

Committee on Beneficiary Advocacy and Empowerment

Trustee John Waihe'e IV, *Chair*Trustee Kaleihikina Akaka, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Brendon Kalei'aina Lee, At-Large

Trustee Carmen Hulu Lindsey, Maui

Trustee Robert K. Lindsey, Jr., Hawai'i Island

Trustee Colette Y. Machado. Moloka'i / Lāna'i



**STATE OF HAWAII'
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

DATE: Wednesday, March 4, 2020
TIME: 1:00 p.m.
PLACE: Maui Ola Boardroom
 Nā Lama Kukui
 560 N. Nimitz Highway
 Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Public Testimony*
- III. Approval of Minutes
 - A. February 5, 2020
 - B. February 12, 2020
- IV. Unfinished Business
 - A. 2020 OHA Legislative Package Updates - Matrix 1**†
- V. New Business
 - A. 2020 OHA Legislative Positioning - Matrix 2**†
 - B. ACTION ITEM: BAE #20-02: Approval of Nominee(s) for the Moloka'i Island Burial Council
 - C. Briefing on the background and history of OHA participation in Nā Wai 'Ehā (Maui) litigation and related matters.
- VI. Executive Session‡
 - A. Approval of Executive Session Minutes for January 22, 2020
 - B. Consultation with OHA attorney Pamela Bunn, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding OHA's ongoing participation in Nā Wai 'Ehā (Maui) litigation, including the surface water use permit applications contested case hearing.
- VII. Community Concerns*
- VIII. Announcements
- IX. Adjournment

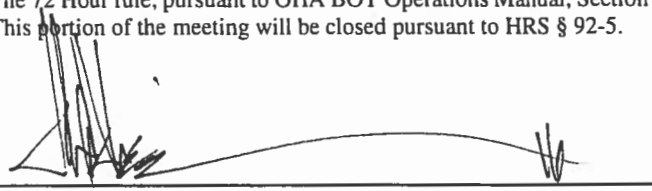
If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: rainag@oha.org no later than three (3) business days prior to the date of the meeting.

* Notice: Persons wishing to provide testimony are requested to submit 13 copies of their testimony to the Chief Executive Officer at 560 N. Nimitz, Suite 200, Honolulu, HI, 96817 or fax to 594-1868, or email BOTmeetings@oha.org 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: Trustees may establish or revise an OHA position on ANY proposed bill / resolution / executive message currently moving through the state legislature or other relative elected body. The Matrices, which are available for public review in the meeting room at this stated meeting, provide a brief description of each bill, the bill's number, the bill's title, the bill's intent, and the proposed and specific OHA position on each measure, current through 03/03/20. However, the Trustees both in committee and as the Board of Trustees (BOT) reserve the right to discuss any and all bills on the Matrices, as well as those that time does not permit to be placed on the Matrices, in order to discharge their fiduciary obligations as Trustees of the Office of Hawaiian Affairs.

† Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.


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


 Date

Committee on Beneficiary Advocacy and Empowerment

Trustee John Waihe'e IV, *Chair*Trustee Kaleihikina Akaka, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

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

Date

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

February 5, 2020 1:00 p.m.

ATTENDANCE:

Chairperson John Waihe'e, IV
Vice-Chairperson Kaleihikina Akaka
Trustee Leina'ala Ahu Isa
Trustee Dan Ahuna
Trustee Keli'i Akina
Trustee Brendon Kalei'aina Lee
Trustee C. Hulu Lindsey
Trustee Robert Lindsey
Trustee Colette Machado

Lei Ann Durant
Maria Calderon
Melissa Wennihan
Nathan Takeuchi
Paul Harleman
Zuri Aki

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pouhana / CEO
Annie Kauhane, PP
Gloria Palma, PP
Jenifer Jenkins, PP
Jocelyn Doane, PP
Olan Fisher, PP
Sterling Wong, PR
Wayne Tanaka, ADV

BOT STAFF:

Alyssa-Marie Kau
Anuheia Patoc
Bethann Hihina Ahsing
Brandon Mitsuda
Crayn Akina
Kama Hopkins
Lehua Itokazu

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, February 5, 2020 to order at **1:00 p.m.**

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

MEMBERS			AT CALL TO ORDER (1:00 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	KALEIHIKINA	AKAKA	PRESENT	
TRUSTEE	LEINA'ALA	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	

Chair Waihe'e would like the record to show that some materials were received more recently than 72 hours ago, and that deadline per practice has been duly waived.

II. PUBLIC TESTIMONY*

NONE

III. APPROVAL OF MINUTES

NONE

IV. UNFINISHED BUSINESS

A. 2020 OHA Legislative Package Updates – Matrix 1†**

Chair Waihe'e turns it over to Ka Pouhana Sylvia Hussey.

Ka Pouhana Hussey calls on Public Policy Manager Jocelyn Doane to present.

Public Policy Manager Doane: Hi Trustees, I have a goal today to get out of here by 2:15 p.m. because there is a hearing at 2:45 p.m. that I want to try to attend. We have the OHA Legislative Package (the small matrix) before you.

OHA-1, we have a hearing tomorrow morning.

OHA-2 moved in the Senate which we're excited about, and we already had a meeting with the Judiciary Chair about that. We also had some really, good dialogue with the County Department of Human Resources and the State Department of Human Resources. As we venture into this different area that we haven't done a lot of advocacy on, we noted that people don't understand what we're doing; so they say things that have confused the Committee Chairs. So, I think we've resolved those issues and started creating new relationships with those departments.

OHA-3, which is the Historic Preservation Bill, died in the House; it was deferred. We have not yet gotten a hearing in the Senate – we must have a hearing by next week, for that to move forward. We will reach out to LCA and Water and Land about that in the next few days.

OHA-4 is our resolution in the Senate. It also has a hearing quite early, so we're happy about that.

OHA-5 our Landowner Liability Bill was deferred in the House and moved in the Senate.

OHA-6 both of our CIP bills moved.

So, we're doing pretty, well; better than I thought we would be doing.

Chair Waihe'e asks if there are any questions on the OHA Legislative Package.

There are none.

V. NEW BUSINESS

A. 2020 OHA Legislative Positioning – Matrix 2†**

Chair Waihe'e turns it back over to Ka Pouhana Sylvia Hussey.

Ka Pouhana Hussey turns it over to Public Policy Manager Jocelyn Doane to present.

Public Policy Manager Doane: I have a few fixes that we need to make to the matrix.

The first measure is not on the matrix, it is HB2511; it is a Charter School appropriation bill. This is basically identical to Charter School appropriation bills that we've supported in the past. So, we are recommending SUPPORT.

The next one is also not on the matrix yet, it's HB2587. This would establish a Hawaiian Home Lands Outstanding Claims Task Force, and the Hawaiian Homes Commission Chair would be the Chair and we would be a member. Their responsibility would be to review outstanding issues as it relates to Act 14. As a reminder, Act 14 was passed in 1995 to settle claims or issues related to the State's inappropriate, uncompensated use of Hawaiian Home Lands Trust Lands.

In Act 14, it envisions transfer of cash which has already happened and has already been spent and a transfer of lands to make up for uses of other lands. As it relates to the Mauna Kea Access Road because that was such a hot issue - we did some research at the time and found that Department of Hawaiian Home Lands (DHHL) Staff had updated the Commission late last year and there are approximately 1300 acres of lands that were envisioned to be transferred to DHHL; that has not yet been done. So, that would I assume, be the scope of the first kuleana that task force would have.

The second would be investigating things that arose after July 1, 1988 which was the stop date in Act 14. So consistent with the letter that we sent regarding the Mauna Kea Access Road to the Governor, there are definite uses of Trust Lands by the State without compensation, post Act 14, and the Mauna Kea Access Road is just one example.

The last kuleana would be reviewing outstanding things and they specifically mention the Mauna Kea Access Road. So, we are recommending COMMENT and will highlight the things that I mentioned. Right now, as it's written, the Board Chair would be on the Task Force. However, we will recommend that it be the Board Chair, or designee, or the Administrator, or designee.

Those were the two additional measures we wanted to add to the matrix. We also wanted to correct a couple of things, since we've done more research on the related measures.

Page 1, Item 6 – HB1751; this is an Additional Voter Service Center Bill. As you may know, this will be the first election that the State is going to transition to All Mail-In. Currently and however, the law requires establishment of voter service centers (VSC) to meet the Counties' needs. It does not say how many centers to have. The Counties are responsible for establishing these in their jurisdiction and their current plan is to have eight; 2 on Hawai'i Island, 3 in Maui County, 1 on Kaua'i, and 2 in Honolulu County. The thing about the VSC right now, is they must be open 10 business days prior to election, remain open during normal business hours during those ten days, and serve as an Election Day site so that people can take their ballots on the day of.

The problem is that they've already had issues with finding volunteers and workers. They foresee they may run into the same problem of having an insufficient number of support people.

These bills (SB2137 companion) would do two things; it would allow for flexibility for additional VSCs and the Senate bill would require that any County with more than one island to provide at least one on each island because it's currently not required. So, we're recommending a position change from Monitor to SUPPORT in light of the potential benefits for rural communities.

Page 14, Item 65 – SB2218; we're recommending changing from Oppose to COMMENT. After looking closer at the bill, it looks like a bill we're commenting on. It would allow 99-year leases and it does have the exemption from Act 171. The author and lead on this bill have already taken our recommendations on a very similar bill - incorporating a requirement that HHFDC transfer units to OHA or DHHL and fixed the concerns that we had about Act 171. So, we think that will happen again, if this bill gets a hearing. We're recommending COMMENT on this.

Page 18, Item 83 – SB2578; I'm bringing this to your attention due to the House Bill I need to add manually. HB2203 is not on the matrix. It should be added, and our recommendation is SUPPORT. This bill would require data collection of reporting from the Board of Education, the Legislature and the Superintendent to restrict or reduce school exclusions and suspensions. Apparently, this is very, controversial and the DOE doesn't like it. So, this would require the BOE and the Legislature to annually review data about the number of students who were excluded from school in a previous year including data on exclusion, the duration of the exclusion, the reasons for the exclusions, and the specific schools, age, grades and gender.

It then would also require the superintendent to review the data to determine whether-or-not the discipline imposed had a disproportionate impact on students based on race, ethnicity, gender or disability status. It would also require for grades 6 – 12, if the student seriously endangers the health and safety of another, the principal can preclude the child from attending up to three days. If it is assessed that a longer period-of-time is needed, the Complex Area Superintendent (CAS) would need to be involved and mitigate academic impacts, so they would have to provide some sort of alternative education services. Data the ACLU has analyzed show that Native Hawaiian and Pacific Islanders and Students with disabilities, which we're also disproportionate in, lost more than twice as many school days in Hawai'i as the national average.

Then of course there are disparities as it relates to discipline for Hawaiian children compared to everyone else. Native Hawaiian students make up 39% of Special Education and more than 50% of those suspended. We're particularly interested in this. We're not entirely sure if the things we love are going to move because of the concerns that were brought up by the Department.

Page 20, Item 93 – SB2717; there is an error on the Matrix, it says 'Monitor, Support' – but it should just say SUPPORT. I wanted to point that out to make sure we got it fixed.

Page 41, Item 205 – HB2520; This is related to Aloha Stadium. We're recommending a position of OPPOSE on this and I bring it to your attention because it was previously marked as Comment on the 1/29/20 matrix – so we need to include this in the vote today to get the correct position of OPPOSE. This measure as well as its Senate version would significantly expand the powers of the Stadium Authority, which is a little wild because as you may recall last year the Stadium Authority Bill passed that would transfer jurisdiction over to HCDA which this would now undo. The concerns that we're worried about is that it would now allow the authority to acquire, lease, rent or sell additional State lands for its purposes. Right now, the Stadium is comprised primarily of non-ceded lands, only about 1.5% of the stadium is ceded. So, for the most part we're not particularly concerned about how they lease those lands and if they're going to sell it; although it still creates a pattern that we don't like. This bill is specifically envisioning transfer of other State lands that will likely be Ceded Lands and Public Land Trust Lands, to the authority. It specifically envisions selling development projects; so, of-course we are concerned.

Also, they envision 99-year leases. We're recommending OPPOSE to recommend shorter lease terms. We want to make sure that any potential sales go through the same process as all other Public Lands, so that we get notice in advance. We can then weigh in, and then, that creates a special fund that would limit where the revenues go. We would suggest that they account for OHA's pro-rata share if appropriate. It wouldn't apply to most of the current Stadium lands, but this bill would create a scenario where they're going to acquire other State Lands.

One last correction, then we should be on track. Page 44, Item 215 – HB2468; this position should be COMMENT. You will not be voting on this measure today, so the inaccuracy will not affect your vote – but it currently reads 'COMMENT > OPPOSE' and it should just be COMMENT. You voted this as COMMENT last week.

So those were all the different changes, I will now go over the **New Significant Bills**.

Page 3, Item 16 – HB2035; This bill and two other bills which are very similar would set a deadline for the DLNR to comply with a 2003 Law to transfer certain non-agricultural park lands to the Department of Agriculture. It would set a deadline of June 30, 2020 or June 30, 2022 in one of the other versions of the bill to automatically transfer them if the parcels were not already transferred.

As we understand, this bill is aimed to appease State Pasture Lessees who want the DOA rather than the DLNR to manage these lands. This is really, relevant to all the conversations we're having about why we're concerned about 99-year leases. We may see longtime lessees who feel like they own a property. These lessees may use their political influence to try to get policies and laws changed so that they can hold on to these lands even longer. This problem provides no opportunity for an assessment on - *if this is the best use of these lands*.

Are there better uses?

Are there uses that would specifically benefit Native Hawaiians, or generate more revenue to protect other lands?

We did speak to the Chair of the Department about this bill, because she along with we, are concerned about transfers of massive acreage. The reason why we're concerned is because DLNR will be more worried about promoting Native Forests, restoration of watersheds, containing Public Access and protecting biological resources; which is really, consistent with the kinds of management philosophies that we like.

So, we're doing a bunch more research on the DOA's leasing rules, but it seems like they might be interested in getting extensions; also, price adjustments. DLNR has another bill in the matrix that we talked about last week to see if there's some middle ground. So, we're working with them to see if we can be supportive on that. Our recommendation is OPPOSE for this bill, as well as with SB2415 and SB2375.

Page 3, Item 19 – HB2101; this is a bill that would provide special sentencing for minors. We're recommending SUPPORT. It would require the Circuit Courts to apply and consider a special sentencing consideration when sentencing a minor for non-violent offenses. A court could in its discretion, if it found it appropriate, impose a sentence half the length of a mandatory minimum. Consistent with our Criminal Justice Advocacy to try to address mandatory sentencing and sentencing enhancement, we're recommending SUPPORT. Native Hawaiians are much highly represented in the juvenile system than the general population. The last data point is old, but we're talking about half of those in the juvenile system as being Native Hawaiian; which is a high number.

Page 4, Item 20 – HB2109; as a result of some of the more violent crimes that we've been seeing in the news, this bill would increase a bunch of different crimes by a grade up. As we know and as our advocacy reflects, existing punishment models don't work and doubling down on the model is only going to exasperate the problems that we see. That would be the only COMMENT that we will provide on this specific measure.

Page 6, Item 34 – HB2335; we're recommending that we SUPPORT the Hawai'i Youth Correctional Facility's (HYCF) commercial enterprise bill. It would allow HYCF to engage in for-profit commercial enterprise as a part of their vocational program. Because it has an appropriation, it is not something we would normally weigh-in on, but as we know, we are highly represented in the facility. The amazing thing about what Kawika Patterson has done at HYCF is he's basically doing exactly what we would like to see in the adult system; switching from a model of punishment to one of rehabilitation. HYCF also works with youth homeless and foster care kids that age out of the system. So, they have a program on site that does work with previous minors that were in the system. So, we're recommending SUPPORT.

Page 9, Item 45 – HB2673; this would ban the imports of kalo corms unless it's dried, cooked, frozen, or peeled. So not only would this potentially be good for business purposes, but also, I think they're particularly worried about biosecurity issues. So, we're recommending a position of SUPPORT on that.

Vice Chair Akaka: *How would this affect the vendors in Chinatown or any store for that matter?*

Public Policy Manager Doane: I don't know where the Chinatown kalo comes from, which I assume some of it may be imported. So yes, they wouldn't be able to bring raw kalo over – they would either need to buy it locally or the import would have to be previously cooked, dried, frozen or peeled. This could encourage more kalo growing and less imports.

Vice Chair Akaka: On one hand I see how that could be good for our local farmers and on the other hand I'm thinking about our traditional practices of other cultures here in terms of how they prepare their seasonal meals and so forth. I'm hesitant to Support this. *Can we change this to Comment?*

Public Policy Manager Doane: I'm not objectionable to that, if the Trustees would like to do so. This is one of the bills that we had Community Outreach help us with. I think the rationale was in the Taro Task Force reports, there were recommendations regarding improving protections for kalo farm biosecurity threats; threats normally from imported kalo.

Vice Chair Akaka: I'm just trying to keep in mind that some prefer different varieties.

Trustee Lee: We already have non-Hawaiian varieties that grow here. We saw that when we went to Maui last year, the whole second half of the field they said was an Asian variety of Kalo because it made better chips.

Vice Chair Akaka: I'm interested to look at the figures on that to see how much we have in terms of the different varieties in the State, non-imported, so we can better decide on this. *Do you folks happen to have those figures on hand?*

Public Policy Manager Doane: We can try to see if we can find the importing rights.

Trustee Ahuna: *Does importing taro have an effect, on our taro growers?*

Public Policy Manager Doane: This was primarily introduced as a biosecurity bill, but of course also positively impacts local growers. The Taro Task Force absolutely raised biosecurity issues from imports in the past. So, we could COMMENT instead of Support if that is the will of committee and we could do additional research before the next meeting.

The Committee concurs to the change the position on Item 45 – HB2673 to COMMENT.

Trustee Machado: Page 18, Item 82 – SB2568; Relating to Government Accountability - they specifically identify OHA in this report. It requires any report of a study or an audit enacted with legislative appropriation or adopted by concurrent resolution and conducted by an executive department or agency, including the Hawai'i Health Systems Corporation, and by the legislative reference bureau, auditor, judiciary, or Office of Hawaiian Affairs... *you're just recommending MONITOR?*

Public Policy Manager Doane: Yes, this is one of those bills that we're in a list of – so it's not an OHA-targeted bill.

Trustee Machado: *Are you sure?*

Public Policy Manager Doane: Yes.

Page 19, Item 86 – SB2620; this bill would require transfer of kuleana land use decision-making from the LUC to the Counties for projects that are primarily Affordable Housing. This is very similar to a bunch of other bills that we're already opposing. We didn't catch this one last week, so I wanted to bring it to your attention. The LUC, when they do their DDA processes they're specifically looking out for Public Trust interests, including Native Hawaiians, sometimes the only opportunity for conditions. There's no data to suggest that the LUC process is what's holding up Affordable Housing, and we have a ton of data to support that. So, we are recommending OPPOSE.

Page 23, Item 108 – SB3018; this already had its first hearing. We're recommending a position of SUPPORT after we had gotten some information. It would exempt traditional and customary kalo farming on kuleana lands from water use permit requirements and from stream channel alteration permit requirements. We were initially wanting to speak to the water commission to figure out if there might be management concerns; making sure that they are aware of use and able to calculate that, especially in Water management areas like Nā Wai 'Eha. After hearing from the committee, we decided that we would like to recommend SUPPORT because it's such a small and narrow exemption. It would only be on kuleana lands and for traditional and customary kalo farming, specifically.

Page 23, Item 110 – SB3038; this is another measure related to kalo, it would exempt kalo production from State Income Tax. This is specifically related to trying to create stronger economic incentives and relief for kalo farmers, so we're recommending SUPPORT. There's a cap of \$100,000 for an individual, farm or poi mill so if someone was to exceed that they would pay their fair share.

Page 26, Item 123 – SB3164; this is the Surfing Commission measure, it's primarily a promotion and educational commission. We are recommending a position of SUPPORT. Two members of the Commission would be chosen from a list of nominees that OHA would furnish, which is a recommendation that we made last year. You may recall that the bill passed last year and then was vetoed. I think the Governor was concerned about his agencies' complaints that they don't understand the nexus to their kuleana; which is in DBEDT.

Trustee Lee: I just looked it up again and they still haven't posted the amendments that were made. What was being reported is that the amendment they added in is that it would now be housed within HTA. If that's the case, then I'm going to argue that we not support this bill or change to SUPPORT WITH AMENDMENTS; and suggest that HTA be taken out.

Public Policy Manager Doane: Ok, and then we have one last new measure. Page 27, Item 125 - HCR35 and Item 126 – SCR37. These resolutions would create a Blue-Ribbon Commission, which apparently is *a group of exceptional people appointed to investigate, study, analyze a given issue* (I had my staff Google what that was). It would examine and formulate a reconciliation process related to Native Hawaiians. One of their first tasks would be to establish a reconciliation process specifically related to Mauna Kea and then they're supposed to submit findings to the Legislature and the Commission members would be appointed by the Governor. I think we generally support the idea that reconciliation is necessary. So, we are recommending COMMENT, and were thinking that we would like them to include names from OHA on the Commission, but we also wanted to get feedback from the Trustees.

Trustee Hulu Lindsey: It impacts the Native Hawaiian people whom we represent, so we should have a say.

Ka Pouhana Hussey: To provide additional context; at the International Level – at the United Nations there is already work codified in International Truth and Reconciliation work that's being done and that has been done with indigenous people. Truth and Reconciliation work has a lot of very deep-rooted kinds of things. So, the intent, if that is the kind of work - is very deep and long, and over many years. You would have to go to communities to identify the truth part of it - what the stories and experiences are and have been. So, if that is the intent of this, then I would support comments in terms of being represented at the table; because truth and reconciliation work is done by the people and by a broad spectrum of the community. It's not generally a government-sanctioned type of thing. So that's something to think about as well.

Trustee Akaka: Mahalo for sharing that. Thinking further in terms of having a balanced mana'o on this, like with any entity that is addressing a matter such as this – so heavy, so kaumaha with the multi-generational impact. It would be good to have the balance of groups that are kūpuna-age, but also that middle section and those of a youth-voice. Maybe that's something we could include in the comments. Thank you.

Public Policy Manager Doane: Yes.

