

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 SEP 27 P2:18

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

**DATE:** Wednesday, October 3, 2012

**TIME:** 10:00 a.m.

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

**AGENDA**

- I. Call to Order
- II. Approval of Minutes
- III. Community Concerns\*
- IV. Unfinished Business
- V. New Business
  - A. BAE 12-03 Transfer of the authority to exercise oversight of the Native Hawaiian Historic Preservation Council (NHHPC)
  - B. Legislative Software Update
- VI. Executive Session\*\*
- VII. Beneficiary Comments\*
- VIII. Announcements
- IX. Adjournment

\*Notice: Persons wishing to provide written testimony are requested to submit ten (10) copies of their testimony to the OHA Ka Pouhanea/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 at the meeting may do so within a five (5) minute limit.

\*\*Notice: This portion of the meeting will be closed pursuant to HRS § 92-4, HRS § 92-5(a)(3), and/or HRS 92-5(a)(4).  
For further information, please call 594-1954.

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

9/27/2012  
Date

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

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

**MINUTES**

**October 3, 2012 10:00 a.m.**

**ATTENDANCE:**

Chairperson John Waihe'e, IV  
Trustee Peter Apo  
Trustee Haunani Apoliona  
Trustee Hulu Lindsey  
Trustee Oswald Stender

**EXCUSED:**

Vice-Chairperson Rowena Akana  
Trustee Donald Cataluna  
Trustee Robert Lindsey  
Trustee Colette Machado

**BOT STAFF:**

Crayn Akina  
Dayna Pa  
Kauikeaolani Wailehua  
Lei-Ann Durant  
Makana Chai  
Melissa Wennihan  
Reynold Freitas  
Shirley Nakanishi

**ADMINISTRATION STAFF:**

Breann Nu'uhiwa, CA  
Jerry Norris, COMP  
Jim McMahon, ADV  
Jocelyn Doane, PUBL  
Kamana`opono Crabbe, Ph.D., Ka Pouhana / CEO  
Kamoa Quitevis, CULTU  
Kawika Riley, DC  
Keala Nichols, ADV  
Kealoha Fox, DEMO  
Keola Lindsey, COMP  
Luci Meyer, OUTR  
Sterling Wong, PUBL

**STUDENT HELPER:**

Kapua Parker

**VOLUNTEERS:**

Apolei Bargamento

**I. CALL TO ORDER**

**Chair Waihe'e** calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, October 3, 2012 to order at **10:14 a.m.**

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

MEMBERS			AT CALL TO ORDER (10:14 a.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
TRUSTEE	PETER	APO	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	CARMEN "HULU"	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	DONALD	CATALUNA	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	ROBERT	LINDSEY	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	COLETTE	MACHADO	MEMO - REQUESTING TO BE EXCUSED

## **II. APPROVAL OF MINUTES**

None.

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

None.

## **IV. UNFINISHED BUSINESS**

None.

## **V. NEW BUSINESS**

- A. BAE 12-03 Transfer of the authority to exercise oversight of the Native Hawaiian Historic Preservation Council (NHHPC).**

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

**To transfer the authority to exercise oversight of the OHA Native Hawaiian Historic Preservation Council (NHHPC) from the Beneficiary Advocacy and Empowerment Committee (BAE) of the OHA Board of Trustees (BOT) to the OHA Chief Executive Officer (CEO) and thereby convert the NHHPC from an advisory body to the BOT, into an advisory body to the CEO, who shall then direct the appropriate staff to develop operating guidelines that detail the administration and functions of the NHHPC moving forward.**

