and Bill Positions for Reconsideration on the OHA Legislative matrix dated April 4, 2012, as amended.**

**Trustee Rowena Akana moves.**

**Trustee Hulu Lindsey seconds the motion.**

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

							2:01 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA	1		X			
PETER	APO			X			
HAUNANI	APOLIONA			X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO			X		Kanalua- 1 'Ae (Yes)- 2	
OSWALD	STENDER						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

**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.

							2:01 p.m.
TRUSTEE		1	2	AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
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						EXCUSED
CHAIR JOHN	WAIHE`E			X			
TOTAL VOTE COUNT				7	0	0	2

MOTION: ☒ UNANIMOUS ☐ PASSED ☐ DEFERRED ☐ FAILED

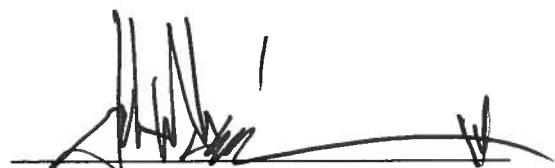
Chair Waihe`e adjourns the BAE meeting at 2:01 p.m.

Respectfully submitted,



Melissa Wennihan  
Trustee Secretary  
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on May 2, 2012.



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

ATTACHMENTS:

- Notice of Excused Absence (2)
- Community Sign-In Sheet dated April 4, 2012.