Trustee Machado: The last *whereas*, I'm really kind of taken by that. The highlight is current discord related to Mauna Kea including issues relating to Land Use, Stewardship, Environment, Economy, Culture and Science – it's HUGE.

Public Policy Manager Doane: I think that in a vacuum the idea is something that the Trustees would otherwise Support. We've been advocating for a reconciliation process since our existence; it was why OHA was created in the first place. Consultation with us on this measure didn't happen, nor are we specifically named in the measure. I would say the same thing as it relates to management of Mauna Kea; all of our efforts for the last five years to get better management has been met with minimal respect for the recommendations that we've made – even though we've spent a substantial amount of time, energy and money to help create solutions. These are reasons why we don't currently recommend Support as our position.

Trustee Robert Lindsey: In my mind we don't need a Blue-Ribbon Commission, if the State wants reconciliation, they should pay us what we're due – our ceded lands revenue. Why should we be going to the legislature with an empty hat in our hand and begging for the money that's due to us. The State of Hawai'i owes it to our children to give them the kind of education that they so rightfully deserve. Look at our prisons and all our people who are incarcerated; *what is the State doing about that?* Our city streets, the homeless, and the houseless – our people who don't have appropriate shelter. That's what the legislature should be doing, we do not need another commission – it's just another stalling tactic to pass the time.

Public Policy Manager Doane: Thank you – the next is Item 127 – HB2037; we’re recommending a position change from Monitor to COMMENT. This would create a brand-new LGBTQ Commission which is very similar to the Women’s Commission. As you may know, we have actual rates of LGBTQ in our community, and that our community is vulnerable with the likelihood of being homeless and other social risks, including suicide. We would like to make a recommendation for their obligations to specifically look at our community and issues that we’re particularly concerned about.

Trustee Machado: *What about Item 145 – HB1875; Related to Native Hawaiian Affairs?* It requires the governor to appoint the governor’s coordinator on Native Hawaiian affairs to coordinate responses to issues that impact Native Hawaiians and Native Hawaiian culture across state departments and agencies. You have SUPPORT listed there.

Public Policy Manager Doane: Yes, we did vote on this last week. I’ll provide an update for you – there are two bills that would create Governor coordinator positions. This one would just create the coordinator and it seems that the responsibility of that person would be to coordinate amongst different State agencies on Native Hawaiian issues. The reason why we like this is because it would be really, lovely for the State agencies to coordinate on issues including say the Public Land Trust issue; instead of having to fight with five different agencies and their different interpretations. For example, of what kind of revenues should be subject to a pro-rata share.

This is not that different from when Norma Wong worked for Governor Waihe’e in the Office of Planning and was sort of the point person to coordinate all the different State agencies. The reason we are supporting the idea is that it could be beneficial. There is another bill that is similar, but now provides specific responsibilities to the coordinator. That looks kind of like what we’re supposed to be doing. In that case, we’re recommending a position of COMMENT. If it gets a hearing we would say: *“if you’re going to do this, reminder: this is what we do”*. So, this version is much simpler than the other one.

Trustee Machado: I just don’t want it to appear that they’re going to be usurping some of our authority under the Governor’s house.

Public Policy Manager Doane: Right.

Trustee Ahuna: *So, are we leaving this at SUPPORT?*

Trustee Machado: Yes, we can leave this at SUPPORT; but be maka’ala.

Public Policy Manager Doane: I did want to give the trustees an update on some of the bills that were heard between this week and last week’s BAE meetings. The first one is on Page 49, Item 249 – SB2388. The Hawaiian Affairs Committee passed this out with amendments from Esther Kia’aina which would increase the Public Funding available for the OHA races, but also make sure that the required matching funds are not as high as other Statewide races.

Page 60, Item 299 – SB3178; after talking to Everett yesterday we’re a little more concerned about this bill than we originally thought we were. This bill wouldn’t just allow the Board to remove an Administrator by a majority, it would allow them to remove an Administrator by the majority present, arguably which could be three; which is probably not a good idea. So, we will reach out to the Judiciary Chair once the bill gets out to have a conversation. I don’t know if that was intentional. The other recommendation we had made was that the trustees didn’t ask for this, and we don’t think we need it. So, can they make it clear that this is optional.

Moving on to **non-OHA related bills**. Page 38, Item 187- HB2357; this is the Water license bill which we are recommending COMMENT. I just wanted to give an update that the Chair of the Committee did hold it, but they’re going to hear the Revocable Permit bill in two days which we Oppose.

Page 38, Item 190 – HB2386; this is the bill that would amend the Kuleana Act of 1850 to allow landlords as opposed to kuleana users to have certain Easement Rights and create a new easement in statute as opposed to Common Law. We've been in constant contact with Waioli farmers who all flew over for this hearing to OPPOSE this bill. We think that the Senate will not hear it, so that's where we are on the impacts to our last visages of kalo farmers on the North Shore of Kaua'i.

Page 45, Item 225 – SB2043; this is a 99-year HHFDC bill. It was amended to specifically require a percentage to be transferred to OHA and DHHL – so thank you to the Housing Chair in the Senate. It also fixed the Public Lands language that we wanted. The same Housing Chair is hearing the Housing omnibus bill and the Aloha Homes bill tomorrow and we're making similar recommendations on those bills.

Page 60, Item 297 – SB3104; this is the Leadership Housing bill that does a bunch of things. It allows 99-year leases, changes SHPD a little bit in a way that we don't oppose, but we want to pay attention to. It changes the LUC processes and a couple other things. We just finished our testimony this morning after HOURS of drafting it and we've made substantial recommendations. So, hopefully some of those will be taken tomorrow at the hearing.

That's it for this week, I will bring all the DHHL bills next week to review and update you on them.

Chair Waihe'e: Thank you Jocelyn.

Trustee Hulu Lindsey moves to approve Administration's recommendations on:

**NEW BILLS (Items 1 – 126),
BILL POSITIONS FOR RECONSIDERATION (Item 127), and
now list Item 205, HB2520, as OPPOSE,
along with the following revisions:**

ADD bills:

- HB2203 as SUPPORT
- HB2511 as SUPPORT
- HB2587 as COMMENT;

CHANGE items:

- 6 and 61, HB1751 and SB2137 respectively, from ~~Monitor~~ to SUPPORT
- 45, HB2673, from ~~Support~~ to COMMENT
- 65, SB2218, from ~~Oppose~~ to COMMENT; and

CORRECT items:

- 93, SB2717, to read as SUPPORT; and
- 215, HB2468 to read as COMMENT

on the OHA Legislative Positioning Matrix dated February 5, 2020, as amended.

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
ADD	HB2203	RELATING TO DISCIPLINARY ACTIONS IN PUBLIC SCHOOLS.	Requires the Department of Education to track and publish the use of all exclusionary discipline disaggregated by student subgroup. Restricts the use of out-of-school and in-school suspensions among students in grades 6 through 12. Eliminates the use of out-of-school suspensions for students in prekindergarten through grade 5.		SUPPORT
ADD	HB2511	RELATING TO CHARTER SCHOOLS.	Provides funding for the rental or lease of facilities through legislative appropriations and bond authorizations to the State Public Charter School Commission for the design, planning, construction, repair, and maintenance of public charter school improvements. Appropriates general funds for infrastructure costs, lease or rent assistance, and repair and maintenance of network infrastructure for charter schools.		SUPPORT
ADD	HB2587	RELATING TO HAWAIIAN HOME LANDS.	Establishes within the Department Hawaiian Home Lands, for administrative purposes only, a Hawaiian home lands outstanding claims task force. Requires a report to the Legislature.		COMMENT

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills					
1	HB35	RELATING TO MENTAL HEALTH.	Restores the categories of "gravely disabled" and "obviously ill" to the criteria for involuntary hospitalization that were deleted by Act 221, SLH 2013. Increases the maximum period of emergency hospitalization from 48 hours to 72 hours.	MONITOR	
2	HB39	RELATING TO HEALTH.	Establishes a three-year pilot program to create a new category of professional licensure for assistant physicians: recent medical school graduates who have passed certain medical exams but have not been placed into a residency program and who work under the supervision of a licensed physician to provide primary care in medically underserved areas.	MONITOR	
3	HB1619	RELATING TO PENAL RESPONSIBILITY.	Authorizes the courts to enter into collaborative agreements to divert into residential, rehabilitative, and other treatment those defendants whose physical or mental disease, disorder, or defect is believed to have become or will become an issue in a judicial case.	MONITOR	
4	HB1738	RELATING TO THEFT IN THE SECOND DEGREE.	Amends the offense of theft in the second degree to include theft of property commonly used to store items of personal or monetary value, including any purse, handbag, or wallet.	MONITOR	
5	HB1750	RELATING TO EYEWITNESS IDENTIFICATIONS.	Repeals Act 281, Session Laws of Hawai'i 2019, which codifies law enforcement investigation procedures for eyewitness identifications.	MONITOR	
6	HB1751	RELATING TO ELECTIONS.	Authorizes election officials to establish additional voter service centers.	MONITOR	Monitor >>> SUPPORT
7	HB1752	RELATING TO ELECTIONS.	Reinstates the definition of "precinct" and amends the definition of "district" to facilitate the administration of elections.	MONITOR	
8	HB1842	RELATING TO FITNESS TO PROCEED.	Diverts non-violent petty misdemeanants living with mental illness from the criminal justice system to the appropriate community treatment.	MONITOR	
9	HB1856	RELATING TO SEA LEVEL RISE.	Requires the Hawai'i climate change mitigation and adaptation commission to conduct certain activities to address the impacts of sea level rise and report to the legislature before the 2022 regular session. Appropriates funds for the commission's activities and extends the lapse date to June 30, 2022.	MONITOR	
10	HB1877	RELATING TO LAND RECORDATION.	Clarifies the data requirements for land recordation on land deregistered by the land court other than fee simple time share interests. Effective 7/1/2050. (HD1)	MONITOR	
11	HB1918	RELATING TO THE HAWAII COMMUNITY CORRECTIONAL CENTER.	Creates a task force to study and recommend to the legislature a site for a new jail to replace the Hawai'i Community Correctional Center's primary facility on three acres in downtown Hilo, Hawai'i, and to consider alternative governmental uses for the existing site. Appropriates funds.	COMMENT	

12	HB1928	RELATING TO DEVELOPMENT DISTRICTS.	Establishes the Pulehunui community development district on the island of Maui as a community development district within the authority of the Hawai'i Community Development Authority. Authorizes the Hawai'i Community Development Authority to obtain various forms of financial aid from the federal government for projects of the authority.	MONITOR	
13	HB1954	RELATING TO ELECTIONS.	Restores the conducting of elections at polling places operated by precinct officials. Repeals provisions under Act 136, Session Laws of Hawai'i 2019, that made voting by mail the primary and default method of voting. Repeals the establishment of voter service centers.	MONITOR	
14	HB2021	RELATING TO TEACHER HOUSING.	Clarifies that the Department of Education may construct teachers' housing on a public school campus. Requires that teachers' housing units constructed or acquired on a school campus after 6/30/2020, be rented at a low cost or no cost to new teachers employed full-time at that school.	SUPPORT	
15	HB2029	RELATING TO SUSTAINABILITY.	Establishes a statewide sustainability division within the office of planning to ensure long-term planning, coordination, and implementation of Hawai'i's sustainability goals and policies. Appropriates funds.	MONITOR	
16	HB2035	RELATING TO NON-AGRICULTURAL PARK LANDS.	Requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. Requires DLNR and DOA to jointly report on the status of the land transfer. Amends the definition of "agricultural activities" used in chapter 166E, HRS.	OPPOSE	
17	HB2082	RELATING TO MARIJUANA OFFENSES.	Reinstates the protection for the public by repealing the decriminalization of the possession of three grams or less of marijuana and re-establishes the classification of a petty misdemeanor to deter the harm marijuana causes.	MONITOR	
18	HB2091	RELATING TO CRIMINAL HISTORY RECORD CHECKS.	Adds the University of Hawai'i to the list of agencies authorized to conduct criminal history record checks on current or prospective employees, and contractors and their employees, whose duties include ensuring security of campus facilities and persons.	MONITOR	
19	HB2101	RELATING TO MINORS.	Requires circuit courts to apply special sentencing considerations when sentencing a minor for a non-violent offense. Allows the courts, in their discretion, to impose a sentence up to 50% shorter than the mandatory minimum or to decline to impose a mandatory enhanced sentence in certain circumstances.	SUPPORT	
20	HB2109	RELATING TO CRIMINAL PENALTIES.	Increases certain penalties for the crimes of assault, burglary, criminal property damage, and theft by one grade.	COMMENT	
21	HB2111	RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS.	Requires the department of human services to work with the department of public safety to establish a pilot visitation and family resource center at Waiawa correctional facility. Makes an appropriation.	COMMENT	

22	HB2119	RELATING TO VOTING.	Requires that any person who is eligible to vote and applies for a new or renewal motor vehicle driver's license, provisional license, or instruction permit, or a new, renewal, or duplicate identification card be automatically registered to vote if that person is not already registered to vote unless the applicant affirmatively declines to be registered to vote. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation containing driver's license or identification card information to election officials and the statewide voter registration system. Effective 1/1/2021.	MONITOR	
23	HB2121	RELATING TO RANKED CHOICE VOTING.	Establishes ranked choice voting for special federal elections and special elections of vacant county council seats.	MONITOR	
24	HB2123	RELATING TO SEXUAL HARASSMENT.	Requires employers that employ 50 or more employees to file regular electronic reports with the Hawai'i Civil Rights Commission (HCRC) on legal settlements regarding sexual harassment. Requires HCRC to publish and make accessible to the public on the commission's website quantitative information about such legal settlements.	MONITOR	
25	HB2125	RELATING TO THE STATE ETHICS CODE.	Makes various amendments to the State Ethics Code. Repeals exemption from certain financial disclosure requirements granted to members of the Hawai'i Correctional System Oversight Commission.	MONITOR	
26	HB2126	RELATING TO VOTER REGISTRATION.	Establishes a process, beginning on January 1, 2021, for preregistering or registering public school- and charter school-enrolled students to vote.	MONITOR	
27	HB2128	RELATING TO ELECTIONS.	Makes housekeeping amendments to Hawai'i's elections laws to clarify and improve the administration of elections by mail.	MONITOR	
28	HB2131	RELATING TO AGRICULTURAL LANDS.	Prohibits community associations from adapting any rule over residential agricultural lands that restricts the use of that land for agricultural purposes.	MONITOR	
29	HB2173	RELATING TO IGNITION INTERLOCK DEVICES.	Requires consecutive terms of imprisonment for anyone convicted as a repeat or habitual offender if arising from same conduct as conviction for operating a vehicle without an ignition interlock device. Requires any person operating a vehicle with an ignition interlock to have government issued identification in their immediate possession. Expands the lookback period under provisions relating to ignition interlock requirements from five to ten years. Expands the offense of circumventing or tampering with an ignition interlock to include obscuring the camera lens.	MONITOR	
30	HB2207	RELATING TO LAND USE.	Authorizes the office of planning to conduct a land use study for Hauula, O'ahu, that assesses the viability and cost of maintaining the transit corridor. Appropriates funds.	MONITOR	
31	HB2244	RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS.	Reactivates the individual development account contribution income tax credit for the five-year period from 2021 through 2025. Amends provisions regarding state-funded individual development accounts. Appropriates funds to the department of human services.	SUPPORT	

32	HB2266	RELATING TO SEA LEVEL RISE.	Directs the Hawai'i Climate Change Mitigation and Adaptation Commission to address areas already impacted by sea level rise, identify vulnerable critical public infrastructure, create a plan for mitigating and adapting to sea level rise, and provide policy direction to the legislature on funding and strategies to address the impacts of climate change on the State. Appropriates funds.	MONITOR	
33	HB2297	RELATING TO PUBLIC LANDS.	Exempts lands set aside by the Governor to the Hawai'i Housing Finance and Development Corporation for the primary purpose of developing affordable housing from classification as public land subject to Department of Land and Natural Resources management. Requires lands set aside by the Governor to the Hawai'i Housing Finance Development Corporation for the primary purpose of developing affordable housing to be subject to legislative approval prior to the sale or gift of those lands.	MONITOR	
34	HB2335	RELATING TO OFFICE OF YOUTH SERVICES.	Permits individual vocational programs within the purview of the Office of Youth Services to engage in commercial enterprises, including the sale of goods and services, for self-sustainability purposes, for young adults only. Establishes the Office of Youth Services Revolving Fund. Appropriates funds.	SUPPORT	
35	HB2362	RELATING TO PUBLIC SAFETY.	Appropriates funds to purchase the Honolulu Federal Detention Center.	MONITOR	
36	HB2402	RELATING TO STATE HOLIDAYS.	Repeals the provision making election days state holidays and provides 8 hours of paid leave during normal business hours on the anniversary of an employee's date of birth on even-numbered years.	MONITOR	
37	HB2403	RELATING TO STATE HOLIDAYS.	Repeals the provision making election days state holidays and provides employees with 8 hours of paid leave every even-numbered year during normal business hours on a day previously agreed upon with their employer.	MONITOR	
38	HB2418	RELATING TO LEGISLATIVE TESTIMONY.	Requires the house and senate to permit remote testimony, via telephone, at public hearings.	MONITOR	
39	HB2470	RELATING TO HOUSING.	Directs the HPHA to convey a specified 15.418-acre parcel in Honoka'a, Hawai'i county, to HHFDC. Requires HHFDC to conduct a feasibility study to determine whether the parcel is suitable for residential development. Appropriates funds for the feasibility study.	MONITOR	
40	HB2544	RELATING TO A SCHOOL FACILITIES AGENCY.	Establishes the School Facilities Agency to be responsible for all public school development, planning, and construction, related to capital improvement projects assigned by the Legislature, Governor, or Board of Education. Transfers statutes pertaining to the Hawai'i 3R's and 3T's programs to a new School Facilities Agency statutory subpart. Places management of school impact fees with the agency. Appropriates funds.	MONITOR	

41	HB2578	RELATING TO PUBLIC LANDS.	Authorizes the designation of areas or regions of public lands classified as commercial, industrial, resort and hotel, and the establishment and implementation of guidelines for the redevelopment of the areas or regions that will: (1) modernize the policies for the management of public lands in the designated area; (2) establish a plan for the designated area, including district-wide improvements, that is coordinated with state and county land use and planning policies; and (3) implement asset and property management concepts that can optimize income from the properties and evolve in response to changing principles of property administration. Designates the public lands on the Waiākea peninsula on the island of Hawai'i as the Waiākea Peninsula Redevelopment District. Allows the Department of Land and Natural Resources to issue a rent reduction or waiver for certain lessee's expenses for demolition or provision of basic infrastructure. Authorizes a local redevelopment agency to contract with a developer for construction of non-residential projects on public land within a redevelopment area. Takes effect upon the County of Hawai'i repealing the Banyan Drive Hawai'i redevelopment agency.	COMMENT	
42	HB2581	RELATING TO CRIME.	Creates a new offense, promoting a dangerous drug in the fourth degree, for possession of any amount of any dangerous drug, as a misdemeanor. Amends promoting a dangerous drug in the third degree to possessing 1/16 ounce of specified dangerous drugs. Makes prior convictions of promoting a dangerous drug in the third degree a misdemeanor.	SUPPORT	
43	HB2602	RELATING TO AGRICULTURAL LANDS.	Amends certain land subdivision and condominium property regime laws related to agricultural land, as recommended pursuant to Act 278, Session Laws of Hawai'i 2019, to ensure agricultural lands that are organized under a condominium property regime are used for agricultural purposes.	MONITOR	
44	HB2629	RELATING TO HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.	Requires the Hawai'i Housing Finance and Development Corporation to award funds no later than 60 days after the deadline to file a consolidated application or no later than 60 days after the filing of a duly submitted consolidated application if no deadline has been established by the corporation.	MONITOR	
45	HB2673	RELATING TO TARO.	Bans the importation of taro corms unless dried, cooked, frozen, or peeled. Bans the importation of live taro plant material from any point of origin in the United States.	SUPPORT	Support >>> COMMENT
46	HB2747	PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 2, OF THE HAWAII STATE CONSTITUTION, TO AUTHORIZE THE LEGISLATURE TO REQUIRE THE FORFEITURE OR REDUCTION OF PENSION BENEFITS OF A MEMBER, OF THE EMPLOYEES' RETIREMENT SYSTEM WHO IS CONVICTED OF A FELONY.	Proposes a constitutional amendment to article XVI, section 2, of the state constitution to authorize the legislature to require the forfeiture or reduction of benefits of any member, former member, or retirant of the employees' retirement system who is convicted of a felony related to the member's, former member's, or retirant's employment with the State or any political subdivision thereof.	MONITOR	
47	SB42	RELATING TO HAWAIIAN AFFAIRS.	Short form bill.	MONITOR	
48	SB1121	RELATING TO THE DEPARTMENT OF HEALTH.	Requires the Department of Health to establish a working group to examine and advise on amendments that can be made to the statutory description of the Department's powers, duties, functions, and responsibilities. Authorizes the working group to evaluate the health impact assessment tool. Appropriates funds to support the activities of the working group. Effective 7/1/2050. (SD2)	MONITOR	

49	SB2005	RELATING TO VOTING.	Requires that any person who is eligible to vote and applies for a new or renewal motor vehicle driver's license, provisional license, or instruction permit, or a new, renewal, or duplicate identification card be automatically registered to vote if that person is not already registered to vote unless the applicant affirmatively declines to be registered to vote. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation containing driver's license or identification card information to election officials and the statewide voter registration system. Effective 1/1/2021.	MONITOR	
50	SB2006	RELATING TO RANKED CHOICE VOTING.	Establishes ranked choice voting for special federal elections and special elections of vacant county council seats.	MONITOR	
51	SB2027	RELATING TO VOTING.	Requires that any person who is eligible to vote but is not already registered to vote and applies for a new or renewed motor vehicle driver's license, provisional license, or instruction permit, or a new, renewed, or duplicate civil identification card be automatically registered to vote unless the applicant affirmatively declines to be registered to vote. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation containing driver's license or civil identification card information to election officials and the statewide voter registration system. Takes effect 1/1/2021.	MONITOR	
52	SB2029	PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO AMEND THE QUALIFYING AGE OF VOTERS FOR ANY STATE OR LOCAL ELECTION.	Proposes a constitutional amendment to lower the qualifying age of voters for any state or local election to sixteen years of age.	MONITOR	
53	SB2030	RELATING TO ELECTIONS.	Requires an elector to vote for the candidates whose names appeared on the presidential general election ballot and who are of the political party or group they represent and invalidates an elector's vote for failure to vote accordingly. Requires an alternate to vote in place of the original elector if the original elector fails to vote for the proper candidate.	MONITOR	
54	SB2035	RELATING TO PROCUREMENT.	Requires that in evaluating and determining the award for redevelopment of state or county level through competitive sealed bidding or competitive sealed proposals, the number of housing units proposed shall constitute forty per cent of the evaluation score regardless of whether the development of housing is proposed.	MONITOR	
55	SB2037	RELATING TO HOUSING.	Restricts any county from disapproving or imposing certain conditions on a housing development project for housing or an emergency shelter unless the county meets certain requirements.	MONITOR	
56	SB2042	RELATING TO PUBLIC HOUSING.	Requires the Hawai'i public housing authority to establish a rent-to-own pilot program subject to any applicable federal law.	MONITOR	
57	SB2046	PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE HAWAII STATE CONSTITUTION, TO REQUIRE THE STATE TO PRODUCE ENOUGH HOUSING TO MEET DEMAND.	Amends the constitution to require the State to provide enough housing to meet demand.	MONITOR	