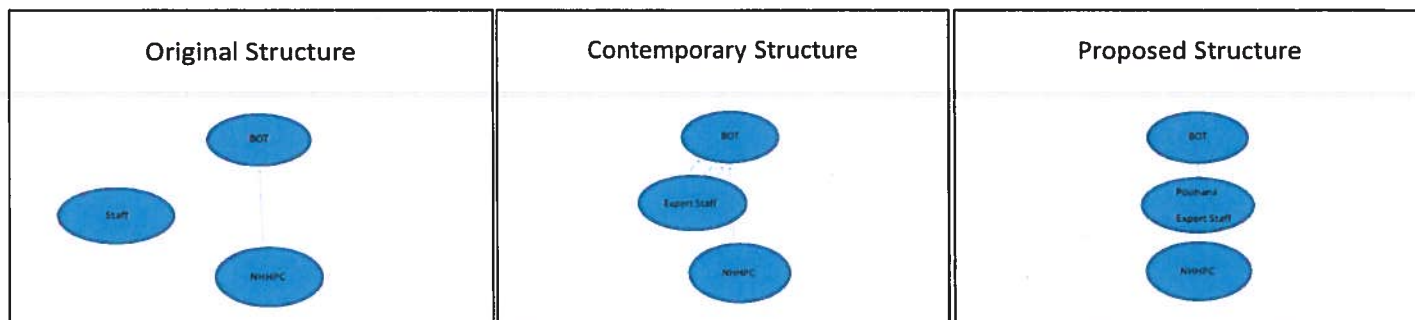
**Trustee Apoliona moves.**

**Trustee Apo seconds the motion.**

**Chair Waihe`e recognizes Ka Pouhana Kamana`opono Crabbe.**

**Ka Pouhana Crabbe** introduces Chief Advocate Breann Nu`uhiwa and Interim Compliance Manager Keola Lindsey to present the NHHPC Action Item.

**Chief Advocate Nu`uhiwa** greets the committee and gives a brief background of the action item and presents the PowerPoint slides included below. One of our main focuses is to look at the resources we have and use them wisely and one resource that we would like to see used more efficiently is the Native Hawaiian Historic Preservation Council (NHHPC). Keola has done a fantastic job looking into this issue and proposing how we can get the maximum output from staff and the council working on our historic preservation issues.



The original structure for the council had a 'direct reporting style' to the trustees. With this model, staff typically had not been very involved in providing similar types of recommendations. So although the council was very active and productive, staff was aware and monitoring what was going on but was not providing similar advice.

The contemporary structure with the number of experts that we now have on staff with respect to historic preservation issues has changed and become a little cloudy and complicated perhaps providing some roadblocks to the maximum efficiency of both our staff and the council.

So we are here today proposing a different structure that is much more streamlined and that we believe will maximize the efficiency of both our staff and the NHHPC.

**Interim Compliance Manager Lindsey** addresses the committee and echoes the Chief Advocate by stating that this proposed action will maintain what we see as a valuable resource and connection to community members who really have cultural expertise from their different communities and islands while coordinating and allowing staff to collaborate with that resource to try and address the many sensitive and historic preservation issues that each of our communities are faced with. Once this action is considered we will then move forward with developing the framework of operating guidelines that will guide the council moving forward. Currently there are some vacancies on the council and in May we published notices in Ka Wai Ola of these vacancies and have been overwhelmed with interest in response.

**Trustee Apoliona** comments that this is a good resolution to what seemed to be a kind of hardship and disconnect; so this is a rational, practical resolution to keep the community engaged but also engage our staff who we expect to advise us. In terms of the appointees to the council the OHA board has always approved the appointees. Will that be the same process?

**Ka Pouhana Crabbe** responds that the process would be consistent as it has been in the past with the board approving the appointees.

**Trustee Hulu Lindsey** had the same question as Trustee Apoliona and also wanted to know what the make-up of the council consisted of across the islands.

**Interim Compliance Manager Lindsey** replies that the current composition of the council consists of 3 from Hawai'i Island, 2 from Maui, 3 from O'ahu, and 1 each from Moloka'i, Lana'i and Kaua'i.

**Trustee Apo** states that historic preservation is definitely one of the most complicated and challenging public policy areas at both the state and federal levels. I applaud this move and desire to provide more focused intensity.

**Trustee Hulu Lindsey** asks if there is a list of current members of the council and how many openings there are.

**Interim Compliance Manager Lindsey** replies that at present there are 6 members whose terms are currently still in place and 5 vacancies.