58	SB2047	RELATING TO THE PENAL CODE.	Requires the judicial council to conduct a comprehensive review of the penal code and to recommend proposed changes. Requires judiciary council to appoint an advisory committee to assist in the review, and allows the council to also appoint a reporter and clerical staff as necessary. Requires the advisory committee to report to the legislature. Makes an appropriation.	COMMENT	
59	SB2048	RELATING TO VOTER REGISTRATION.	Extends the voter registration deadline from thirty to fifteen days prior to each election. Authorizes the clerks to sending ballot packages beyond the authorized deadlines if the clerk determines that there is reasonable time for a voter to receive and submit the ballot before the election. Increases the fine for providing false information on a voter application. Makes conforming amendments. (SD1)	MONITOR	
60	SB2115	RELATING TO THE STATE ETHICS CODE.	Amends the state ethics code to require candidates for state elective offices to disclose the name of clients assisted before state agencies. Gives the State Ethics Commission discretion in determining how financial disclosure statements should be filed. Removes the exemption of Hawai'i Correctional System Oversight Commission members from financial disclosure requirements.	MONITOR	
61	SB2137	RELATING TO ELECTIONS.	Authorizes election officials to establish additional voter service centers. (SD1)	MONITOR	Monitor >>> SUPPORT
62	SB2205	RELATING TO IMPORTANT HOUSING LANDS.	Establishes that important housing lands are public lands owned by the State that are located within 0.5 miles of any rail mass transit station and needed to promote the expansion of available housing for the future. Requires the State and counties to identify and designate important housing lands. Appropriates funds.	MONITOR	
63	SB2207	PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 6, OF THE HAWAII STATE CONSTITUTION, TO REQUIRE THE STATE AND ITS POLITICAL SUBDIVISIONS TO PLAN TO PRODUCE ENOUGH HOUSING IN ITS MANAGEMENT OF POPULATION GROWTH.	Amends the constitution to require the State to plan to provide enough housing to meet demand in its management of population growth.	MONITOR	
64	SB2210	RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.	Authorizes the Hawai'i housing finance and development corporation the right of first refusal for the development of property for all development on state lands that are within a one-half mile radius of a rail transit station.	MONITOR	
65	SB2218	RELATING TO AFFORDABLE HOUSING.	Prohibits landlords from evicting tenants where units are not habitable and limits tenants' liability. Exempts certain housing units from school impact fee requirements. Authorizes Hawai'i Housing Finance and Development Corporation (HHFDC) to enter into ninety-nine year leases for condominiums on state lands. Prohibits discrimination based on participation in a housing assistance program. Specifies that certain provisions of the Internal Revenue Code do not apply with respect to claims for the state low-income housing tax credit. Appropriates funds for the State Rent Supplement Program. Amends the Hula Mae Multifamily revenue bond authorization amount.	OPPOSE	Oppose >>> COMMENT

66	SB2222	RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS.	Reactivates the individual development account contribution income tax credit for the five-year period from 2021 through 2025. Amends provisions regarding state-funded individual development accounts. Appropriates funds to the department of human services.	SUPPORT	
67	SB2239	RELATING TO PROSECUTORIAL TRANSPARENCY.	Requires the offices of the prosecuting attorney of the respective counties to collect and publish certain data relating to criminal defendants and prosecutorial decision-making. Requires governor to establish a prosecutorial transparency advisory board.	COMMENT	
68	SB2243	RELATING TO LEGISLATIVE TESTIMONY.	Requires the house and senate to permit remote testimony, via telephone, at public hearings.	MONITOR	
69	SB2255	RELATING TO TEACHER RENTAL HOUSING.	Authorizes the Hawai'i housing finance and development corporation to assist the department of education in developing teacher housing projects and contract or sponsor with any state department or agency. Appropriates funds for deposit into the dwelling unit revolving fund. Requires the department of education to lease land and contract with private entities for the development, management, maintenance, or revitalization of teacher housing. Permits a project owner to lease teacher housing to other eligible tenants if occupancy of teacher housing falls below 95 per cent.	MONITOR	
70	SB2299	RELATING TO LAND EXCHANGE.	Allows the governor to negotiate land exchanges to acquire lands suitable for long-term diversified agricultural production in return for state lands to be developed for affordable, workforce, and other housing. Provides that all land exchanges are subject to legislative approval. Requires a report to the Legislature.	MONITOR	
71	SB2332	RELATING TO HIGHWAYS.	Establishes an old government roads commission to address the issue of jurisdiction between the State and the counties over disputed roads. Appropriates funds.	MONITOR	
72	SB2345	RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS.	Requires the department of human services to work with the department of public safety to establish a pilot visitation and family resource center at Waiawa correctional facility. Makes an appropriation.	COMMENT	
73	SB2356	RELATING TO THE LAND CONSERVATION FUND.	Removes the monetary cap for the amount of conveyance taxes collected that can be paid into the land conservation fund.	MONITOR	
74	SB2358	RELATING TO SUICIDE PREVENTION TRAINING.	Requires two hours of annual in-service training in suicide prevention for all teachers, principals, and school counselors.	MONITOR	
75	SB2368	RELATING TO HAWAIIAN LANGUAGE.	Designates the month of February as "'Ōlelo Hawai'i Month" to celebrate and encourage the use of Hawaiian language. Requires all letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate and appropriate Hawaiian names, spelling, and punctuation. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. Clarifies that the full text of bills and other official documents are not required to be written in Hawaiian and that misspelled or incorrectly punctuated Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly.	SUPPORT WITH AMENDMENTS	

77	SB2415	RELATING TO NON-AGRICULTURAL PARK LANDS.	Requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. Requires DLNR and DOA to jointly report on the status of the land transfer. Amends the definition of "agricultural activities" used in chapter 166E, HRS.	OPPOSE	
78	SB2416	RELATING TO CONCESSIONS.	Provides state and county governments more flexibility and discretion to address substantial hardship situations that impact concession contracts.	MONITOR	
79	SB2427	RELATING TO THE LAND USE COMMISSION.	Clarifies that when deciding on a petition for the reclassification of a district boundary, the land use commission shall not consider matters outside of its jurisdiction and that are within the jurisdiction of another government agency. Establishes procedures for a petitioner in the event the land use commission approves or disapproves a petition for reclassification of a district boundary for reasons outside its jurisdiction.	COMMENT	
80	SB2529	PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO AMEND THE QUALIFYING AGE OF VOTERS.	Proposes a constitutional amendment to lower the qualifying age of voters for any state or local election to sixteen years of age.	MONITOR	
81	SB2530	RELATING TO VOTING.	Lowers the age of voting in state and local elections from eighteen to sixteen years of age. Lowers the age of preregistration.	MONITOR	
82	SB2568	RELATING TO GOVERNMENT ACCOUNTABILITY.	Requires any report of a study or an audit enacted with a legislative appropriation or adopted by concurrent resolution and conducted by an executive department or agency, including the Hawai'i health systems corporation, and by the legislative reference bureau, auditor, judiciary, or office of Hawaiian affairs, to be submitted to the senate president, speaker of the house, chairs of the appropriate subject matter committee of each house, and the legislative reference bureau library. Requires a public hearing or informational briefing within one year of receipt of report, except if extension granted to the hearing or briefing requirement by the senate president or speaker of the house of representatives or if the requirement is waived by the senate president or speaker of the house of representative. Exempts financial and other regularly occurring audits.	MONITOR	
83	SB2578	RELATING TO DISCIPLINARY ACTIONS IN PUBLIC SCHOOLS.	Requires the Department of Education to track and publish the use of all exclusionary discipline disaggregated by student subgroup. Restricts the use of out-of-school and in-school suspensions among students in grades 6 through 12. Eliminates the use of out-of-school suspensions for students in prekindergarten through grade 5.	SUPPORT	
84	SB2599	RELATING TO AFFORDABLE HOUSING.	Requires the Hawai'i public housing authority to develop and implement a pilot project to establish a boarding house for those transitioning out of homelessness or re-entering the workforce. Requires a report to the legislature. Appropriates funds.	MONITOR	
85	SB2609	RELATING TO ELECTIONS.	Includes agents of candidates listed on ballots among the persons prohibited from providing voting assistance at voter service centers and in the use of absentee ballots.	MONITOR	

86	SB2620	RELATING TO LAND USE.	Authorizes county land use decision-making authorities to amend district boundaries involving land areas greater than fifteen but no more than thirty acres in the urban district without consideration of the land use commission if at least sixty per cent of the land is used to develop affordable housing.	OPPOSE	
87	SB2638	RELATING TO DOMESTIC VIOLENCE.	Amends the offense of abuse of family or household members to provide for misdemeanor and petty misdemeanor penalties. Allows a deferred acceptance of guilty or no contest plea in misdemeanor and petty misdemeanor abuse penalties. Requires the Judiciary to submit annual reports to the Legislature on the number and outcome of abuse of family or household members cases. Sunsets five years after enactment.	MONITOR	
88	SB2642	RELATING TO HOUSING DENSITY.	Authorizes the land use commission to govern housing density increases. Authorizes homeowners located in a block to vote to increase the housing density for their respective block. Upon receiving an affirmative vote of two-thirds of the homeowners in a block, requires the land use commission to increase the housing density for the block.	MONITOR	
89	SB2648	RELATING TO PUBLIC LANDS.	Clarifies that lands set aside to the Hawai'i housing finance and development corporation by the governor or leased to the corporation by other state departments and agencies are exempt from the definition of "public lands". Requires the Hawai'i housing finance and development corporation to dispose of public lands pursuant to chapter 171, Hawai'i Revised Statutes. Clarifies that lands set aside by the governor or leased to the Hawai'i housing finance development corporation from other state agencies are subject to legislative approval prior to the sale or gift of those lands.	MONITOR	
90	SB2658	RELATING TO HOUSING.	Creates the position of governor's director of housing who has the duties of gathering information about housing in Hawai'i and collaborating with various state agencies in order to increase the current housing supply at all price points.	MONITOR	
91	SB2676	RELATING TO ELECTIONS.	Addresses various inconsistencies in existing elections law to clarify and improve the administration of elections by mail.	MONITOR	
92	SB2706	RELATING TO AGRICULTURAL LANDS.	Amends certain land subdivision and condominium property regime laws related to agricultural land, as recommended pursuant to Act 278, Session Laws of Hawai'i 2019, to ensure agricultural lands that are organized under a condominium property regime are used for agricultural purposes.	MONITOR	
93	SB2717	RELATING TO SHARK PROTECTION.	Establishes an offense of knowingly capturing, taking, possessing, abusing, entangling, or killing a shark in state marine waters, along with penalties and fines. Provides certain exemptions.	(Printed copy showed both) MONITOR SUPPORT	SUPPORT
94	SB2735	RELATING TO AGRICULTURAL LANDS.	Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Sets various deadlines for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires reports to the legislature on compliance with the land transfers. Appropriates funds.	OPPOSE	
95	SB2756	RELATING TO WATER QUALITY.	Waives the requirement for section 401 water quality certification for certain small scale beach restoration projects authorized by the Department of Land and Natural Resources.	MONITOR	

96	SB2793	RELATING TO DRUG OFFENSES.	Establishes a new misdemeanor offense of promoting a dangerous drug in the fourth degree, to include possession of dangerous drugs in the smallest amounts. Limits the class C felony offense of promoting a dangerous drug in the third degree to include possession of certain dangerous drugs in an amount or weight equal to one-sixteenth of one ounce or more. Retroactive to 6/1/1972.	SUPPORT	
97	SB2794	RELATING TO ELECTIONS.	Makes housekeeping amendments to elections laws to clarify the administration of elections by mail.	MONITOR	
98	SB2801	RELATING TO ENERGY.	Requires the public utilities commission to establish preferential electricity rates for residential properties located within a five-mile radius of a utility scale wind energy facility.	MONITOR	
99	SB2806	RELATING TO DEPARTMENT OF LAND AND NATURAL RESOURCES PERMIT FEES.	Prohibits the department of land and natural resources for charging a fee for a permit to use public lands to a non-profit organization if that organization has paid for a permit for the same public land for fifty consecutive years.	MONITOR	
100	SB2812	RELATING TO AGRICULTURAL LANDS.	Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires reports to the Legislature on compliance with the land transfers. Appropriates funds.	MONITOR	
101	SB2830	RELATING TO AGRICULTURAL ENTERPRISES.	Establishes a new agricultural enterprise program within the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure on any lands under the jurisdiction of the department, to support and promote agriculture. Creates three new positions to implement the program. Establishes the agricultural enterprise special fund. Makes an appropriation. Effective July 1, 2020.	MONITOR	
102	SB2849	RELATING TO LAW ENFORCEMENT STANDARDS BOARD.	Clarifies membership and certain powers and duties of the Law Enforcement Standards Board, establishes new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission.	MONITOR	
103	SB2853	RELATING TO PUBLIC LANDS.	Exempts lands set aside by the Governor to the Hawai'i Housing Finance and Development Corporation for the primary purpose of developing affordable housing from classification as public land subject to Department of Land and Natural Resources management. Requires lands set aside by the Governor to the Hawai'i Housing Finance Development Corporation for the primary purpose of developing affordable housing to be subject to legislative approval prior to the sale or gift of those lands.	MONITOR	
104	SB2891	RELATING TO OFFICE OF YOUTH SERVICES.	Permits individual vocational programs within the purview of the Office of Youth Services to engage in commercial enterprises, including the sale of goods and services, for self-sustainability purposes, for young adults only. Establishes the Office of Youth Services Revolving Fund. Appropriates funds.	SUPPORT	

105	SB2940	RELATING TO THE STADIUM DEVELOPMENT DISTRICT.	Authorizes the Stadium Authority to acquire and hold title to real property. Transfers authority to issue leases of the lands within the Stadium Development District from the Hawai'i Community Development Authority to the Stadium Authority. Exempts development of the Stadium Development District from community development plan requirements, except requirements of the county transit-oriented development plan.	COMMENT	
106	SB2942	RELATING TO HOMELESSNESS.	Requires the Governor's Coordinator on Homelessness to develop and implement separate regional plans for various neighborhoods across the State to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of impacted communities and needs of the homeless population.	MONITOR	
107	SB3004	RELATING TO PARTITION ACTIONS.	Requires commissioners in partition actions to file reports with the court and fully inform all interested parties of any intended applications to be filed with any department, state agency, or county to carry out the partition or division of real property, including water meter permits. Requires commissioners to provide interested parties the right to object to the report and be heard at a hearing. Requires commissioners to file a report with the court including proposed language of any deed of partition or of sale.	MONITOR	
108	SB3018	RELATING TO TRADITIONAL HAWAIIAN PRACTICES.	Exempts the traditional and customary practice of kalo farming on kuleana lands by native Hawaiians from the requisite permit for withdrawal, diversion, impoundment, or consumptive use of water. Exempts the traditional and customary practice of kalo farming on kuleana lands by native Hawaiians from the requisite permit for construction or alteration of a stream diversion works.	SUPPORT	
109	SB3019	RELATING TO TRADITIONAL HAWAIIAN PRACTICES.	Allows traditional Hawaiian farming systems, traditional Hawaiian crops, and small-scale farming on lands designated as conservation districts.	COMMENT	
110	SB3038	RELATING TO TARO.	Exempts taro production from the state income tax.	SUPPORT	
111	SB3063	PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE CONSTITUTION OF THE STATE OF HAWAII.	Proposes an amendment to article IX, section 5, of the Constitution of the State of Hawai'i, to require the State to assure that each resident has access to housing as provided by law.	MONITOR	
112	SB3066	RELATING TO PUBLIC NOTICE.	Establishes enhanced public notice requirements for change in land use by the Department of Hawaiian Home Lands, Department of Land and Natural Resources, or the University of Hawai'i and boundary changes by the Land Use Commission. Requires approval of the project by the community through a referendum of nearby adult residents except for projects within the Mauna Kea science reserve, which require a referendum by all adult residents of the county in which the Mauna Kea science reserve is located. Appropriates funds.	MONITOR	
113	SB3069	RELATING TO CAMPAIGN SPENDING.	Entitles candidates who meet the minimum qualifying contribution amount for partial public financing of election campaigns to receive payments of \$3 for each \$1 of qualifying contributions of \$5 or less in excess of minimum qualifying contribution amounts.	MONITOR	

114	SB3070	RELATING TO CAMPAIGN FINANCE.	Increases the maximum amount of public funds available to certain state candidates in each election. Increases the amount of voluntary state income tax check-off contributions that may be designated for the Hawai'i election campaign fund beginning on 1/1/2021.	MONITOR	
115	SB3074	RELATING TO CAMPAIGN FINANCE.	Part I: Increases the maximum amount of public funds available in each election to certain state candidates by ten percent annually. Part II: Increases the amount of voluntary state income tax check-off contributions that may be designated for the Hawai'i election campaign fund beginning on January 1, 2021.	MONITOR	
116	SB3103	RELATING TO A SCHOOL FACILITIES AGENCY.	Establishes the School Facilities Agency to be responsible for all public school development, planning, and construction, related to capital improvement projects assigned by the Legislature, Governor, or Board of Education. Transfers statutes pertaining to the Hawai'i 3R's and 3T's programs to a new School Facilities Agency statutory subpart. Places management of school impact fees with the agency. Appropriates funds.	MONITOR	
117	SB3105	RELATING TO HAWAI'I HOUSING FINANCE AND DEVELOPMENT CORPORATION.	Requires the Hawai'i Housing Finance and Development Corporation to award funds no later than 60 days after the deadline to file a consolidated application or no later than 60 days after the filing of a duly submitted consolidated application if no deadline has been established by the corporation.	MONITOR	
118	SB3113	RELATING TO HOUSING.	Directs the HPHA to convey a specified 15.418-acre parcel in Honoka'a, Hawai'i county, to HHFDC. Requires HHFDC to conduct a feasibility study to determine whether the parcel is suitable for residential development. Appropriates funds for the feasibility study.	MONITOR	
119	SB3115	RELATING TO PUBLIC LANDS.	Authorizes the designation of areas or regions of public lands classified as commercial, industrial, resort and hotel, and the establishment and implementation of guidelines for the redevelopment of the areas or regions that will: (1) modernize the policies for the management of public lands in the designated area; (2) establish a plan for the designated area, including district-wide improvements, that is coordinated with state and county land use and planning policies; and (3) implement asset and property management concepts that can optimize income from the properties and evolve in response to changing principles of property administration. Designates the public lands on the Waiākea peninsula on the island of Hawai'i as the Waiākea Peninsula Redevelopment District. Allows the Department of Land and Natural Resources to issue a rent reduction or waiver for certain lessee's expenses for demolition or provision of basic infrastructure. Authorizes a local redevelopment agency to contract with a developer for construction of non-residential projects on public land within a redevelopment area. Takes effect upon the County of Hawai'i repealing the Banyan Drive Hawai'i redevelopment agency.	COMMENT	
120	SB3139	RELATING TO THE STATE BUDGET.	Amends the appropriations and capital improvement projects authorized for fiscal biennium 2019-2021 made by Act 40, Session Laws of Hawai'i 2019. Amends the operating and capital improvement grants authorized by Act 39, Session Laws of Hawai'i 2019.	MONITOR	
121	SB3159	RELATING TO CIVIC EDUCATION.	Appropriates funds to the Department of Education to develop community civic education networks, expand civic education in public schools, and establish one full-time permanent civic education resource position within the department. Requires the Department of Education to submit periodic reports to the Board of Education on the status of the department's efforts to develop community civic education networks.	MONITOR	

122	SB3162	RELATING TO CIVIC EDUCATION.	Appropriates funds for expansion of civic education in public schools, including moneys for a civic education resource teacher and professional development and resources related to the college, career, and civic life framework for social studies state standards.	MONITOR	
123	SB3164	RELATING TO THE STATE SURFING COMMISSION.	Establishes the state commission on surfing.	SUPPORT	
124	SB3167	RELATING TO THE STADIUM DEVELOPMENT DISTRICT.	Repeals and reestablishes the stadium development district under the jurisdiction of the stadium authority. Establishes the stadium development special fund. Expands the powers and duties of the stadium authority. Appropriates funds.	OPPOSE	
125	HCR35		REQUESTING THE GOVERNOR TO CONVENE A BLUE RIBBON COMMISSION TO EXAMINE AND FORMULATE A RECONCILIATION PROCESS RELATING TO ISSUES OF PAST, PRESENT, AND FUTURE IMPORTANCE TO THE NATIVE HAWAIIAN PEOPLE, STATE OF HAWAII, AND UNITED STATES OF AMERICA.	COMMENT	
126	SCR37		REQUESTING THE GOVERNOR TO CONVENE A BLUE RIBBON COMMISSION TO EXAMINE AND FORMULATE A RECONCILIATION PROCESS RELATING TO ISSUES OF PAST, PRESENT, AND FUTURE IMPORTANCE TO THE NATIVE HAWAIIAN PEOPLE, STATE OF HAWAII, AND UNITED STATES OF AMERICA.	COMMENT	
Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
Bill Positions for Reconsideration					
127	HB2037	RELATING TO THE HAWAII STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, PLUS COMMISSION.	Establishes the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Appropriates funds. Effective 12/31/2059. (HD1)	MONITOR > COMMENT	
Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
2020 Legislative Session (All positions previously approved)					
205	HB2520	RELATING TO THE STADIUM DEVELOPMENT DISTRICT.	Repeals and reestablishes the stadium development district under the jurisdiction of the stadium authority. Establishes the stadium development special fund. Expands the powers and duties of the stadium authority. Appropriates funds.	(01/29 was Comment) OPPOSE	
215	HB2468	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Requires at least 50% of all general funds appropriated to the Office of Hawaiian Affairs each fiscal year to be distributed directly to beneficiaries. Applies to budget preparation and submissions for fiscal year 2021-2022 and subsequent fiscal years.	COMMENT > OPPOSE	COMMENT

Trustee Machado seconds the motion.

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

Chair Waihe'e calls for a **ROLL CALL VOTE**.

							2:11 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
VICE-CHAIR KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO		2	X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				9	0	0	0

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

VI. COMMUNITY CONCERNS*

None

VII. ANNOUNCEMENTS

None

VIII. ADJOURNMENT

Trustee Hulu Lindsey moves to adjourn the BAE meeting.

Trustee Machado seconds the motion.

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

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

							2:12 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
VICE-CHAIR KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO		2	X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				9	0	0	0

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

Chair Waihe'e adjourns the BAE meeting at 2:12 p.m.

Respectfully submitted,

Melissa Wennihan
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on March 4, 2020.

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

Committee on Beneficiary Advocacy and Empowerment
 Trustee John Waihe'e IV, *Chair*
 Trustee Kaleihikina Akaka, *Vice Chair*
Members



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS

Trustee Leina'ala Ahu Isa, At-Large
 Trustee Dan Ahuna, Kaua'i / Ni'ihau
 Trustee Keli'i Akina, At-Large
 Trustee Brendon Kalei'aina Lee, At-Large
 Trustee Carmen Hulu Lindsey, Maui
 Trustee Robert K. Lindsey, Jr., Hawai'i Island
 Trustee Colette Y. Machado. Moloka'i / Lāna'i

MEETING OF THE
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

DATE: Wednesday, March 4, 2020
TIME: 1:00 p.m.
PLACE: Maui Ola Boardroom
 Nā Lama Kukui
 560 N. Nimitz Highway
 Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Public Testimony*
- III. Approval of Minutes
 - A. February 5, 2020
 - B. February 12, 2020
- IV. Unfinished Business
 - A. 2020 OHA Legislative Package Updates - Matrix 1**†
- V. New Business
 - A. 2020 OHA Legislative Positioning - Matrix 2**†
 - B. ACTION ITEM: BAE #20-02: Approval of Nominee(s) for the Moloka'i Island Burial Council
 - C. Briefing on the background and history of OHA participation in Nā Wai 'Ehā (Maui) litigation and related matters.
- VI. Executive Session‡
 - A. Approval of Executive Session Minutes for January 22, 2020
 - B. Consultation with OHA attorney Pamela Bunn, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding OHA's ongoing participation in Nā Wai 'Ehā (Maui) litigation, including the surface water use permit applications contested case hearing.
- VII. Community Concerns*
- VIII. Announcements
- IX. Adjournment

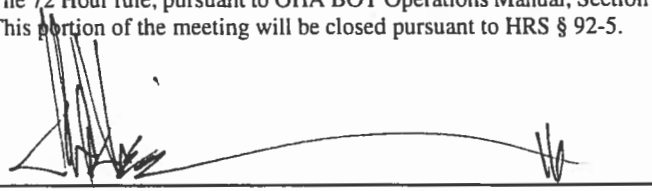
If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: rainag@oha.org no later than three (3) business days prior to the date of the meeting.

* Notice: Persons wishing to provide testimony are requested to submit 13 copies of their testimony to the Chief Executive Officer at 560 N. Nimitz, Suite 200, Honolulu, HI, 96817 or fax to 594-1868, or email BOTmeetings@oha.org 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: Trustees may establish or revise an OHA position on ANY proposed bill / resolution / executive message currently moving through the state legislature or other relative elected body. The Matrices, which are available for public review in the meeting room at this stated meeting, provide a brief description of each bill, the bill's number, the bill's title, the bill's intent, and the proposed and specific OHA position on each measure, current through 03/03/20. However, the Trustees both in committee and as the Board of Trustees (BOT) reserve the right to discuss any and all bills on the Matrices, as well as those that time does not permit to be placed on the Matrices, in order to discharge their fiduciary obligations as Trustees of the Office of Hawaiian Affairs.

† Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.


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


 Date

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

February 12, 2020 10:00 a.m.

ATTENDANCE:

Chairperson John Waihe'e, IV
Vice-Chairperson Kaleihikina Akaka
Trustee Leina'ala Ahu Isa
Trustee Dan Ahuna
Trustee Keli'i Akina
Trustee Brendon Kalei'aina Lee
Trustee C. Hulu Lindsey

Laurene Kaluau-Kealoha
Lehua Itokazu
Lei-Ann Durant
Maria Calderon
Melissa Wennihan
Nathan Takeuchi
Paul Harleman

EXCUSED:

Trustee Robert Lindsey
Trustee Colette Machado

ADMINISTRATION STAFF:

Lisa Watkins-Victorino, Ka Pou Nui Kūikawā
Annie Kauhane, PP
Daniel Santos, IT
Jenifer Jenkins, PP
Jocelyn Doane, PP
Keola Lindsey, ADV
Olan Fisher, PP
Wayne Tanaka, ADV

BOT STAFF:

Alyssa-Marie Kau
Bethann Hihina Ahsing
Brandon Mitsuda
Crayn Akina
Kauikeaolani Wailehua

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, February 12, 2020 to order at **10:00 a.m.**

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

MEMBERS			AT CALL TO ORDER (10:00 a.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	KALEIHIKINA	AKAKA	PRESENT	
TRUSTEE	LEINA'ALA	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	

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

EXCUSED from the BAE Meeting are:

MEMBERS			COMMENT
TRUSTEE	ROBERT	LINDSEY	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	COLETTE	MACHADO	MEMO – REQUESTING TO BE EXCUSED

Chair Waihe'e would like the record to show that some materials were received more recently than 72 hours ago, and that deadline per practice has been duly waived.

II. PUBLIC TESTIMONY

None

III. APPROVAL OF MINUTES

None

IV. UNFINISHED BUSINESS

A. 2020 OHA Legislative Package Updates – Matrix 1†**

Chair Waihe'e turns it over to Ka Pou Nui Kūikawā Lisa Watkins-Victorino.

Ka Pou Nui Kūikawā Watkins-Victorino calls on Public Policy Manager Jocelyn Doane to present.

Public Policy Manager Doane: Aloha, I wanted to go over the calendar quickly. Friday the 14th is the Lateral Deadline which means that any bill that has two or more referrals must get through its second to the last one. So, we should see a flurry of hearings this week, and then the next deadline will be two weeks from Friday – which will be the Decking Deadline which means all the bills will have needed to get through its last committee in its originating house. So how that relates to our package; OHA-1, the Senate version will make its deadline and will need to be heard by Judiciary in the next two weeks.

OHA-2, we're excited to note that both the House and the Senate versions are moving. The House bill unfortunately blanked out the years. I think that the State DHRD has started saying that the industry standard for how many years an employer can look back is seven years. They've identified eleven other states that have adopted that amount, so we will work with the Judiciary Chairs to try to put the number back in to the bill. If someone was to steal something nominal and paid their debt to society, for seven years not being able to get a job because of biases doesn't make sense. We want them to have the opportunity to get good work so that they don't steal again. Also, as a reminder, this doesn't even affect State DHRD. The law we're attempting to change will not affect the processes that State hiring offices go through – we've tried to reach out to them with no response, but unfortunately their testimony is what changed the bill yesterday.

Trustee Lee: I know it's not in our testimony now, but maybe when we go give testimony at Judiciary, we can remind the Senators that although they're recommending seven, this doesn't affect them.

Public Policy Manager Doane: Right, that will be included in our testimony and, also remind them that Hawai'i was the trendsetter for this practice in the first place anyway. So, it only makes sense that we continue to lead the nation towards creating opportunities where people can clearly contribute and support themselves, and potentially to reduce recidivism overall. The original language was being changed from ten to three for misdemeanors, and ten to five for felonies in our bill. So, right now the House wanted to provide more opportunity for discussion, so they blanked out the years. Although the Chair of the committee did give us a gold star for our testimony and data.

OHA-3, this is the Historic Preservation Bill – this bill will unfortunately die; we knew that going in. What's happening is - there is a lot of discussion about: SHPD's backlog and how to fix SHPD. Technically, in the leadership package, which we'll talk a little more in detail later, there are some changes to SHPD as well and we've made some suggested amendments on that.

OHA-4, our resolution is moving nicely and as you know, the deadline for Resolutions is much later. So, we should be good on that.

OHA-5, this is our Land Liability bill - the Senate version is moving. It just needs to get a hearing in the House in the next two weeks.

OHA-6, the water storage for Wahiawā, also needs to get a hearing in the money committee within the next two weeks.

That's the update for our package.

Chair Waihe'e asks if there are any questions on the OHA Legislative Package.

There are none.

V. NEW BUSINESS

A. 2020 OHA Legislative Positioning – Matrix 2†**

Chair Waihe'e turns it back over to Ka Pou Nui Kūikawā Lisa Watkins-Victorino.

Ka Pou Nui Kūikawā Watkins-Victorino turns it back over Public Policy Manager Jocelyn Doane to present.

Public Policy Manager Doane: Ok, the first item that we will need to make a change on at the table is Page 14, Item 76 – HCR12; so consistent with our position on the bill, I'm now recommending that we change this from ~~Monitor~~ to COMMENT. This is the establishment of an outstanding DHHL Task Force. As we've talked about in the past, there are a lot of issues related to inappropriate, ongoing, past State uses. Act 14 would've addressed some of those old uses that have not been implemented, but additionally Act 14 only covered uses up to 1988. So, we think this is a good opportunity for the State to talk about that.

The next one is on Page 27, Item 149 – HB2119; this is the Automatic Voter Registration Bill. Our Community Outreach Staff is monitoring our Voter Engagement Bill and we had a little chat about this late last night. We'd now like to recommend a position of SUPPORT instead of ~~Monitor~~. What this would do is whenever you got a new or updated driver's license, permit or ID card you would be automatically registered to vote, if you were not previously registered. Then there's an opt-out provision, which you would have to say you do not want to be registered. We think that's cool because it's consistent with the steps that the State has taken with regards to trying to increase voter registration.

In 2015, the State implemented an online voter registration system. In 2016, we started phasing in same day voter registration, and as you know this year it will be an all-mail-in election. There are 16 other States that have already adopted it. We're thinking if all our beneficiaries are registered to vote and there's something happening that makes them think that they should vote - then they don't have to worry about anything, they're already registered.

Moving in to the **New Significant Bills**. Page 4, Item 16 – HB2429; this is a bill that is related to Human Trafficking. I thought it would be a good opportunity for the trustees to take a position on a couple of trafficking bills because we've gotten some recent data about how high the disproportionate trafficked individuals amount happens to be Hawaiian. We are recommending a position of SUPPORT on this even though the bill was just deferred in the House yesterday when we sat in the really, long hearing.

We wanted to talk about it anyway, so this would require hotels to provide Human Trafficking Awareness to their employees, and they would be fined if they did not meet that requirement. Apparently, a really, high percentage of trafficking occurs in hotels. There was just a new report out from Hawai'i's Women's Commission that shows that 64% of Sex Trafficking, which is a part of Human Trafficking; victims were identified as being Hawaiian, so we're particularly interested in this issue. We are going to have a meeting with the Women's Commission next week, so we will learn a little more about it at that time.

Page 9, Item 42 – SB2309; this may look familiar to the Trustees. We've supported a State Income Tax Credit for years now, they practically did establish one but it was temporary so this bill would do two things. It would make it permanent and it would modify the credit to be refundable; which would look like the Federal Earned Income Tax Credit to make folks eligible for a refundable credit. Our recommendation is SUPPORT.

Page 9, Item 44 – SB2386; I wanted to bring this to the Trustees' attention; it's consistent with our position in the past. This would prohibit landfills in Conservation Lands with some exigent circumstance exemptions, but also it was amended this year to require a half-a-mile buffer zone. We are waiting for the new draft to come out to find out what that half-a-mile buffer zone will look like and will update you when we get that, but we are recommending a position of SUPPORT at this time.

Page 10, Item 49 – SB2475; this is the other bill trafficking bill I wanted to bring to the trustees' attention. This would authorize the DOE to provide trafficking prevention training to staff and make them aware of certain protocols and opportunities to refer potential students; we are recommending SUPPORT.

Page 14 Item 77 – HCR37; this is a Blue-Ribbon Commission Resolution. We didn't have a position on this last week because I guess they introduced a second resolution. The resolution that we had on our matrix was HCR34, but they're basically the identical – the only thing I noted as a difference is that there was an incorrect year on the first one. Administration struggled with what to say, if anything, even though we had discussed with the trustees the week before that we were going to provide COMMENT.

After seeing some information on social media, we thought it might be good for us to assess what folks are saying, including the Committee. I went to the hearing to listen, and the thing that I heard the most was that there are a lot of tools that the State could implement that they're not currently implementing. OHA's PLT share came up, funding DHHL appropriately came up, and there was a lot of discussion about trust.

Page 15, Item 84 – HB2443; this is a **BILL POSITION CHANGE**. This was an error. The Board already approved a position of SUPPORT rather than ~~Support With Amendments~~ for the companion bill.

I'm going to have Keola take over the next portion to go over the DHHL Bills.

Chief Advocate Keola Lindsey: Currently, we're are recommending MONITOR on all the DHHL bills and talking to stakeholders including the Department and active Homestead Associations. The bills run a broad range of topics - everything from the operations of the Department, composition of the Commission, also specific activities for the Homesteaders themselves. If there are any specific bills or topics that the trustees would like further information on or for me to go over, I'd be happy to do that.

Public Policy Manager Doane: There are bills that Trustee Hulu Lindsey specifically asked about last week, I think the first one was on Page 6, Item 27 – HB2732.

Chief Advocate Keola Lindsey: I believe that one was referred but hasn't had a hearing yet. In brief, it will increase the ability for lessees to gain access to money to refinance or finance their leases. Right now, it's based on the improvements on the lease-only and that obviously caps out based on what the improvement is. They would add to the appraised value by adding in the term of the lease as something that could be appraised.

Trustee Hulu Lindsey: I think in actuality the value of the property is based on improvements, but for the land to be included for the appraisal would give the owners of the properties the ability to use the evaluation of the lease as sort of like a down payment for the improvement. Right now, our people don't have the money for a down payment, and that's why the list is so big because people aren't qualifying. There are hundreds of people on the list that have been approached but cannot qualify for financing. This will make it better if the value of the lease can be included in the evaluation of the property, because that part can be like their down payment.

Trustee Akina: *What are the concerns that we have, that prevent us from supporting this bill in present form?*

Public Policy Manager Doane: I think the concerns are that we are not experts on the topic. To support a bill to allow for mortgaging on a lease that we don't have in-house expertise on is what's holding us back. Also, we are learning and listening when there is testimony that may bring up things that we're not thinking about that could have adverse impacts on this.

Chief Advocate Keola Lindsey: Yes, while we are not experts, if this is something that OHA should take a position on then we will mobilize and research the issue and at minimum come up with comments on it. Overall, our strategy with all these bills being MONITORED is that we feel discussions are playing out amongst the experts and we can research and build up our understanding on any given bill if that's the direction we get.

Trustee Akina: I would support that the research would be helpful. There are developers and realtors who have been looking into this.

Trustee Hulu Lindsey: As a licensed broker, I have been involved in transactions where the purchasers have been really hurt; there was no value on the lease or the lands. We've been encouraged to bring this forward to the legislature to make this correction; so that can happen for the lessors and lessees.

Chief Advocate Keola Lindsey: As far as the status of the two bills relating to this topic - the House version hasn't had a hearing scheduled yet and there is a Senate version that talks about a similar issue and that was deferred in committee a couple of weeks ago. So, we will watch them closely.

Public Policy Manager Doane: If there are no other DHHL bills that the trustees would like to discuss then I will go over some **highlighted bills** that are still moving.

Page 40, Item 211 – HB2585; this is the bill that has a version of the Public Land Trust Negotiating Committee in it, as well as information about requiring all grants to be approved by the Board. As you may recall, the PLT Negotiating Committee language was taken directly from one of our other bills, but it has clearly been amended. There is one major concern in the bill - it would not change the annual reporting requirements. It would ask that the Negotiating Committee and The Office of Planning (who would be helping the Negotiating Committee) create a financial review similar to OHA's, but it would take out the Airport revenue from that report, which would mean 14-16 million of the 35 million dollars that we're asking for. So, if it moves in that way it really wouldn't be useful.

Page 54, Item 281 – SB2387; this is the bill that would appropriate a blank amount of funds to OHA and DHHL. The bill moved, and it's still blank – it complicates appropriations to OHA because of the title. So, we will watch this closely and are obviously grateful for any additional funds that they are willing to give us.

Page 73, Item 370 – SB3104; this is the Leadership Housing bill. Yesterday the Housing and Water-Land Committees in the Senate heard this bill. We made a ton of suggestions on this bill; consistent with our position.

The first issue that we made suggestions on is related to the amendments to 6E which is the Historic Preservation Section. We held numerous stakeholder conversations and a very similar bill was heard last week Friday and we made suggested amendments to that section to address concerns about bypassing burial council processes and other important processes that SHPD plays if burials are discovered. We made those suggestions to make sure OHA was not only consulted, but also would be a party to the MOU which would define the scope of delegation to the Counties.

The next issue is use of ceded lands and/or 99-year leases without specific benefits to Native Hawaiians. The committee actually adopted the amendments that we had suggested for this bill and the ALOHA Homes bill and any other Housing Bills with 99-year leases to require the HHFDC to adopt Administrative Rules to determine transfers of units or percentages of units to OHA or DHHL; so that's exciting.

The other related issue about benefiting Native Hawaiians was we had made a recommendation for there to be a preference for 80% AMI and they did take that recommendation and went all the way to the right and made that a requirement. Now in the bill, the developer could lease lands and develop half of the lands as Market Rate and half of the lands up to 140% AMI, which as we talked about in our last meeting is quite high. I looked through the Administrative Rules extensively to understand HHFDC's processes and then made a recommendation which I think wouldn't completely alter how they do things.

The other thing that we had commented on was making sure that any future sales go through the same process as any other attempted sale of ceded lands.

Then finally in the LUC section, the Board has taken a position for years making sure that the LUC authorities are not diluted, particularly as it relates to Conservation lands. They took our recommendations, so it would not transfer jurisdiction of Conservation lands and important Agriculture lands to the Counties that would stay with the LUC. We'll have to wait and see what the bill looks like when the new draft comes out and of course we will bring it to your attention so that we can review our position at that time.

Page 75, Item 378 – SB3164; I'm bringing this up for Trustee Lee's benefit – I think we just got the draft of the Surfing Commission Bill and they're housing it in HTA instead DBEDT now. So, our position is not SUPPORT and I think Trustee Lee may have a position otherwise.

Trustee Lee: We don't want it in HTA, so I would say SUPPORT WITH AMENDMENTS.

Public Policy Manager Doane: I don't mind changing to SUPPORT WITH AMENDMENTS. It would be good to get guidance from the trustees as to what the amendments would be and if we're agreeable to it being housed at OHA, instead of HTA. I would like the trustees to make that call and if I don't hear otherwise, I'll make a recommendation for it to be put back in DBEDT.

Trustee Lee: If we recommend it to go back to DBEDT, then we're essentially saying that we don't support the bill, because that's the reason the Governor vetoed it last year.

Public Policy Manager Doane: I think the rationale would be if we're talking about surfing being culturally significant, then I don't know if putting it in a tourism organization makes sense. We can get creative. We generally do not advocate for big commissions like this to be put into OHA because it costs a lot of money. So, I'm assuming that's not what we specifically want to do. We don't want to shift our priorities from elsewhere to here, unless I'm hearing otherwise. Wayne will have a lot of fun writing that testimony.

Page 75, Item 380 – SB3178; I just wanted to go over this bill one more time with the trustees. This is the bill that would allow for removal of the Administrator by ‘a majority of those present’ rather than ‘a super-majority of the Board’. It has been referred to the Judiciary Committee, I’m planning to reach out to the Chair to ask him if he plans to move this and to make two suggested amendments. First, to make sure it’s the ‘majority of the whole board’, because it would be crazy to go from like six votes to three. The second thing is to make sure it’s discretionary, so that the trustees possess the ability to change your bylaws, if you so desire.

That’s the last bill I have, to review for today. Thank you.

Chair Waihe’e: Thank you Jocelyn.

Vice-Chair Akaka moves to approve Administration’s recommendations on:

NEW BILLS (Items 1 – 83) and BILL POSITIONS FOR RECONSIDERATION (Item 84), along with the following revisions:

CHANGE items:

- 76, HCR12, from ~~Monitor~~ to **COMMENT**;
- 149, HB2119, from ~~Monitor~~ to **SUPPORT**; and
- 378, SB3164, from ~~Support~~ to **SUPPORT WITH AMENDMENTS**

on the OHA Legislative Positioning Matrix dated February 12, 2020, as amended.