**Trustee Hulu Lindsey** asks what Maui's information is.

**Interim Compliance Manager Lindsey** answers that Ke'eumoku Kapu holds in position and the other is currently vacant.

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

							10:26 a.m.
TRUSTEE		1	2	AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA						EXCUSED
PETER	APO		2	X			
HAUNANI	APOLIONA	1		X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
OSWALD	STENDER			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				5	0	0	4

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

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

## **V. NEW BUSINESS**

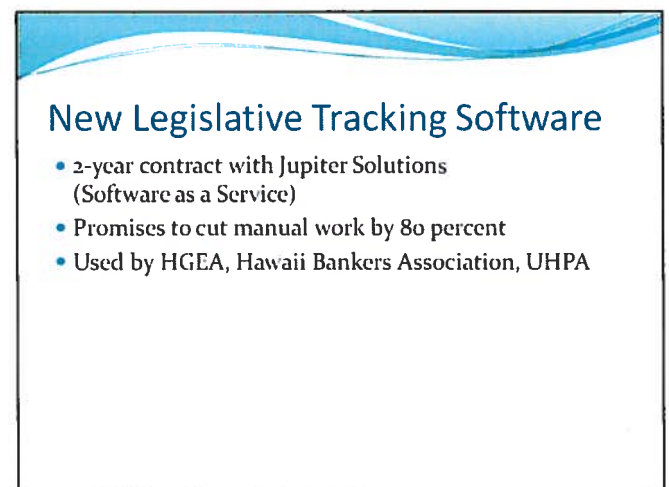
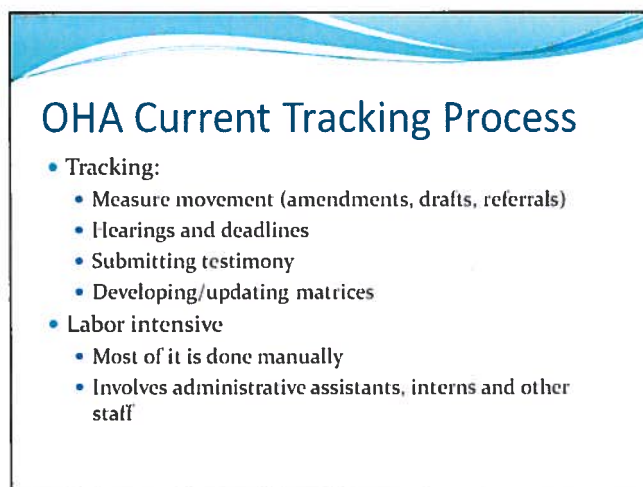
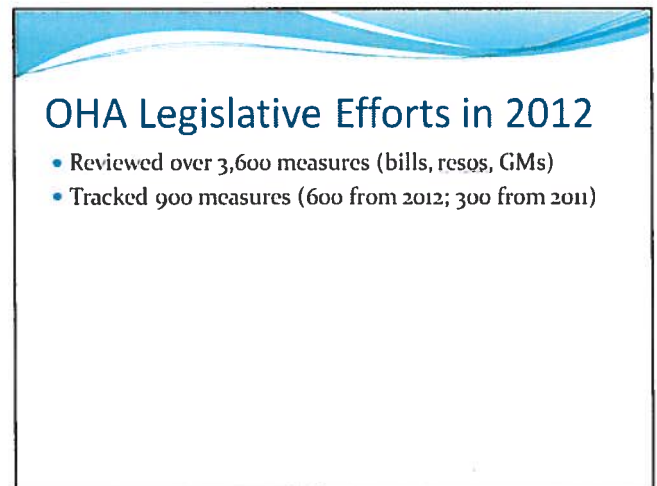
### **B. Legislative Software Update**

**Trustee Waihe'e** transitions into New Business Item B.

**Ka Pouhana Crabbe** calls on Public Policy Manager Sterling Wong and Chief Advocate Breann Nu'uhiwa to present the coordination of our work with new software and the efforts to be more efficient in tracking different bills.

**Public Policy Manager Wong** greets the committee and shares the PowerPoint presentation included below. He recaps that last year staff reviewed 3,600 measures which are basically all of the bills, resolutions and Governor's Messages and of that tracked 900 measures. The current tracking process involves tracking measure movements (any amendments, drafts, referrals) hearings, deadlines, submit testimony and a big part of what we do is develop and update the matrices to keep the Chief Advocate, Ka Pouhana and the BAE Committee updated on what is happening at the legislature. It is labor-intensive and mostly done manually.

We are contracting with Jupiter Solutions as they have legislative-tracking software that will cut down our manual work by about 80%. The software is used by other organizations such as HGEA and Hawaii Bankers Association. We are very excited about it, as it will basically streamline the initial review of measures. The software will help us be more efficient and will provide us with frequent updates. It also tracks re-referral and dead bills; that is a helpful tool for us so we can track any shenanigans that occurred like last session. The software will also help us develop and update our matrices. The matrices will be in a new format and we would like to keep a sense of consistency for the committee, so we will be working with the BAE Committee Chair to help deal with that issue. The keyword search function of the software is very exciting. What would usually take three days for interns to find prior to this process; the software will now trigger update emails from programmed keywords.



## Hawaii Legislative Tracker

- Streamline initial review of measures
- Streamlined, frequent updates of:
  - Hearings, measure status
  - Track re-referrals, movement on "dead bills"
- Matrices
  - Automatic updates of matrices
  - Removes dead measures automatically
  - Returns revives measures automatically
  - Matrices will be in a new format

## Hawaii Legislative Tracker

- Keyword search function
  - Identify keywords at beginning of session
    - Examples: Hawaiian, public lands, ceded, exemptions
  - Anytime a keyword is contained in a new measure or committee report, system will send as a notice
    - Will help track "gut-and-replace" measures

**Trustee Apo** asks about the vendor who has been secured for this software.

**Public Policy Manager Wong** responds that staff heard about this software through Kamehameha Schools, and that it is prevalent amongst the lobbyists. So staff had a presentation and saw that it fits very well with our needs and demands.

**Trustee Apo** inquires if the tracking system is something that could be made available to select other organizations like the Ali'i trusts. Or is there a way that we can provide service to them once we get this up and running?

**Public Policy Manager Wong** responds that the contract is for our use exclusively so if we were to let anyone else use it we would need to pay for their use.

**Ka Pouhana Crabbe** lets the committee know that what they're hearing today from Public Policy and Advocacy is really coordinating our efforts as staff, so this technology helps to do a bulk of the vetting of the bills. We are also currently working with another vendor to help with community engagement and community mobilization. We expect a couple more months before we collaborate to tailor a website or portal for our purposes. So if we identify an issue and we need massive community outreach to testify on it, we would be able to engage many more as a call to action through this new software.

**Chair Waihe'e** asks if this software requires someone to enter the information into the database.

**Public Policy Manager Wong** replies that the Public Policy staff will still need to review and enter the bills into the database.

## 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.**

							10:41 a.m.
TRUSTEE		1	2	`AE (YES)	A`OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
VICE ROWENA	AKANA						EXCUSED
PETER	APO			X			
HAUNANI	APOLIONA	1		X			
DONALD	CATALUNA						EXCUSED
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
OSWALD	STENDER			X			
CHAIR JOHN	WAIHE`E			X			
TOTAL VOTE COUNT				5	0	0	4

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

**Chair Waihe`e adjourns the BAE meeting at 10:41 a.m.**

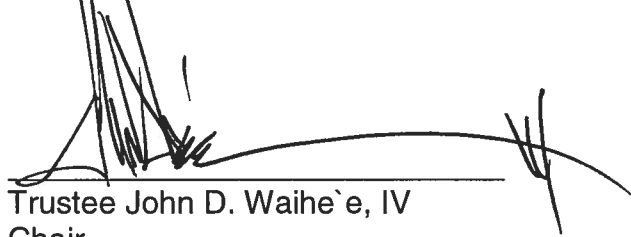


Respectfully submitted,



Melissa Wennihan  
Trustee Secretary  
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on October 31, 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 October 3, 2012