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills					
1	HB442	RELATING TO HAWAIIAN AFFAIRS.	Appropriates funds to establish two part-time project-based research archivist positions in the Hawai’i state archives to provide research services and digitization of records. (HD1)	MONITOR	
2	HB933	RELATING TO CRISIS INTERVENTION.	Creates a crisis intervention and diversion program in the department of health to divert those in need to appropriate health care and away from the criminal justice system. Sunsets on 6/30/2023. Effective 7/1/2050. (HD1)	MONITOR	
3	HB1075	RELATING TO BAG LIMITS.	Repeals the statutory prohibition of taking or killing female spiny lobsters, Kona crabs, and Samoan crabs.	MONITOR	
4	HB1616	RELATING TO PAROLE OFFICERS.	Gives parole officers, within the scope of their duty, the powers of a police officers. Provides parole officers with the authority to arrest paroled prisoners without a warrant when there is probable cause of a violation of parole. Authorizes parole officers to use electric guns and subjects parole officers to the authority of the law enforcement standards board.	MONITOR	

5	HB1773	RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.	Authorizes the counties to enact and enforce ordinances regulating the operation of hosting platforms that provide booking services for transient accommodation operators located within that county. Defines "booking service" and "hosting platform."	MONITOR	
6	HB1847	RELATING TO ENVIRONMENTAL PROTECTION.	Requires the Department of Land and Natural Resources to adopt rules to protect herbivorous fish in all state waters.	MONITOR	
7	HB1949	RELATING TO HOUSING.	Establishes an affordable homeownership revolving fund within HHFDC to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects. Makes an appropriation into and out of the affordable homeownership revolving fund. Effective 7/1/2025. (HD1)	MONITOR	
8	HB2014	RELATING TO HOUSING.	Establishes the affordable homeownership revolving fund to be administered by HHFDC to provide loans to qualified nonprofit community development financial institutions, qualified nonprofit housing trusts, and nonprofit housing development organizations for the development of affordable homeownership housing projects. Appropriates funds for the purposes of the affordable homeownership revolving fund.	MONITOR	
9	HB2017	RELATING TO THE HAWAIIAN HOMES COMMISSION.	Allows the Hawaiian homes commission or the department of Hawaiian home lands to retain independent legal counsel as needed. Authorizes the Hawaiian homes commission and the department of Hawaiian home lands to use the services of the attorney general as needed and when the interests of the State, Hawaiian homes commission, and department of Hawaiian home lands are aligned. Provides that funds paid to independent legal counsel shall be paid by the State.	MONITOR	
10	HB2062	RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN.	Establishes a statewide coordinator and program within DHS to address the needs of sexually exploited children. Establishes the commercial sexual exploitation of children steering committee. Requires the steering committees to submit reports to the legislature by July 1, 2021, and July 1, 2022. Appropriates funds. Takes effect 12/31/2059. (HD1)	MONITOR	
11	HB2183	RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM.	Increases the Hula Mae Multifamily Revenue Bond authorization ceiling amount to continue financing affordable rental housing statewide. Effective 7/1/2025. (HD1)	MONITOR	
12	HB2208	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Appropriates funds to DHHL for the acquisition of land to be developed by DHHL for affordable housing units.	MONITOR	
13	HB2241	RELATING TO GENERAL EXCISE TAX EXEMPTIONS.	Exempts certain foods, medical services, and feminine hygiene products from the general excise tax.	MONITOR	

14	HB2259	RELATING TO AFFORDABLE HOUSING.	Exempts workforce development projects from paying school impact fees for the development of workforce housing if at least 90% of the residential units that are set aside for purchase or rent for residents in the low-income or moderate-income ranges are set aside specifically for public school teachers.	MONITOR
15	HB2296	RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM.	Increases the Hula Mae Multifamily Revenue Bond authorization ceiling amount to continue financing affordable rental housing statewide.	MONITOR
16	HB2429	RELATING TO HUMAN TRAFFICKING.	Establishes training requirements for employees of transient accommodations in human trafficking awareness and response. Requires operators of transient accommodations to display National Human Trafficking Resource Center hotline information to employees, establish written human trafficking prevention policies, and implement procedures for reporting known or suspected human trafficking. Requires the Hawaii Tourism Authority to monitor compliance with this Act.	SUPPORT
17	HB2430	RELATING TO FEMININE HYGIENE PRODUCTS.	Promotes menstrual equity by providing an exemption from the GET, beginning October 1, 2020, for the sale of feminine hygiene products in the State. Appropriates funds to the DOE to make feminine hygiene products available to students for free on public secondary school campuses.	MONITOR
18	HB2449	RELATING TO AFFORDABLE HOUSING.	Requires that when developers make cash payments in lieu of providing the required reserved housing units in the development of residential projects for the Hawai'i Community Development Authority, the cash payments shall be deposited into the rental housing revolving fund.	MONITOR
19	HB2454	RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE.	Establishes the offense of criminal trespass on critical electrical infrastructure. Takes effect on 7/1/2050. (HD1)	MONITOR
20	HB2469	RELATING TO EMPLOYMENT.	Clarifies that Hawai'i's anti-discrimination law does not prohibit or prevent an employer, employment agency, or labor organization from refusing to hire or refer or from discharging an individual for reasons unrelated to unlawful discriminatory practices.	MONITOR
21	HB2473	RELATING TO COUNTIES.	Makes explicit the counties' authority to enact ordinances to amortize or phase out permitted, nonconforming, or otherwise allowed short-term rentals in any zoning classification. Includes swapping, bartering, or exchange of a residential dwelling, or portion thereof, in definition of "short-term rental" for this purpose.	MONITOR
22	HB2516	RELATING TO AFFORDABLE HOUSING.	Requires that projects under chapter 201H, HRS, in a county having a population of more than 100,000 but less than 1,000,000 be consistent with the county general plan or require that all units of the project shall be affordable housing in perpetuity.	MONITOR

23	HB2588	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Prohibits lessees who sell or transfer land from obtaining subsequent leases of the same class of land unless the subsequent lease is acquired pursuant to section 209 of the Hawaiian Homes Commission Act, 1920, as amended, or the prior lease interest held by the lessee was a partial interest held with another lessee or lessees. Effective 7/1/2050. (HD1)	MONITOR	
24	HB2651	RELATING TO SHORT-TERM RENTALS.	Prohibits bans on dwelling unit rentals having a term between 1 and 5 months for inter-island relocations and visiting workers. Authorizes county councils to adopt any ordinances necessary to implement the prohibition by 6/30/2021.	MONITOR	
25	HB2658	RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.	Authorizes the counties to adopt an ordinance regulating the operation of hosting platforms that provide booking services for transient accommodation operators.	MONITOR	
26	HB2731	RELATING TO THE DISTRIBUTION OF LEASES UNDER THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.	Requires Hawaiian Homes Commission to distribute leases to all beneficiaries within 10 years. Removes financial consideration in obtaining a lease. Requires the construction of pu'u honuas or communal living arrangements by the department.	MONITOR	
27	HB2732	RELATING TO FINANCING HOMES ON HAWAIIAN HOME LANDS.	Provides that the value of the remaining term of a Hawaiian Home Lands lease can be used as an asset to help a lessee obtain a loan to build, repair, or renovate a structure on the leased lot. Clarifies that this does not constitute alienation of the land and requires strict compliance with all mortgage conditions contained in the Act.	MONITOR	
28	SB70	RELATING TO THE ENVIRONMENT.	Short form bill.	MONITOR	
29	SB2032	RELATING TO RENTAL DISCRIMINATION.	Prohibits discrimination, including in advertisements for available real property, based on participation in a housing assistance program, or requirements related to participation in housing assistance programs, in real estate transactions and requirements.	COMMENT	
30	SB2036	RELATING TO PUBLIC LANDS.	Clarifies that lands set aside to the HHFDC by the governor or leased to the corporation by other state departments and agencies are excluded from the definition of "public lands" and require approval from the legislature upon disposition. Requires that lands set aside by the governor or leased to the HHFDC be returned to the public trust or to the leasing agency if the HHFDC is no longer needed by the HHFDC. (SD1)	COMMENT	
31	SB2040	RELATING TO TAXATION.	Establishes a surcharge equal to twenty-five per cent of the net proceeds from the sale of certain residential property within a period of five years after the date of purchase if the owner is ineligible for a county homeowner's exemption on property tax.	MONITOR	

32	SB2041	RELATING TO HUMAN TRAFFICKING.	Includes transient accommodations operators among the employers required to post National Human Trafficking Hotline information. Increases penalties for violations of posting requirement and requires deposit of penalties and interest into the human trafficking victim services fund. Allows DLIR to contract with state or county departments or agencies for enforcement.	SUPPORT	
33	SB2043	RELATING TO LEASEHOLD CONDOMINIUMS ON STATE LAND.	Authorizes the Hawai'i housing finance and development corporation, Hawai'i community development authority, and Hawai'i public housing authority to sell leasehold units in residential condominiums located on state lands. (SD1)	COMMENT	
34	SB2087	RELATING TO THE CONVEYANCE TAX.	Raises the conveyance tax rates for residential investment properties with a value of at least \$2,000,000. Exempts affordable housing qualified by the Hawai'i Housing Finance and Development Corporation from the conveyance tax.	SUPPORT WITH AMENDMENTS	
35	SB2113	RELATING TO HAWAIIAN HOME LANDS.	Requires the department of Hawaiian home lands to negotiate with native Hawaiians before offering Hawaiian home lands for lease to the public by auction. Requires annual report regarding negotiations.	MONITOR	
36	SB2156	RELATING TO THEFT IN THE SECOND DEGREE.	Amends the offense of theft in the second degree to include theft of property commonly used to store items of personal or monetary value, including any purse, handbag, or wallet.	MONITOR	
37	SB2164	RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.	Authorizes the counties to enact and enforce ordinances regulating the operation of hosting platforms that provide booking services for transient accommodation operators located within that county. Defines "booking service" and "hosting platform."	MONITOR	
38	SB2216	RELATING TO TAXATION.	Establishes an empty homes conveyance tax against certain residential property owners who own a vacant residential unit in the State. (SD1)	MONITOR	
39	SB2223	RELATING TO RENT CONTROL.	Prohibits landlords from increasing rent above a certain percentage over any twelve-month period. Establishes provisions for rent control. Excludes certain properties from rent control. Requires a report regarding the effectiveness of rent control in the State. Repeals on 12/31/2030.	MONITOR	
40	SB2265	RELATING TO HAWAIIAN HOMELANDS.	Establishes the micro enterprise assistance program on Hawaiian home lands revolving fund to provide grants and loans through the implementation of the micro enterprise assistance program to qualified native Hawaiians, native Hawaiian-controlled homestead associations, homestead association community development corporations, and Native Hawaiian community organizations with a demonstrated ability and history of making and administering loans and providing support to qualified native Hawaiians. Appropriates funds. Takes effect on 7/1/2050. (SD1)	MONITOR	

41	SB2308	RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN.	Establishes within the Department of Human Services a sexually exploited children statewide coordinator and program and a commercial sexual exploitation of children steering committee to address the needs of sexually exploited children in the State. Requires the sexually exploited children statewide program and the commercial sexual exploitation of children steering committee to provide annual reports to the Legislature. Establishes within each county a commercial sexual exploitation of children multidisciplinary team to facilitate the sharing of information and to immediately respond to cases of sexually exploited children. Appropriates funds.	MONITOR	
42	SB2309	RELATING TO TAXATION.	Makes the state earned income tax credit refundable and permanent. Effective 7/1/2050. (SD1)	SUPPORT	
43	SB2349	RELATING TO CRIMINAL JUSTICE.	Requires all state correctional facilities to allow family members to engage in contact visitation with inmates at any state correctional facility during official visiting hours. Provides that the correctional facility shall provide each inmate with the opportunity for a minimum of two in-person, contact visits per week, with each visit lasting at least one hour.	MONITOR	
44	SB2386	RELATING TO WASTE MANAGEMENT.	Prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. Requires no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a municipal solid waste landfill unit.	SUPPORT	
45	SB2396	RELATING TO HOUSING.	Requires inclusion of an unspecified minimum percentage of affordable housing units in state agencies' development and redevelopment plans along the rail transit corridor. Allows the Office of Planning to make exceptions to the affordable housing requirement.	SUPPORT	
46	SB2400	RELATING TO AFFORDABLE HOUSING.	Appropriates funds into and out of the rental housing revolving fund and dwelling unit revolving fund.	MONITOR	
47	SB2403	RELATING TO RENT TO BUILD EQUITY.	Requires developers of housing projects that are exempt from certain laws to enter into profit-sharing agreements with the tenants of those properties.	MONITOR	
48	SB2409	RELATING TO DOWN PAYMENTS.	Encourages qualified former Hawai'i residents to move back to Hawai'i by establishing the returning resident down payment program to provide matching funds for the down payment on a residence. Appropriates funds. (SD1)	MONITOR	
49	SB2475	RELATING TO SEX TRAFFICKING AND SEXUAL ABUSE PREVENTION TRAINING.	Authorizes DOE to provide sexual abuse and sex trafficking prevention training to certain staff. Requires DOE to make available to certain staff explanatory information about protocols that DOE has approved for providing services to victims of sexual abuse and sex trafficking.	SUPPORT	

50	SB2520	RELATING TO CORRECTIONAL FACILITIES.	Establishes procedures for the use of administrative and disciplinary segregation in correctional facilities.	COMMENT	
51	SB2523	RELATING TO PUBLIC SAFETY.	Authorizes the Director of Public Safety to withhold certain information regarding deaths at correctional facilities or community correctional centers. Requires the director to include in the report regarding the death that is submitted to the governor a description of the circumstances and cause of death of the individual and ensure that the description does not contain any details that could identify the deceased individual.	MONITOR	
52	SB2524	RELATING TO SENTENCING.	Repeals mandatory minimum periods of imprisonment for certain offenses or under certain circumstances.	MONITOR	
53	SB2525	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Defines "beneficiary consultation". Prohibits the department of Hawaiian home lands from disposing or extending a general lease to non-beneficiaries, unless there are no applicants seeking to enter into a general lease to the use and occupancy of a tract of Hawaiian home lands. Requires the department to notify beneficiaries through beneficiary consultation prior to the disposition of Hawaiian home lands. Allocates the interest or other earnings from the Hawaiian home loan fund and Hawaiian home general loan fund into their respective funds, under certain conditions. Requires the department to submit a quarterly report to the legislature and beneficiaries. Authorizes the department to negotiate with homestead association governed water agencies to maintain water systems prior to other service providers, under certain conditions.	MONITOR	
54	SB2526	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Amends the Hawaiian Homes Commission Act to require appraisals of improvements to identify the replacement cost or the leasehold market value. Grants authority to DHHL to authorize second position loans on homestead leases by approved lenders. Requires DHHL to develop and implement a loan servicing manual, subject to commission approval, to standardize loan loss mitigation policies, procedures, and methods. Clarifies that DHHL shall not cancel a lease solely based on a loan default or delinquency unless all loan loss mitigation procedures are exhausted pursuant to the loan servicing manual.	MONITOR	
55	SB2551	RELATING TO HUMAN TRAFFICKING.	Requires transient accommodations operators to provide training, signage, and reporting policies to employees regarding human trafficking awareness.	SUPPORT	
56	SB2601	RELATING TO LAW ENFORCEMENT.	Authorizes any county, under certain conditions, to collect up to fifty per cent of costs associated with providing law enforcement services for the construction of a project from the developer of the project.	MONITOR	
57	SB2616	RELATING TO HOUSING DEVELOPMENT.	Exempts affordable housing units, additions to existing dwelling units, accessory dwelling units, ohana dwelling units, and affordable housing projects developed by the Hawai'i Public Housing Authority from fifty per cent of school impact fee requirements.	COMMENT	

58	SB2625	RELATING TO HOUSING.	Establishes an Affordable Homeownership Revolving Fund within the Hawai'i Housing Finance and Development Corporation to provide loans to nonprofit housing development organizations, and community development financial institutions for the development of affordable homeownership housing projects. Makes an appropriation into and out of the Affordable Homeownership Revolving Fund. Effective 1/1/2021. (SD1)	MONITOR	
59	SB2640	RELATING TO HOUSING.	Adds a section to the Hawai'i Revised Statutes which promotes the construction of high density housing within a one-half mile radius of a rail station along the Honolulu rail transit system.	MONITOR	
60	SB2643	RELATING TO SEX TRAFFICKING.	Removes the criminal statute of limitations for sex trafficking and promoting prostitution. Specifies that sex trafficking of a minor is a strict liability offense. Repeals the offense of solicitation of a minor for prostitution.	MONITOR	
61	SB2644	RELATING TO CORRECTIONAL FACILITIES.	Repeals the authorization for the governor to negotiate with any person for the development or expansion of private correctional facilities. Prohibits the establishment of private correctional facilities in the State.	MONITOR	
62	SB2646	RELATING TO THE LANDLORD-TENANT CODE.	Prohibits landlords from recovering possession of a dwelling unit from tenants if habitability of the premises is significantly impaired. Sets a tenant's liability for rent if habitability of the premises is significantly impaired. Provides remedies for retaliatory evictions.	MONITOR	
63	SB2647	RELATING TO THE HAWAI'I PUBLIC HOUSING AUTHORITY.	Establishes the landlord incentive program special fund to reimburse land owners who participate in the section 8 housing choice voucher program for repair costs of tenant-caused property damage when the repair costs exceed the tenant's security deposit. Makes an appropriation. (SD1)	MONITOR	
64	SB2650	RELATING TO REAL PROPERTY.	Specifies that only government buildings and buildings that are on the Hawai'i or national register of historic places shall be subject to historic review. Specifies that private property shall not be subject to historic review. Exempts revenues received from buildings on the national register of historic places from state income tax.	MONITOR	
65	SB2651	RELATING TO CORRECTIONS.	Requires that a committed person and committed youth be paid no less than the federal minimum wage when working in the State.	MONITOR	
66	SB2653	RELATING TO THE STATE HISTORIC PRESERVATION DIVISION.	Requires the state historic preservation division to use a program comment approach in its duties. Appropriates funds for the state historic preservation division to conduct a study on buildings built between 1945 and 1970 that would be exempted from a program comment process.	MONITOR	
67	SB2674	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.	Authorizes counties to levy a county surcharge on transient accommodations tax in their respective counties pursuant to certain conditions. Sunsets on 12/31/2036.	MONITOR	

68	SB2684	RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS.	Authorizes the counties to adopt an ordinance regulating the operation of hosting platforms that provide booking services for transient accommodation operators.	MONITOR	
69	SB2785	RELATING TO EMPLOYMENT.	Clarifies that Hawai'i's anti-discrimination law does not prohibit or prevent an employer, employment agency, or labor organization from refusing to hire or refer or from discharging an individual for reasons unrelated to unlawful discriminatory practices.	MONITOR	
70	SB2826	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Clarifies that DHHL shall not cancel a lease solely based on a loan default or delinquency unless all loan loss mitigation procedures are exhausted pursuant to the loan servicing manual. Requires DHHL to develop and implement a loan servicing manual.	MONITOR	
71	SB2918	RELATING TO PUBLIC SAFETY.	Appropriates funds to purchase the Honolulu Federal Detention Center.	MONITOR	
72	SB2933	RELATING TO CRIMINAL HISTORY RECORD CHECKS.	Adds the University of Hawai'i to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees, including student employees and contractors and their employees, whose positions or duties are related to public safety.	MONITOR	
73	SB3126	RELATING TO PRISONS.	Establishes a four-year pilot program to reduce recidivism through educational programs and initiatives. Appropriates funds.	MONITOR	
74	SB3152	RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.	Defines "cultural assessment" and "cultural impact assessment". Requires cultural assessments to be available for public review and comment in connection with draft environmental assessments. Requires a cultural impact assessment if an agency determines a proposed action may have a significant effect on the environment.	MONITOR	
75	HCR6		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	MONITOR	
76	HCR12		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO ASSESS THE OUTSTANDING CLAIMS RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	MONITOR	Monitor >>> COMMENT
77	HCR37		REQUESTING THE GOVERNOR TO CONVENE A BLUE RIBBON RECONCILIATION COMMISSION TO EXAMINE AND FORMULATE A RECONCILIATION PROCESS RELATING TO ISSUES OF PAST, PRESENT, AND FUTURE IMPORTANCE TO THE NATIVE HAWAIIAN PEOPLE, THE STATE OF HAWAI'I, AND THE UNITED STATES OF AMERICA.	COMMENT	

78	SCR2		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	MONITOR	
79	HR4		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	MONITOR	
80	HR10		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO ASSESS THE OUTSTANDING CLAIMS RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	COMMENT	
81	SR2		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	MONITOR	
82	GM511		Letter dated 01-17-2020, correcting the title on GM507, Gubernatorial Nominee Tyler I. Gomes as the Deputy to the Chairperson of the Department of Hawaiian Home Lands, for a term to expire at noon on 12-05-2022, title amended to Deputy to the Chairperson of the Hawaiian Homes Commission, Department of Hawaiian Home Lands.	MONITOR	
83	GM548		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, DAN GIOVANNI, for a term to expire 06-30-2021.	MONITOR	
Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
Bill Positions for Reconsideration					
84	HB2443	RELATING TO HISTORIC PRESERVATION.	Makes it a civil and administrative violation for any person to engage in certain archeological activities without obtaining the required permission or approval from the department of land and natural resources.	SWA > SUPPORT	

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
2020 Legislative Session (All positions previously approved)					
149	HB2119	RELATING TO VOTING.	Requires that any person who is eligible to vote and applies for a new or renewal motor vehicle driver's license, provisional license, or instruction permit, or a new, renewal, or duplicate identification card be automatically registered to vote if that person is not already registered to vote unless the applicant affirmatively declines to be registered to vote. Allows an applicant to affirmatively decline to have any of the applicant's information electronically transmitted. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation containing driver's license or identification card information to election officials and the statewide voter registration system. Effective 7/1/2050. (HD1)	MONITOR	Monitor >>> SUPPORT
378	SB3164	RELATING TO THE STATE SURFING COMMISSION.	Establishes the state commission on surfing.	SUPPORT	Support >>> SUPPORT WITH AMENDMENTS

Trustee Ahuna seconds the motion.

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

Chair Waihe'e calls for a **ROLL CALL VOTE**.

							11:14 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA		2	X			
VICE-CHAIR KALEIHIKINA	AKAKA	1		X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

VI. COMMUNITY CONCERNS*

None

VII. ANNOUNCEMENTS

Trustee Akina: Pursuant to HRS §92-2.5(e) I wish to inform you that on February 10, 2020, I attended a Legislative Hearing of the House Committee on Water, Land and Hawaiian Affairs – the Committee discussed HCR37 requesting the Governor to convene a Blue-Ribbon reconciliation commission. I offered no testimony and I did not participate in discussion. Thank you.

VIII. ADJOURNMENT

Trustee Hulu Lindsey moves to adjourn the BAE meeting.

Trustee Ahuna seconds the motion.

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

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

							11:15 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA		2	X			
VICE-CHAIR KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

Chair Waihe'e adjourns the BAE meeting at 11:15 a.m.

Respectfully submitted,

Melissa Wennihan
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on March 4, 2020.

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

Committee on Beneficiary Advocacy and Empowerment

Trustee John Waihe'e IV, *Chair*Trustee Kaleihikina Akaka, *Vice Chair***Members**

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Brendon Kalei'aina Lee, At-Large

Trustee Carmen Hulu Lindsey, Maui

Trustee Robert K. Lindsey, Jr., Hawai'i Island

Trustee Colette Y. Machado. Moloka'i / Lāna'i



**STATE OF HAWAII'
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

DATE: Wednesday, March 4, 2020
TIME: 1:00 p.m.
PLACE: Maui Ola Boardroom
 Nā Lama Kukui
 560 N. Nimitz Highway
 Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Public Testimony*
- III. Approval of Minutes
 - A. February 5, 2020
 - B. February 12, 2020
- IV. Unfinished Business
 - A. 2020 OHA Legislative Package Updates - Matrix 1**†
- V. New Business
 - A. 2020 OHA Legislative Positioning - Matrix 2**†
 - B. ACTION ITEM: BAE #20-02: Approval of Nominee(s) for the Moloka'i Island Burial Council
 - C. Briefing on the background and history of OHA participation in Nā Wai 'Ehā (Maui) litigation and related matters.
- VI. Executive Session‡
 - A. Approval of Executive Session Minutes for January 22, 2020
 - B. Consultation with OHA attorney Pamela Bunn, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding OHA's ongoing participation in Nā Wai 'Ehā (Maui) litigation, including the surface water use permit applications contested case hearing.
- VII. Community Concerns*
- VIII. Announcements
- IX. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: rainag@oha.org no later than three (3) business days prior to the date of the meeting.

* Notice: Persons wishing to provide testimony are requested to submit 13 copies of their testimony to the Chief Executive Officer at 560 N. Nimitz, Suite 200, Honolulu, HI, 96817 or fax to 594-1868, or email BOTmeetings@oha.org 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: Trustees may establish or revise an OHA position on ANY proposed bill / resolution / executive message currently moving through the state legislature or other relative elected body. The Matrices, which are available for public review in the meeting room at this stated meeting, provide a brief description of each bill, the bill's number, the bill's title, the bill's intent, and the proposed and specific OHA position on each measure, current through 03/03/20. However, the Trustees both in committee and as the Board of Trustees (BOT) reserve the right to discuss any and all bills on the Matrices, as well as those that time does not permit to be placed on the Matrices, in order to discharge their fiduciary obligations as Trustees of the Office of Hawaiian Affairs.

† Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.

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

 Date

2020 OHA LEGISLATIVE PACKAGE

OHA NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRAL
OHA 1	HB1781	RELATING TO HAWAIIAN EXPERTISE IN LAND USE AND RESOURCE MANAGEMENT.	Prohibits council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility. Requires that at least 4 members of each the board of land and natural resources and the state land use commission be appointed from a list submitted by the office of Hawaiian affairs.	H 1/21/2020: Referred to WLH, JUD, FIN, referral sheet 2	WLH, JUD, FIN
OHA 1	SB2192 SD2	RELATING TO HAWAIIAN EXPERTISE IN LAND USE AND RESOURCE MANAGEMENT.	Prohibits council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility. Requires that at least one member each of the board of land and natural resources and the state land use commission be appointed from a list submitted by the office of Hawaiian affairs. Effective 6/18/2050. (SD2)	S 2/28/2020: 48 Hrs. Notice 03-03-20.	HWN/WTL, JDC
OHA 2	HB1782 HD1	RELATING TO EMPLOYMENT DISCRIMINATION.	Limits the convictions that may be used in employment decisions from all convictions in the most recent ten years to felony convictions that occurred in a certain time period and misdemeanor convictions that occurred in a certain time period. Takes effect on 1/1/2050. (HD1)	H 2/28/2020: Passed Third Reading. Transmitted to Senate.	LAB, JUD
OHA 2	SB2193	RELATING TO EMPLOYMENT DISCRIMINATION.	Limits the convictions that may be used in employment decisions from all convictions in the most recent ten years to felony convictions that occurred in the most recent five years and misdemeanor convictions that occurred in the most recent three years.	S 2/28/2020: One Day Notice 03-03-20.	LCA, JDC

2020 OHA LEGISLATIVE PACKAGE

OHA NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRAL
OHA 3	HB1783	RELATING TO HISTORIC PRESERVATION.	Requires the Department of Land and Natural Resources to establish a citizen complaint intake process and prepare related informational material for dissemination and posting. Clarifies that failure to comply with certain advisement or approval processes shall constitute a violation of chapter 6E, Hawaii Revised Statutes. Authorizes the State Historic Preservation Division to issue an order to stop work immediately in the event of a failure to comply with certain advisement or approval processes. Makes any violator responsible for the costs of any site inspection and any recommended mitigation or restoration measures.	H 1/29/2020: The committee(s) on WLH recommend(s) that the measure be deferred.	WLH, JUD, FIN
OHA 3	SB2194	RELATING TO HISTORIC PRESERVATION.	Requires the Department of Land and Natural Resources to establish a citizen complaint intake process and prepare related informational material for dissemination and posting. Clarifies that failure to comply with certain advisement or approval processes shall constitute a violation of chapter 6E, Hawaii Revised Statutes. Authorizes the State Historic Preservation Division to issue an order to stop work immediately in the event of a failure to comply with certain advisement or approval processes. Makes any violator responsible for the costs of any site inspection and any recommended mitigation or restoration measures.	S 1/21/2020: Referred to LCA/WTL, WAM/JDC.	LCA/WTL, WAM/JDC
OHA 4	HCR5		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES THAT BETTER PROTECT IWI KUPUNA AND NATIVE HAWAIIAN CULTURAL AND HISTORIC RESOURCES.	H 1/17/2020: Offered	
OHA 4	SCR3		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES THAT BETTER PROTECT IWI KUPUNA AND NATIVE HAWAIIAN CULTURAL AND HISTORIC RESOURCES.	S 2/6/2020: The committee(s) on HWN recommend(s) that the measure be PASSED, WITH AMENDMENTS.	HWN/WTL

2020 OHA LEGISLATIVE PACKAGE

OHA NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRAL
OHA 5	HB1784	RELATING TO LANDOWNER LIABILITY.	Provides liability protections for public and private landowners who expressly allow access and use of their land to practitioners of Native Hawaiian traditional and customary practices.	H 1/29/2020: The committee(s) on WLH recommend(s) that the measure be deferred.	WLH, JUD, FIN
OHA 5	SB2195 SD1	RELATING TO LANDOWNER LIABILITY.	Provides liability protections for public and private landowners who expressly allow access and use of their land to practitioners of native Hawaiian traditional and customary practices. (SD1)	S 2/11/2020: Report adopted; Passed Second Reading, as amended (SD 1) and referred to JDC.	HWN, JDC
OHA 6	HB1780 HD1	RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWĀ, O'AHU.	Authorizes the issuance of general obligation bonds for the purpose of funding construction costs of a water storage and distribution system on agricultural lands owned by the Office of Hawaiian Affairs in Wahiawā, O'ahu surrounding the Kūkaniloko Birthing Stones site. Effective 7/1/2050. (HD1)	H 2/5/2020: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN.	WLH, FIN
OHA 6	SB2191	RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWĀ, O'AHU.	Authorizes the issuance of general obligation bonds for the purpose of funding construction costs of a water storage and distribution system on agricultural lands owned by the Office of Hawaiian Affairs in Wahiawā, O'ahu surrounding the Kūkaniloko Birthing Stones site.	S 2/28/2020: One Day Notice 03-03-20.	WTL/HWN, WAM

Committee on Beneficiary Advocacy and Empowerment

Trustee John Waihe'e IV, *Chair*Trustee Kaleihikina Akaka, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

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Trustee Carmen Hulu Lindsey, Maui

Trustee Robert K. Lindsey, Jr., Hawai'i Island

Trustee Colette Y. Machado. Moloka'i / Lāna'i



**STATE OF HAWAII'
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

DATE: Wednesday, March 4, 2020
TIME: 1:00 p.m.
PLACE: Maui Ola Boardroom
 Nā Lama Kukui
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 Honolulu, HI 96817

AGENDA

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- II. Public Testimony*
- III. Approval of Minutes
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- V. **New Business**
 - A. **2020 OHA Legislative Positioning - Matrix 2**†**
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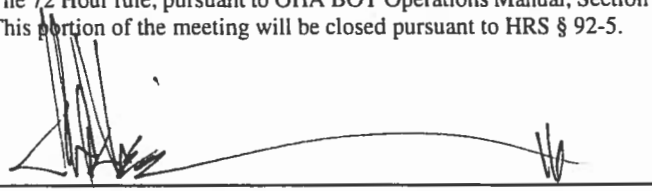
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 Trustee John Waihe'e IV, Chair
 Committee on Beneficiary Advocacy and Empowerment


 Date

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
New Bills						
1	HB1620	RELATING TO THE ADMINISTRATION OF JUSTICE.	<p>Amends the effect of finding a defendant charged with a petty misdemeanor not involving violence or attempted violence unfit to proceed. Amends the requirements for fitness determination hearings, court-appointed examiners, and examination reports.</p> <p>Authorizes the courts to enter into agreements to divert into residential, rehabilitative, and other treatment those defendants whose physical or mental disease, disorder, or defect is believed to have become or will become an issue in a judicial case. Amends the requirements for appointing qualified examiners to perform examinations for penal responsibility. Requires an examination for penal responsibility to be conducted within fifteen days after a finding of fitness to proceed. Effective 7/1/2050. (HD2)</p>	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	HLT, JUD	MONITOR
2	SB1256	RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4.	<p>Amends fines for destroying or harvesting trees or tree products, including koa, on state forest reserves lands to an amount up to \$10,000 or three times the market value at the time and place of the violation for each tree, whichever is greater, in addition to any costs associated with restoration or replacement of the habitat and damages to public land or natural resources, or any combination thereof. Clarifies that any person violating any provision of part II (Forest Reserves) of chapter 183, Hawai'i Revised Statutes, or any rule adopted pursuant thereto, other than section 183-17, Hawai'i Revised Statutes, shall be guilty of a petty misdemeanor.</p> <p>Decriminalizes traffic infractions within forest reserves and sets fine amounts. Repeals the general penalty provision of section 183-4, Hawai'i Revised Statutes. Takes effect 12/31/2050. (SD1)</p>	2/28/2020 S One Day Notice 03-03-20.	WTL/TRS, JDC/WAM	MONITOR
3	SB2033	RELATING TO THE ADMINISTRATION OF JUSTICE.	<p>Amends the effect of finding a defendant charged with a misdemeanor or petty misdemeanor not involving violence or attempted violence unfit to proceed. Amends the requirements for fitness determination hearings, court-appointed examiners, and examination reports. Effective 7/1/2050. (SD1)</p>	2/28/2020 S One Day Notice 03-03-20.	CPH, JDC	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
4	SB2408	RELATING TO THE COMPOSITION OF THE STATE COUNCIL ON MENTAL HEALTH.	Requires the State Council on Mental Health to include an unspecified number of members with demonstrated knowledge of or work experience involving native Hawaiian concepts of well-being, culturally grounded mental health methodologies, or traditional healing or health practices. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	CPH, WAM	SUPPORT
5	SB2627	RELATING TO TAX CREDITS.	Increases the amount of the tax credit for individuals and households and the adjusted gross income eligibility cap for the income tax credit for low-income household renters using tax brackets for individuals and different categories of households and providing for annual increases based on the consumer price index. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM	MONITOR
6	HCR20		APPROVING THE TRANSFER OF THE LEASED FEE INTEREST IN A PORTION OF 610 COOKE STREET, HONOLULU, HAWAI'I, TO THE CITY AND COUNTY OF HONOLULU.	1/23/2020 H Offered		MONITOR
7	HCR21		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-613 INOAOLE STREET, WAIMĀNALO, HAWAI'I.	1/23/2020 H Offered		MONITOR
8	HCR22		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-033 KUAHELANI AVENUE, NO. 133, MILILANI, HAWAI'I.	1/23/2020 H Offered		MONITOR
9	HCR23		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-942 MEHE'ULA PARKWAY, NO. 244, MILILANI, HAWAI'I.	1/23/2020 H Offered		MONITOR
10	SCR23		APPROVING THE TRANSFER OF THE LEASED FEE INTEREST IN A PORTION OF 610 COOKE STREET, HONOLULU, HAWAI'I, TO THE CITY AND COUNTY OF HONOLULU.	1/28/2020 S Referred to WTL/PSM, JDC.	WTL/PSM, JDC	MONITOR
11	SCR24		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-613 INOAOLE STREET, WAIMĀNALO, HAWAI'I.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
12	SCR25		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-033 KUAHELANI AVENUE, NO. 133, MILILANI, HAWAI'I.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
13	SCR26		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-942 MEHE'ULA PARKWAY, NO. 244, MILILANI, HAWAI'I.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
14	SCR39		URGING THE STATE TO IMPLEMENT A STATEWIDE RESPONSIBLE TOURISM INITIATIVE TO HELP EDUCATE TOURING VISITORS ABOUT SUSTAINABLE BEHAVIORS WITH RESPECT TO SUNSCREENS, POLYSTYRENE, AND SINGLE-USE PLASTICS.	2/27/2020 S Referred to EET/AEN.	EET/AEN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
Bill Positions for Reconsideration						
15	HB2297	RELATING TO PUBLIC LANDS.	Exempts lands set aside by the Governor to HHFDC for the primary purpose of developing affordable housing from classification as public land subject to DLNR management. Provides that lands set aside to HHFDC and no longer needed for housing, finance, and development purposes be returned to the public trust administered by DLNR. Takes effect on 7/1/2025. (HD1)	2/28/2020 S Passed First Reading.	HSG, FIN	COMMENT >> ?
16	SB2036	RELATING TO PUBLIC LANDS.	Clarifies that lands set aside to the HHFDC by the governor or leased to the corporation by other state departments and agencies are excluded from the definition of "public lands" and require approval from the legislature upon disposition. Requires that lands set aside by the governor or leased to the HHFDC be returned to the public trust or to the leasing agency if the HHFDC is no longer needed by the HHFDC. Effective date 6/18/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, JDC	COMMENT >> ?
17	SB2308	RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN.	Establishes within the Department of Human Services a sexually exploited children statewide coordinator and program and a commercial sexual exploitation of children steering committee to address the needs of sexually exploited children. Requires the commercial sexual exploitation of children steering committee to provide reports to the Legislature. Establishes within each county a commercial sexual exploitation of children multidisciplinary team to facilitate the sharing of information and to immediately respond to cases of child sex trafficking. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HMS/PSM, WAM	MONITOR >> COMMENT
18	SB2648	RELATING TO PUBLIC LANDS.	Clarifies that lands set aside to the Hawai'i housing finance and development corporation by the governor or leased to the corporation by other state departments and agencies are exempt from the definition of "public lands". Requires the Hawai'i housing finance and development corporation to dispose of public lands pursuant to chapter 171, Hawai'i Revised Statutes. Clarifies that lands set aside by the governor or leased to the Hawai'i housing finance development corporation from other state agencies are subject to legislative approval prior to the sale or gift of those lands. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/WTL, WAM	MONITOR >> ?

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
19	SB3104	RELATING TO LAND DEVELOPMENT.	Establishes a residential leasehold program within the Hawai'i Housing Finance and Development Corporation. Exempts from the definition of public lands, lands set aside by the Governor or leased by any state department or agency to the Hawai'i Housing Finance and Development Corporation, for the primary purposes of developing affordable housing. Requires the Hawai'i Housing Finance and Development Corporation to submit a report to the Legislature that identifies all state lands that may be developed for multi-unit dwellings. Requires the Hawai'i Housing Finance and Development Corporation to submit a report to the Legislature that addresses various housing concerns, including the steps necessary to end the State's housing shortage. Authorizes the issuance of \$275,000,000 in general obligation bonds, with the proceeds used for the establishment of infrastructure to support the development of housing. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/WTL, WAM	COMMENT >> ?
2020 Legislative Session (Bills Previously Approved)						
20	HB35	RELATING TO MENTAL HEALTH.	Authorizes expenditures from the mental health and substance abuse special fund to be used for capital improvement projects. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	HLT, CPC, FIN	MONITOR
21	HB933	RELATING TO CRISIS INTERVENTION.	Creates a crisis intervention and diversion program in the department of health to divert those in need to appropriate health care and away from the criminal justice system. Appropriates funds. Sunsets on 6/30/2023. Effective 7/1/2050. (HD2)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	HLT/HSH, JUD, FIN	MONITOR
22	HB1121	RELATING TO WATER SECURITY.	Requires the Commission on Water Resource Management to conduct an update of the statewide framework for the Hawai'i water plan to provide guidance for Hawai'i's future water plan. Makes an appropriation. Effective 12/31/2050. (SD2)	2/12/2020 S Received notice of disagreement (Hse. Com. No. 3).	WTL, WAM	MONITOR
23	HB1700	RELATING TO THE HAWAI'I EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.	Specifies that each EUTF trustee, in addition to the EUTF board, shall administer health and other benefit plans for the sole and exclusive benefit of EUTF beneficiaries. Repeals provisions requiring health and other benefit plans to be provided at an affordable cost to both public employers and public employees. Takes effect on January 1, 2050. (HD1)	2/28/2020 S Passed First Reading.	LAB, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
24	HB1701	RELATING TO EQUAL PAY.	Conforms statutory prohibitions against wage discrimination with other prohibitions on employment discrimination. Clarifies allowable justifications for compensation differentials and remedies for pay disparity. Requires employers to disclose wage ranges to employees and prospective employees. Takes effect 1/1/2050. (HD1)	2/28/2020 S Passed First Reading.	LAB, JUD, FIN	MONITOR
25	HB1748	RELATING TO WILDLIFE OFFENSES.	Provides that all animal parts, products, or items containing prohibited animal parts or products involved in the commission of wildlife trafficking or certain hunting offenses shall be considered contraband to be forfeited to and disposed of by the State. (HD1)	2/27/2020 H Passed Second Reading as amended in HD 1; placed on the calendar for Third Reading.	JUD	MONITOR
26	HB1794	RELATING TO DISASTER RELIEF.	Extends the lapse date of the appropriations made by Act 12, Session Laws of Hawai'i 2018, to June 30, 2023, for flooding disaster relief for Kaua'i and other areas of the State. Effective 6/29/2020. (HD2)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	PVM, FIN	MONITOR
27	HB1820	RELATING TO THE HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY.	Amends the nominating authority of the representatives of the Heeia community development district, Kalaeloa community development district, and Kaka'ako community development district that serve on the Hawai'i community development authority. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	MONITOR
28	HB1847	RELATING TO ENVIRONMENTAL PROTECTION.	Requires the Department of Land and Natural Resources to adopt rules to protect herbivorous fish in all state waters. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	EEP/WLH, JUD	MONITOR
29	HB1856	RELATING TO SEA LEVEL RISE.	Requires the Hawai'i climate change mitigation and adaptation commission, in collaboration with the office of planning CZM program, to conduct certain activities to address the impacts of sea level rise and report to the legislature before the 2022 regular session. Appropriates funds for the commission's activities and extends the lapse date to June 30, 2022. Effective 7/1/2050. (HD1)	2/28/2020 S Passed First Reading.	EEP/WLH, FIN	MONITOR
30	HB1877	RELATING TO LAND RECORDATION.	Clarifies the data requirements for land recordation on land deregistered by the land court other than fee simple time share interests. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, CPC/JUD, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
31	HB1880	RELATING TO THE KAHOO LAWE ISLAND RESERVE COMMISSION.	Appropriates funds to the Department of Land and Natural Resources for the operations of the Kaho'olawe Island Reserve Commission and for 2 full-time equivalent positions to support the Commission. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	MONITOR
32	HB1901	RELATING TO PUBLIC SAFETY.	Clarifies that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.	2/28/2020 H Passed Third Reading. Transmitted to Senate.	PVM, JUD	SUPPORT
33	HB1921	RELATING TO HUNTING.	Requires any hunting guide or hunter to obtain and submit to the Department of Land and Natural Resources written permission from any private landowner upon which the hunting guide or hunter is engaged in guide or hunting activities. Requires the Division of Forestry and Wildlife of the Department of Land and Natural Resources to create and make available to the public a written permission form to be completed and filed by any hunting guide or hunter engaged in guide activities or hunting on private lands. Takes effect on 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, JUD	OPPOSE
34	HB1922	RELATING TO INVASIVE SPECIES.	Appropriates funds to the Department of Land and Natural Resources for efforts to substantially reduce and eradicate certain invasive species in the county of Maui. Effective 7/1/2150. (HD1)	2/28/2020 S Passed First Reading.	AGR, FIN	MONITOR
35	HB1928	RELATING TO DEVELOPMENT DISTRICTS.	Establishes the Pūlehunui community development authority on the island of Maui as an autonomous community development authority under the Hawai'i Community Development Authority for the purposes of developing the Pūlehunui community development district. Authorizes the Hawai'i Community Development Authority to obtain various forms of financial aid from the federal government for projects of the authority. Appropriates funds for the development of the Pūlehunui community development district and establishment of two full-time equivalent (2.00 FTE) positions. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
36	HB1944	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.	Allocates funds from TAT revenue directly to the Hawai'i Tourism Authority, rather than through the Special Land and Development Fund, to improve certain state resources and services. Requires DLNR to submit an annual list to HTA of proposed projects for the HTA Strategic Plan. Requires HTA to submit an annual report of certain projects undertaken in accordance with the HTA Strategic Plan. Effective on 7/1/2099. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	TIA, FIN	MONITOR
37	HB1945	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.	Allocates TAT revenues into the tourism special fund and appropriates funds for the Hawai'i tourism authority (HTA) and Hawai'i Lodging and Tourism Association to address homelessness in tourist and resort areas, subject to private matching funds. Requires HTA to report to the 2021 legislature. Effective 7/1/2099. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	TIA/HSH, FIN	MONITOR
38	HB1946	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.	Amends the amount of transient accommodations tax revenues allocated to the counties from a specified sum to capped reimbursements to the county for expenditures related to specified county public services. Appropriates funds to the department of budget and finance for costs and expenses incurred in the development, implementation, or support, including operational costs and costs for necessary staffing, needed to effectuate this measure. Effective 7/1/2099. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	TIA, FIN	MONITOR
39	HB1972	RELATING TO MEDICAL RELEASE.	Creates a medical release program within the Department of Public Safety for certain ill, disabled, or impaired inmates who pose a low risk to public safety. Effective 7/1/2050. (HD2)	2/28/2020 S Passed First Reading.	PVM, JUD, FIN	SUPPORT
40	HB2015	RELATING TO INVASIVE SPECIES.	Establishes a pilot program within the 'Āina Mauna legacy program of DHHL to remove and harvest gorse from Mauna Kea and develop it as a marketable product to expand economic opportunities for native Hawaiians. Requires reports to the legislature. Appropriates funds. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
41	HB2035	RELATING TO NON-AGRICULTURAL PARK LANDS.	Requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. Requires DLNR and DOA to jointly report on the status of the land transfer. Amends the definition of "agricultural activities" used in chapter 166E, HRS. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	OPPOSE
42	HB2036	RELATING TO CORAL RESTORATION.	Establishes a pilot project to plan and design an expansion of the Hawai'i Coral Restoration Nursery, including improvements to the sea urchin hatchery. Requires a report to the Legislature. Appropriates funds. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	MONITOR
43	HB2037	RELATING TO THE HAWAI'I STATE LGBTQ, PLUS COMMISSION.	Establishes the Hawai'i state lesbian, gay, bisexual, transgender, queer, plus commission. Appropriates funds. Effective 12/31/2059. (HD2)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	HSH, JUD, FIN	COMMENT
44	HB2062	RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN.	Establishes a statewide coordinator and program within DHS to address the needs of sexually exploited children. Establishes the commercial sexual exploitation of children steering committee. Requires the steering committees to submit reports to the legislature by July 1, 2021, and July 1, 2022. Appropriates funds. Takes effect 12/31/2059. (HD2)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	HSH, JUD, FIN	COMMENT
45	HB2069	RELATING TO PROPERTY FORFEITURE.	Prohibits civil asset forfeiture unless the covered offense is a felony for which the property owner has been convicted. Excludes the forfeiture proceedings for an animal pending criminal charges. Requires the Attorney General to deposit the net proceeds of the forfeited property to the credit of the state general fund. Effective 7/1/2030. (HD1)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	JUD, FIN	COMMENT
46	HB2091	RELATING TO CRIMINAL HISTORY RECORD CHECKS.	Allows the University of Hawai'i to conduct criminal history record checks on current or prospective employees, and contractors and their employees, whose duties include ensuring security of campus facilities and persons. Takes effect on July 1, 2050. (HD1)	2/28/2020 S Passed First Reading.	LHE, JUD, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
47	HB2101	RELATING TO MINORS.	Requires circuit courts to apply special sentencing considerations when sentencing a minor for a nonviolent offense. Allows the circuit courts, in their discretion, to impose a sentence up to fifty per cent shorter than the mandatory minimum or to decline to impose a mandatory enhanced sentence in certain circumstances. Effective 12/31/2059. (HD2)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	HSH, JUD	SUPPORT
48	HB2124	RELATING TO THE CODE OF ETHICS.	Prohibits certain state officials and employees from representing certain interests before the State for 12 months after termination from their respective positions. Effective 1/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	LAB, JUD	MONITOR
49	HB2125	RELATING TO THE STATE ETHICS CODE.	Makes various amendments to the State Ethics Code. Repeals exemption from certain financial disclosure requirements granted to members of the Hawai'i Correctional System Oversight Commission. Effective 1/1/2050. (HD2)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	LAB, JUD	MONITOR
50	HB2128	RELATING TO ELECTIONS.	Makes housekeeping amendments to Hawai'i's elections laws to clarify and improve the administration of elections by mail. Establishes a process, beginning on January 1, 2021, for preregistering or registering public school- and charter school-enrolled students to vote. Establishes ranked choice voting for special federal elections, special elections for vacant state senate or state house of representatives seats, and special elections for vacant county council seats. Amends filing deadlines for candidates attempting to fill vacant state senate seats. Effective 7/1/2030. (HD2)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	JUD, FIN	MONITOR
51	HB2151	RELATING TO CESSPOOL CONVERSION.	Establishes a cesspool compliance pilot grant project to assist low- and moderate-income property owners with the costs of upgrading or converting a cesspool. Applies to cesspools identified as failing by the Department of Health. Appropriates funds. Effective 7/1/2050. (HD1)	2/28/2020 S Passed First Reading.	EEP, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
52	HB2173	RELATING TO IGNITION INTERLOCK DEVICES.	Requires consecutive terms of imprisonment for anyone convicted as a repeat or habitual offender if arising from same conduct as conviction for operating a vehicle without an ignition interlock device. Requires any person operating a vehicle with an ignition interlock to have government issued identification in their immediate possession. Extends the lookback period under provisions relating to ignition interlock requirements from five to ten years. Expands the offense of circumventing or tampering with an ignition interlock to include obscuring the camera lens. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	TRN, JUD	MONITOR
53	HB2183	RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM.	Increases the Hula Mae Multifamily Revenue Bond authorization ceiling amount to continue financing affordable rental housing statewide. Effective 7/1/2025. (HD2)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	HSG, FIN	MONITOR
54	HB2191	RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.	Authorizes the Board of Land and Natural Resources to extend certain leases of public lands for commercial, industrial, resort, or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements. Effective 7/1/2050. Sunsets on 6/30/2025. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, JUD, FIN	OPPOSE
55	HB2196	RELATING TO WATER QUALITY.	Establishes reporting requirements for onsite sewage disposal system (OSDS) servicers. Appropriates funds for UH sea grant college program, in collaboration with DOH, to conduct community outreach regarding OSDS. Appropriates funds for UH water resources research center, in collaboration with DOH, to research the most cost-effective way to upgrade or convert cesspools. Requires and appropriates funds for the cesspool conversion working group to compile an updated database of OSDS statewide. Effective 7/1/2050. (HD1)	2/28/2020 S Passed First Reading.	EOP/HLT, FIN	MONITOR
56	HB2203	RELATING TO DISCIPLINARY ACTIONS IN PUBLIC SCHOOLS.	Requires the department of education to track and publish the use of all exclusionary discipline disaggregated by student subgroup. Takes effect on 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	LHE, FIN	SUPPORT

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
57	HB2207	RELATING TO LAND USE.	Requires the office of planning to conduct a land use study for Hauula, Oahu, that assesses the viability and cost of maintaining the transit corridor. Appropriates funds. Takes effect on 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	TRN, WLH, FIN	MONITOR
58	HB2208	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Appropriates funds to DHHL for the acquisition of land to be developed by DHHL for affordable housing units.	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH/HSG, FIN	MONITOR
59	HB2211	RELATING TO COMMERCIAL MARINE LICENSES.	Requires the DLNR to issue commercial marine licenses. Provides that a single commercial marine vessel license satisfies the licensure requirement for all persons aboard the licensed vessel. Requires any person who provides fishing charter services to obtain a commercial marine license. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	MONITOR
60	HB2358	RELATING TO AUTHORIZING THE DLNR TO LEASE PASTURE LANDS.	Authorizes the Board of Land and Natural Resources to amend and extend existing pasture leases and to issue new pasture leases by negotiation in furtherance of public purposes. Requires DLNR and DOA to identify potentially transferable lands whose land use classification is at dispute and petition the land use commission for a determination. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	OPPOSE
61	HB2362	RELATING TO PUBLIC SAFETY.	Appropriates funds to purchase the Honolulu Federal Detention Center. Takes effect on 7/1/2050. (HD2)	2/28/2020 S Passed First Reading.	PVM, JUD, FIN	MONITOR
62	HB2430	RELATING TO FEMININE HYGIENE PRODUCTS.	Requires the DOE to make feminine hygiene products available to students for free on public secondary school campuses. Takes effect on 7/1/2050. (HD2)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	LHE, FIN	MONITOR
63	HB2439	RELATING TO THE ENVIRONMENT.	Appropriates funds to the University of Hawai'i water resources research center to research and develop specialized equipment for the removal of plastic marine debris. Takes effect on 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	LHE/EEP, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
64	HB2446	RELATING TO AFFORDABLE HOUSING.	Requires the State Historic Preservation Division to contract its review of proposed state projects, projects on privately owned historic property, and projects affecting historic properties to third-party consultants if the projects involve the development of affordable housing and the division, after an initial evaluation, determines it will not be able to complete its review within 60 days. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH/HSG, FIN	MONITOR
65	HB2449	RELATING TO AFFORDABLE HOUSING.	Authorizes cash payments made by developers in lieu of providing the required reserved housing units in the development of residential projects for the Hawai'i community development authority to be deposited into the rental housing revolving fund. Effective 7/1/2025. (HD1)	2/28/2020 S Passed First Reading.	HSG, FIN	MONITOR
66	HB2454	RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE.	Establishes the offense of criminal trespass on critical electrical infrastructure. Takes effect on 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	EEP, JUD	MONITOR
67	HB2470	RELATING TO HOUSING.	Directs the HHFDC to take title to a specified 15.418-acre parcel in Honokaa, Hawai'i county, if HHFDC finds, after its due diligence, that the parcel is suitable for residential development. Requires HHFDC to document any change in title. Requires HHFDC to conduct a feasibility study to determine whether the parcel is suitable for residential development. Appropriates funds for the feasibility study. Takes effect on 7/1/2025. (HD1)	2/28/2020 S Passed First Reading.	HSG, FIN	MONITOR
68	HB2475	RELATING TO CARGO CARRIERS.	Authorizes the Department of Transportation to expend funds from the harbor special fund to provide subsidies to cargo carriers to offset costs incurred by the cargo carriers as a result of providing cargo carrier services to ports serving counties within the State having a population of less than 500,000 and comprising three or more populated islands. Appropriates moneys. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	TRN, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
69	HB2511	RELATING TO CHARTER SCHOOLS.	Provides funding for the rental or lease of facilities through legislative appropriations and bond authorizations to the state public charter school commission for the design, planning, construction, repair, and maintenance of public charter school improvements. Appropriates general funds for infrastructure costs, lease or rent assistance, and repair and maintenance of network infrastructure for charter schools. Takes effect on 7/1/2050. (HD1)	2/28/2020 S Passed First Reading.	LHE, FIN	SUPPORT
70	HB2547	RELATING TO HOUSING.	Consolidates the administration of low- and moderate-income housing into a single program by authorizing the Hawai'i Housing Finance and Development Corporation to administer new reserved housing and workforce housing units in community development districts. Provides that the Hawai'i Housing Finance and Development Corporation may adopt rules to allow owners to obtain home equity lines of credit, refinance their units, or pay their shared equity. Effective 7/1/2025. (HD1)	2/28/2020 S Passed First Reading.	HSG, FIN	MONITOR
71	HB2578	RELATING TO PUBLIC LANDS.	Authorizes the designation of areas or regions of public lands classified as commercial, industrial, resort and hotel, and the establishment and implementation of guidelines for the redevelopment of the areas or regions. Designates the public lands on the Waiakea peninsula on the island of Hawai'i as the Waiakea Peninsula Redevelopment District. Allows the Board of Land and Natural Resources to issue a rent reduction or waiver for certain lessees' expenses for demolition or provision of basic infrastructure. Authorizes a local redevelopment agency to contract with a developer for construction of non-residential projects on public land within a redevelopment area. Exempts the costs of construction of work or improvements of a redevelopment project from general excise and use taxes. Takes effect upon the County of Hawai'i repealing the Banyan Drive Hawai'i redevelopment agency. Makes an appropriation. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, FIN	COMMENT

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
72	HB2588	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Prohibits lessees who sell or transfer land from obtaining subsequent leases of the same class of land unless the subsequent lease is acquired pursuant to section 209 of the Hawaiian Homes Commission Act, 1920, as amended, or the prior lease interest held by the lessee was a partial interest held with another lessee or lessees. Effective 7/1/2050. (HD1)	2/28/2020 H Passed Third Reading. Transmitted to Senate.	WLH, JUD, FIN	MONITOR
73	HB2747	PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 2, OF THE HAWAI'I STATE CONSTITUTION.	Proposes a constitutional amendment to article XVI, section 2, of the state constitution to authorize the legislature to enact laws to require the forfeiture or reduction of benefits of any member, former member, or retirant of the employees' retirement system who is convicted of a felony related to the member's, former member's, or retirant's employment with the State or any political subdivision thereof. Effective 7/1/2030. (HD3)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	LAB, JUD, FIN	MONITOR
74	HB2750	RELATING TO MONETARY OBLIGATIONS.	Prohibits the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations under certain circumstances. Allows certain individuals to petition the court for a driver's license or motor vehicle clearance. Effective July 1, 2050. (HD2)	2/28/2020 H Forty-eight (48) hours notice Tuesday, 03-03-20.	TRN, JUD	COMMENT
75	SB4	PROPOSING AN AMENDMENT TO THE HAWAI'I STATE CONSTITUTION.	Proposes a constitutional amendment to lower the qualifying age of voters for any state or local election to 16 years of age. Effective 7/1/2050. (SD1)	2/27/2020 S 48 Hrs. Notice 03-03-20.	JDC, WAM	MONITOR
76	SB35	RELATING TO EDUCATION.	Establishes a pilot safe space program within the alternative learning center program in the department of education to support students by providing twenty-four hours per day seven days per week access to emergency crisis services. Makes an appropriation. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	EDU/WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
77	SB70	RELATING TO THE ENVIRONMENT.	Establishes 2.0 FTE positions and appropriates funds to continue small boat harbor saturation enforcement operation pilot testing within the Ala Wai and Keehi small boat harbors and develop effective enforcement for the State's small boat harbors. (SD1)	2/28/2020 S One Day Notice 03-03-20.	WTL/WAM	MONITOR
78	SB568	RELATING TO DRIVER'S LICENSES.	Excludes gender or sex markers from limited purpose driver's licenses and limited purpose provisional driver's licenses. Effective 10/1/2020. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	TRS, JDC/WAM	SUPPORT
79	SB594	RELATING TO EDUCATION.	Establishes and appropriates funds for a school meal subsidy program within the department of education to provide school lunch subsidies to children whose families do not otherwise qualify for free lunch under the free and reduced price lunch program, subject to income eligibility. Effective 7/1/2050. (SD2)	2/14/2020 H Referred to LHE, FIN, referral sheet 31	LHE, FIN	MONITOR
80	SB749	RELATING TO ACTIONS FOR QUIET TITLE.	Provides that where a quiet title action involves kuleana land, at the request of any defendant at the time the action was brought, the court shall order mandatory mediation with a goal of resolving the dispute, including any issues that might need to be preliminarily established through an action commenced under chapter 668A, HRS. Allows the court to consolidate separate actions commenced by the same plaintiff or multiple plaintiffs for the same real property in interest. Requires the plaintiff in a quiet title action involving kuleana land to bear the costs of required mediation and only recover costs, expenses, or attorney's fees from the defendant as the court may deem reasonable and equitable under the circumstances.	2/28/2020 S One Day Notice 03-03-20.	JDC	SUPPORT
81	SB1121	RELATING TO THE DEPARTMENT OF HEALTH.	Requires the Department of Health to establish a working group to examine and advise on amendments that can be made to the statutory description of the Department's powers, duties, functions, and responsibilities. Authorizes the working group to evaluate the health impact assessment tool. Appropriates funds to support the activities of the working group. Effective 7/1/2050. (SD2)	12/1/2019DCarried over to 2020 Regular Session.	HLT, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
82	SB1363	RELATING TO INCREASING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF PUBLIC LAND TRUST FUNDS.	Establishes \$ as the Office of Hawaiian Affairs' pro rata share of the public land trust. Transfers \$ less certain funds to the Office of Hawaiian Affairs for underpayment of the public land trust funds for 7/1/2012 to 6/30/2019. Requires the Director of Finance to make up the difference between a specified minimum amount and an amount of public land trust receipts from an agency to the Office of Hawaiian Affairs by transferring the difference into the carry-forward trust holding account. Requires the Department of Land and Natural Resources to provide an annual accounting of receipts from lands described in section 5(f) of the Admission Act. Establishes a committee to recommend the annual amount of the income and proceeds from the public land trust that the Office of Hawaiian Affairs shall receive annually. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HWN/WTL, WAM/JDC	SUPPORT WITH AMENDMENTS
83	SB2005	RELATING TO VOTING.	Requires that any person who is eligible to vote and applies for a new or renewal motor vehicle driver's license, provisional license, or instruction permit, or a new, renewal, or duplicate identification card be automatically registered to vote if that person is not already registered to vote unless the applicant affirmatively declines to be registered to vote. Authorizes access to and electronic transmission of databases maintained or operated by the counties or the department of transportation containing driver's license or identification card information to election officials and the statewide voter registration system. Effective 1/1/2021. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	TRS, JDC/WAM	SUPPORT
84	SB2006	RELATING TO RANKED CHOICE VOTING.	Establishes ranked choice voting for special federal elections and special elections of vacant county council seats. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	JDC, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
85	SB2032	RELATING TO RENTAL DISCRIMINATION.	Prohibits discrimination, including in advertisements for available real property, based on participation in a housing assistance program, or requirements related to participation in housing assistance programs, in real estate transactions and requirements. Takes effect on 6/18/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, JDC	COMMENT
86	SB2037	RELATING TO HOUSING.	Restricts any county from disapproving or imposing certain conditions on a housing development project for housing or an emergency shelter unless the county meets certain requirements. Takes effect 8/26/2050. (SD2)	2/27/2020 S 48 Hrs. Notice 03-03-20.	HOU, JDC	MONITOR
87	SB2043	RELATING TO LEASEHOLD CONDOMINIUMS ON STATE LAND.	Authorizes the Hawai'i housing finance and development corporation, Hawai'i community development authority, and Hawai'i public housing authority to sell leasehold units in residential condominiums located on state lands. Takes effect 6/18/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, JDC/WAM	COMMENT
88	SB2047	RELATING TO THE PENAL CODE.	Requires the Judicial Council to conduct a comprehensive review of the penal code and to recommend proposed changes. Requires the Judicial Council to appoint an advisory committee to assist in the review, and allows the Council to also appoint a reporter and other staff as necessary. Requires the advisory committee to report to the Legislature. Makes an appropriation. Effective 7/1/2050. (SD2)	2/27/2020 S 48 Hrs. Notice 03-03-20.	JDC, WAM	COMMENT
89	SB2052	RELATING TO LOAN FORGIVENESS FOR EARLY CHILDHOOD EDUCATION PROFESSIONALS.	Adds early childhood education teachers to the Hawai'i educator loan program and allows the education loans of participants to be forgiven after 5 years of teaching. Establishes a cap on the total loan forgiveness. Exempts existing program loans. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	EDU, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
90	SB2059	RELATING TO WELL ABANDONMENT.	Establishes an income tax credit for taxpayers who are required to fill and seal abandoned wells on their real property. Clarifies the definition of the term "abandoned well". Requires sellers of real property to disclose the existence of wells on the property. Effective 7/1/2050. Tax credit applies to taxable years beginning after 12/31/2020. Tax credit sunsets on an unspecified date. (SD1)	2/27/2020 H Referred to FIN, referral sheet 35	FIN	MONITOR
91	SB2060	RELATING TO COASTAL ZONE MANAGEMENT.	Amends coastal zone management laws to further protect against impacts of sea level rise and coastal erosion. Requires the Climate Change Mitigation and Adaptation Commission to submit a proposal for a State of Hawai'i supplemental insurance program for properties within the State subject to climate change impacts to the Legislature prior to the Regular Session of 2021. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	AEN/WTL, WAM	MONITOR
92	SB2076	RELATING TO HISTORIC PRESERVATION REVIEWS.	Allows the Office of Hawaiian Affairs consultation with State Historic Preservation Division to delegate to the impacted counties the responsibility for historic preservation project reviews, provided that certain requirements are met. Effective 6/18/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	LCA/WTL, JDC	COMMENT
93	SB2090	RELATING TO JUDICIAL ENFORCEMENT OF THE UNIFORM INFORMATION PRACTICES ACT.	Clarifies and expands procedural requirements for judicial review of an agency's denial of access to a government record. Provides procedural requirements and standards of review upon appeal. (SD1)	2/27/2020 H Referred to JUD, referral sheet 35	JUD	MONITOR
94	SB2099	RELATING TO IRRIGATION.	Transfers to the Department of Agriculture operational authority over portions of the East Kaua'i Irrigation System operated and maintained by the East Kaua'i Water Users' Cooperative as of 7/1/2020. Provides a conditional extension to acquire required permits. Establishes staffing positions. Authorizes general obligation bonds for a statewide irrigation system capital improvement project. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	AEN, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
95	SB2103	RELATING TO SPECIAL LICENSE PLATES.	Authorizes the issuance of special number electric vehicle license plates to commemorate the Polynesian Voyaging Society. Effective 7/1/2050. (SD1)	2/27/2020 S 48 Hrs. Notice 03-03-20.	TRS, WAM	MONITOR
96	SB2111	RELATING TO THE CHAIRPERSON OF THE HAWAIIAN HOMES COMMISSION.	Adds the chairperson of the Hawaiian Homes Commission or the chairperson's designee to serve as ex officio, voting members of the Commission on Water Resource Management. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL/HWN, JDC	SUPPORT
97	SB2137	RELATING TO ELECTIONS.	Authorizes election officials to establish additional voter service centers. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM, JDC/WAM	SUPPORT
98	SB2156	RELATING TO THEFT IN THE SECOND DEGREE.	Amends the offense of theft in the second degree to include theft of property commonly used to store items of personal or monetary value, including any purse, handbag, or wallet.	2/28/2020 H Received from Senate (Sen. Com. No. 32).	JDC	MONITOR
99	SB2205	RELATING TO IMPORTANT HOUSING LANDS.	Establishes procedures for the identification and designation of important housing lands. Defines important housing lands as public lands owned by the State that are located within 1.0 mile of any rail mass transit station and needed to promote the development of homes priced below market rates for Hawai'i residents who are owner-occupants and own no other real property. Requires the State and counties to identify and designate important housing lands. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM/JDC	MONITOR
100	SB2212	RELATING TO INCLUSIONARY ZONING.	Prohibits any law, ordinance, or rule from imposing an inclusionary zoning requirement on housing offered exclusively for sale in perpetuity to buyers who are residents of the State, are owner-occupants, and do not own any other real property. Requires each county to submit a report on inclusionary zoning requirements to the legislature every year until the regular session of 2025. Effective 6/18/2050 and repeals on 7/1/2025. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM/HOU, JDC	OPPOSE

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
101	SB2214	RELATING TO HOUSING.	Requires state or county agencies to issue discretionary permits for housing development projects that meet certain requirements within sixty days of receipt of a permit application deemed to be complete by the receiving state or county agency. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/PSM, WAM/JDC	MONITOR
102	SB2216	RELATING TO TAXATION.	Establishes an empty homes conveyance tax against certain residential property owners who own a vacant residential unit in the State. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM/JDC	MONITOR
103	SB2249	RELATING TO HISTORIC PRESERVATION.	Makes it a civil and administrative violation for any person to engage in certain archaeological activities without obtaining the required permission or approval from the department of land and natural resources. (SD1)	2/28/2020 S One Day Notice 03-03-20.	LCA, JDC	SUPPORT
104	SB2255	RELATING TO TEACHER RENTAL HOUSING.	Authorizes the Hawai'i Public Housing Authority and Hawai'i Housing Finance and Development Corporation to provide rental housing projects for teachers employed by the Department of Education and public charter schools. Appropriates funds for the Hawai'i Public Housing Authority. Appropriates funds for deposit into the dwelling unit revolving fund. Requires the Department of Education to lease land and contract with private entities for the development, management, maintenance, or revitalization of teacher housing. Permits a project owner to lease teacher housing to other eligible tenants if occupancy of teacher housing falls below 95%. Effective 7/1/2050. (SD2)	2/27/2020 S 48 Hrs. Notice 03-03-20.	EDU/HOU, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
105	SB2265	RELATING TO HAWAIIAN HOMELANDS.	Establishes the micro enterprise assistance program on Hawaiian home lands revolving fund to provide grants and loans through the implementation by the DHHL of the micro enterprise assistance program to qualified native Hawaiians, native Hawaiian-controlled homestead associations, homestead association community development corporations, and native Hawaiian community organizations with a demonstrated ability and history of making and administering loans and providing support to qualified native Hawaiians. Authorizes the DHHL to enter into a memorandum of agreement with the Department of Business, Economic Development, and Tourism to implement the program. Appropriates funds. Effective 7/1/2050. (SD2)	2/27/2020 H Referred to WLH, FIN, referral sheet 35	WLH, FIN	MONITOR
106	SB2309	RELATING TO TAXATION.	Makes the state earned income tax credit refundable and permanent. Effective 7/1/2050. (SD1)	2/11/2020 H Referred to FIN, referral sheet 27	FIN	SUPPORT
107	SB2313	RELATING TO EMPLOYMENT PRACTICES.	Prohibits an employer from requiring an employee to enter into a nondisclosure agreement pertaining to sexual harassment or sexual assault. Prohibits an employer from retaliating against an employee for disclosing or discussing sexual harassment or sexual assault. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	LCA, JDC	MONITOR
108	SB2345	RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS.	Requires the Department of Human Services to work with the Department of Public Safety to establish a pilot visitation and family resource center at Waiawa correctional facility. Makes an appropriation. Effective 7/1/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM/HMS, WAM	COMMENT
109	SB2349	RELATING TO CRIMINAL JUSTICE.	Requires all state correctional facilities to allow family members to engage in contact visitation with inmates at any state correctional facility during official visiting hours. Provides that the correctional facility shall provide each inmate with the opportunity for a minimum of two in-person, contact visits per week, with each visit lasting at least one hour. (SD1)	2/28/2020 S One Day Notice 03-03-20.	PSM, JDC	SUPPORT
110	SB2370	RELATING TO KALAUPAPA MONTH.	Designates January as "Kalaupapa month." Effective 7/1/2051. (SD1)	2/28/2020 S One Day Notice 03-03-20.	LCA, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
111	SB2386	RELATING TO WASTE MANAGEMENT.	Prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. Requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL/AEN, JDC	SUPPORT
112	SB2409	RELATING TO DOWN PAYMENTS.	Encourages qualified former Hawai'i residents to move back to Hawai'i by establishing within the Hawai'i Housing Finance and Development Corporation a returning resident down payment program to provide matching funds for the down payment on a primary residence. Appropriates funds. Effective July 1, 2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM	MONITOR
113	SB2414	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Amends ballot requirements to display candidates for the office of Hawaiian affairs, board of trustees, by residency and non-residency requirements and to randomize the order of candidate names within those groupings. Takes effect 6/18/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HWN, JDC/WAM	MONITOR
114	SB2417	RELATING TO SUSTAINABILITY.	Requires the DLNR to recognize that game mammals and game birds can provide a sustainable food source when properly managed in appropriate areas that minimize their impacts to important watershed areas and functions as well as to native Hawaiian traditional and customary practices and the resources those practices rely upon, and that the State's unique relationship with the ocean requires a careful consideration and management of land and ocean activities that prioritize the public trust responsibilities of the State, including but not limited to the conservation of natural resources for future generations and the protection of native Hawaiian traditional and customary practices pursuant to article XI, section 1 and article XII, section 7, of the Hawai'i State Constitution. Requires each department, office, or agency of the State to update its rules and policies to integrate the local hunting and fishing industries into any food security or sustainability strategies that department, office, or agency employs. Requires reports to the Legislature. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL/GVO, WAM	COMMENT

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
115	SB2491	RELATING TO FAMILY LEAVE.	Provides family leave insurance benefits and extends period of family leave to 16 weeks for businesses that employs one or more employees who meet the hourly qualifications. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	LCA, WAM	MONITOR
116	SB2520	RELATING TO CORRECTIONAL FACILITIES.	Establishes procedures for the use of administrative and disciplinary segregation in correctional facilities. (SD1)	2/28/2020 S One Day Notice 03-03-20.	PSM, JDC	COMMENT
117	SB2523	RELATING TO PUBLIC SAFETY.	Authorizes the Director of Public Safety to withhold certain information regarding deaths at correctional facilities or community correctional centers. Requires the director to include in the report regarding the death that is submitted to the governor the decedent's name and a description of the circumstances and cause of death of the individual. Takes effect 6/18/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM, JDC	MONITOR
118	SB2537	RELATING TO ACCESS TO PUBLIC PROPERTY.	Prohibits the obstruction of access to beaches. Creates a one hundred dollar penalty for the first conviction of obstructing access to public property. Effective 12/31/33. (SD1)	2/28/2020 S One Day Notice 03-03-20.	WTL, JDC/WAM	MONITOR
119	SB2573	RELATING TO THE UNIVERSITY OF HAWAI'I BOARD OF REGENTS.	Requires all public meetings of the Board of Regents to be recorded in live digital audio format by May 1, 2021, and in digital video beginning September 1, 2021. Requires all recording to be archived and made available to the public. Requires the Board of Regents to determine its accessibility obligations pursuant to the Americans with Disabilities Act and comply with those obligations. Takes effect 6/18/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HRE/TEC, JDC	MONITOR
120	SB2609	RELATING TO ELECTIONS.	Includes agents of candidates listed on ballots among the persons prohibited from providing voting assistance at voter service centers and in the use of absentee ballots. Takes effect 1/1/2021. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	JDC	MONITOR
121	SB2616	RELATING TO HOUSING DEVELOPMENT.	Exempts affordable housing units, additions to existing dwelling units, accessory dwelling units, ohana dwelling units, and affordable housing projects developed by the Hawai'i Public Housing Authority from 50% of school impact fee requirements. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/EDU, WAM	COMMENT

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
122	SB2620	RELATING TO LAND USE.	Authorizes county land use decision-making authorities to amend district boundaries involving land areas greater than fifteen acres, except non important agricultural land or rural land areas greater than fifteen acres but no more than twenty-five acres if the land areas are proposed for reclassification to the urban district and at least sixty per cent of the land areas will be dedicated for the development of affordable housing. Effective 12/31/33. (SD1)	2/28/2020 S One Day Notice 03-03-20.	WTL/HOU, JDC	COMMENT
123	SB2625	RELATING TO HOUSING.	Establishes an Affordable Homeownership Revolving Fund within the Hawai'i Housing Finance and Development Corporation to provide loans to nonprofit housing development organizations, and community development financial institutions for the development of affordable homeownership housing projects. Makes an appropriation into and out of the Affordable Homeownership Revolving Fund. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM	MONITOR
124	SB2630	RELATING TO MONETARY OBLIGATIONS.	Prohibits the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations. Does not affect driver's license suspensions related to excessive speeding, lack of motor vehicle insurance, or non-compliance with a child support order. Effective 9/1/2020. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	TRS/PSM, JDC	COMMENT
125	SB2638	RELATING TO DOMESTIC VIOLENCE.	Amends the offense of abuse of family or household members to provide for misdemeanor and petty misdemeanor penalties. Allows a deferred acceptance of guilty or no contest plea in misdemeanor and petty misdemeanor abuse penalties. Requires the Judiciary to submit annual reports to the Legislature on the number and outcome of abuse of family or household members cases. Sunsets five years after enactment. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM, JDC	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
126	SB2643	RELATING TO SEX TRAFFICKING.	Includes coercion as a means of committing the offense of sex trafficking. Removes the criminal statute of limitations for sex trafficking and promoting prostitution. Specifies that sex trafficking of a minor is a strict liability offense. Repeals the offense of solicitation of a minor for prostitution. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	JDC	MONITOR
127	SB2647	RELATING TO THE HAWAI'I PUBLIC HOUSING AUTHORITY.	Establishes the landlord incentive program special fund to reimburse land owners who participate in the section 8 housing choice voucher program for repair costs of tenant-caused property damage when the repair costs exceed the tenant's security deposit. Makes an appropriation. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM	MONITOR
128	SB2652	RELATING TO HOUSING.	Amends section 201H-38 of the Hawai'i Revised Statutes to clarify that the section does not require income restrictions for projects that are built for Hawai'i residents, who will be owner-occupants in perpetuity, and who own no other property. Effective 6/18/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/WTL, JDC	COMMENT
129	SB2658	RELATING TO HOUSING.	Creates the position of the state housing coordinator. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	GVO/HOU, WAM	MONITOR
130	SB2663	RELATING TO THE ENVIRONMENTAL IMPACT STATEMENT LAW.	Requires a supplemental environmental assessment or supplemental environmental impact statement after the passage of 15 years from the date of the determination of a finding of no significant impact or the acceptance of the statement, if the proposed action is not implemented. Exempts actions involving a renewable energy project from this requirement. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	AEN, WAM	MONITOR
131	SB2692	RELATING TO THE NA WAI EHA WATERSHED.	Appropriates money out of the land conservation fund for the acquisition of the Na Wai Eha watershed in Wailuku, Maui. Requires the County of Maui to provide matching funds for the land acquisition or for the purchase of the associated water systems and easements. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
132	SB2706	RELATING TO AGRICULTURAL LANDS.	Amends certain land subdivision and condominium property regime laws related to agricultural land, as recommended pursuant to Act 278, Session Laws of Hawai'i 2019, to ensure agricultural lands that are organized under a condominium property regime are used for agricultural purposes.	2/28/2020 S One Day Notice 03-03-20.	AEN/WTL, CPH/JDC	MONITOR
133	SB2717	RELATING TO SHARK PROTECTION.	Establishes an offense of knowingly capturing, possessing, abusing, entangling, or killing a shark in state marine waters, along with penalties and fines. Provides certain exemptions. (SD1)	2/28/2020 S One Day Notice 03-03-20.	AEN, JDC	SUPPORT
134	SB2755	RELATING TO PUEO RESEARCH.	Appropriates funds to the Department of Land and Natural Resources to collaborate with the University of Hawai'i College of Tropical Agriculture and Human Resources on a state-wide species assessment of pueo populations. Effective 7/1/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL/HRE, WAM	MONITOR
135	SB2775	RELATING TO THE FUEL TANK ADVISORY COMMITTEE.	Requires the fuel tank advisory committee to meet twice within a same calendar year at least six months apart.	2/28/2020 H Received from Senate (Sen. Com. No. 48).	AEN, CPH	MONITOR
136	SB2788	RELATING TO DISASTER RELIEF.	Extends the lapse date of the appropriation for disaster relief to address flooding in Kaua'i and in other areas of the State made by Act 12, Session Laws of Hawai'i 2018, to June 30, 2021. Changes the appropriation amounts made by Act 12, Session Laws of Hawai'i 2018, to unspecified amounts. Effective 7/1/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM, WAM	MONITOR
137	SB2793	RELATING TO DRUG OFFENSES.	Establishes a new misdemeanor offense of promoting a dangerous drug in the fourth degree, to include possession of dangerous drugs in amounts under two grams. Limits the class C felony offense of promoting a dangerous drug in the third degree to include possession of dangerous drugs in an amount of two grams or more. Takes effect 8/1/2020. (SD1)	2/27/2020 S 48 Hrs. Notice 03-03-20.	JDC	SUPPORT

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
138	SB2794	RELATING TO ELECTIONS.	Makes housekeeping amendments to elections laws to clarify the administration of elections by mail. Renames districts as precincts. Extends voter registration deadlines. Requires additional voter service centers on election day. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	JDC	MONITOR
139	SB2812	RELATING TO AGRICULTURAL LANDS.	Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires the Department of Land and Natural Resources to accept and return to its land inventory, any parcel or portion thereof, transferred pursuant to this Act that the Department of Agriculture has determined to be unsuitable or unnecessary for agricultural use. Requires reports to the Legislature on implementing the land transfers, addressing the concerns about stewardship, and compliance with the land transfers. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL/AEN, WAM	OPPOSE
140	SB2826	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Requires DHHL to develop and implement a loan servicing manual. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HWN, WAM	MONITOR
141	SB2828	RELATING TO WATER.	Specifies that fire safety use is a beneficial use of water. Requires the Department of Land and Natural Resources, in consultation with the Hawai'i Emergency Management Agency and the Office of Hawaiian Affairs, to cooperate with the counties and reservoir owners to develop protocols and agreements for the use of reservoir waters for fire safety purposes. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL/PSM, JDC	OPPOSE
142	SB2849	RELATING TO LAW ENFORCEMENT STANDARDS BOARD.	Clarifies membership and certain powers and duties of the Law Enforcement Standards Board. Establishes deadlines for the completion of board responsibilities. Appropriates funds to enable the board to accomplish its mission. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM/JDC, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
143	SB2891	RELATING TO OFFICE OF YOUTH SERVICES.	Establishes the Office of Youth Services revolving fund. Requires the Office of Youth Services to provide commercial enterprise vocational programs, including the sale of goods and services, to young adults to promote self-sustainability. Appropriates funds. Effective 7/1/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HMS, WAM	SUPPORT
144	SB2935	RELATING TO AQUATIC BIOSECURITY.	Appropriates funds to the Department of Land and Natural Resources for staffing and operating expenditures for aquatic biosecurity. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	AEN/WTL, WAM	MONITOR
145	SB2939	RELATING TO CRIMES ON AGRICULTURAL LANDS.	Imposes extended terms of imprisonment for certain offenses against property rights committed on agricultural lands. Takes effect 6/18/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	JDC	MONITOR
146	SB2940	RELATING TO THE STADIUM DEVELOPMENT DISTRICT.	Establishes the stadium development special fund. Establishes development guidance policies for the Stadium Authority's actions in the Stadium Development District. Requires the Stadium Authority to submit annual comprehensive reports to the Legislature. Authorizes the Stadium Authority to acquire and hold title to real property. Transfers authority to issue leases of the lands within the Stadium Development District from the Hawai'i Community Development Authority to the Stadium Authority. Authorizes the Stadium Authority, with approval from the Governor, to delegate to other state agencies the implementation of capital improvement projects, under certain conditions. Repeals part IX of chapter 206E, Hawai'i Revised Statutes, relating to the Stadium Development District. Appropriates funds. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	EET/WTL, WAM	MONITOR
147	SB2942	RELATING TO HOMELESSNESS.	Requires the Governor's Coordinator on Homelessness to develop and implement separate regional plans for various neighborhoods across the State to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of impacted communities and needs of the homeless population.	2/27/2020 H Referred to HSH, FIN, referral sheet 35	HSH, FIN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
148	SB2946	RELATING TO HOUSING.	Establishes the ALOHA homes program to develop low-cost homes on state-owned and county-owned land in urban redevelopment sites to be sold in leasehold by the Hawai'i Housing Finance and Development Corporation (HHFDC) to qualified residents. Exempts certain land from the definition of public lands. Requires HHFDC to gain legislative approval before disposing of certain lands. Requires HHFDC to transfer a number of ALOHA homes units to the Department of Hawaiian Home Lands or Office of Hawaiian Affairs. Provides for the disposition of lands acquired by HHFDC, but no longer needed for the ALOHA homes program. Requires HHFDC to develop an ALOHA homes demonstration project by July 1, 2025. Appropriates funds. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/WTL, WAM	COMMENT
149	SB2951	RELATING TO SHORT-TERM RENTAL ASSISTANCE.	Establishes the short-term rental assistance fund and short-term rental assistance program. Effective 7/1/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/HMS, WAM/JDC	MONITOR
150	SB2952	RELATING TO HOUSING.	Appropriates funds to the Hawai'i Public Housing Authority for the state rent supplement program. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU/HMS, WAM	MONITOR
151	SB2953	RELATING TO VESSELS.	Makes clarifications regarding removal of unauthorized vessels on state property. Makes clarifications regarding the definition of an abandoned vessel. Changes the time limit to claim an unauthorized vessel that is impounded by the department of land and natural resources from thirty days to ten working days. Changes the time limit to claim an abandoned vessel that is impounded by a state or county agency from twenty days to ten working days. Makes abandonment of a vessel on waters of the State or public property a petty misdemeanor. Makes clarifications to auction requirements regarding abandoned vessels. Allows DLNR to charge an impound storage fee. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WTL, JDC	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
152	SB3004	RELATING TO PARTITION ACTIONS.	Requires commissioners in partition actions to file reports with the court and fully inform all interested parties of any intended applications to be filed with any department, state agency, or county to carry out the partition or division of real property, including water meter permits. Requires commissioners to provide interested parties the right to object to the report and be heard at a hearing. Requires commissioners to file a report with the court including proposed language of any deed of partition or of sale.	2/28/2020 S One Day Notice 03-03-20.	JDC	MONITOR
153	SB3038	RELATING TO TARO.	Excludes up to \$100,000 of income derived from taro production from the state income tax. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	AEN, WAM	SUPPORT
154	SB3061	RELATING TO THE HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY.	Amends the nominating authority of the representatives of the Heeia community development district, Kalaeloa community development district, and Kaka'ako community development district on the Hawai'i Community Development Authority. Provides that the Hawai'i Community Development Authority shall not have jurisdiction over the development of lands under the Stadium Authority's jurisdiction. Repeals provisions relating to the stadium development district. Amends Act 268, SLH 2019, by making the Stadium Authority responsible for expending the appropriations made by that Act and authorizing the Stadium Authority, rather than the Hawai'i Community Development Authority, to issue the revenue bonds authorized by that Act. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	EET/WTL, WAM	MONITOR
155	SB3062	RELATING TO THE CONVEYANCE TAX.	Removes the dollar amount cap to be paid into the rental housing revolving fund from state conveyance tax revenues. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
156	SB3063	PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE CONSTITUTION OF THE STATE OF HAWAII.	Proposes an amendment to article IX, section 5, of the Constitution of the State of Hawai'i, to require the State to place housing for its residents among its highest priorities and to implement this provision by statute. (SD1)	2/28/2020 S One Day Notice 03-03-20.	HOU/JDC, WAM	MONITOR
157	SB3070	RELATING TO CAMPAIGN FINANCE.	Increases the maximum amount of public funds available to certain state candidates in each election. Increases the amount of voluntary state income tax check-off contributions that may be designated for the Hawai'i election campaign fund beginning on 1/1/2021.	2/28/2020 H Received from Senate (Sen. Com. No. 58).	JDC	MONITOR
158	SB3074	RELATING TO CAMPAIGN FINANCE.	Increases the maximum amount of public funds available in each election to certain state candidates by 10% annually. Increases the amount of voluntary state income tax check-off contributions that may be designated for the Hawai'i election campaign fund beginning on 1/1/2021. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	JDC, WAM	MONITOR
159	SB3096	RELATING TO STATE HOLIDAYS.	Reestablishes Lā Kū'oko'a, Hawaiian Recognition Day, as an official state holiday. Effective 7/1/2051. (SD1)	2/28/2020 S One Day Notice 03-03-20.	LCA, WAM	SUPPORT
160	SB3099	RELATING TO CLIMATE CHANGE.	Implements the recommendations of the Hawai'i Sea Level Rise Vulnerability and Adaptation Report issued by the Hawai'i Climate Change Mitigation and Adaptation Commission. Makes appropriations. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	AEN/WTL, WAM	SUPPORT WITH AMENDMENTS
161	SB3103	RELATING TO A SCHOOL FACILITIES AGENCY.	Establishes the School Facilities Agency to be responsible for all public school development, planning, and construction, related to capital improvement projects assigned by the Legislature, Governor, or Board of Education. Places management of school impact fees with the agency. Appropriates funds. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	EDU, WAM	OPPOSE
162	SB3110	RELATING TO PROPERTY.	Prohibits nonresident aliens and businesses and trusts that are significantly controlled by nonresident aliens from acquiring certain residential property in the State, except as otherwise provided by law. Effective 12/31/50. (SD1)	2/28/2020 S One Day Notice 03-03-20.	WTL, JDC	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
163	SB3126	RELATING TO PRISONS.	Establishes a four-year pilot program and working group within the Department of Public Safety to reduce recidivism by providing business education to inmates. Requires reports to the Legislature. Appropriates funds. Effective 7/1/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	PSM, WAM	MONITOR
164	SB3138	RELATING TO HOUSING.	Removes limit on costs eligible for exemption from general excise tax for development costs of affordable rental housing certified by the Hawai'i Housing Finance and Development Corporation. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	HOU, WAM	MONITOR
165	SB3139	RELATING TO THE STATE BUDGET.	Amends the appropriations and capital improvement projects authorized for fiscal biennium 2019-2021 made by Act 40, Session Laws of Hawai'i 2019. Amends the operating and capital improvement grants authorized by Act 39, Session Laws of Hawai'i 2019. Effective 7/1/2050. (SD1)	2/28/2020 S 48 Hrs. Notice 03-03-20.	WAM	MONITOR
166	SB3152	RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.	Defines "cultural assessment" and "cultural impact assessment". Requires cultural assessments to be available for public review and comment in connection with draft environmental assessments. Requires a cultural impact assessment if an agency determines a proposed action may have a significant effect on the environment. Takes effect 7/1/2050. (SD1)	2/28/2020 S One Day Notice 03-03-20.	AEN, JDC	MONITOR
167	SB3164	RELATING TO THE STATE SURFING COMMISSION.	Establishes the State Commission on Surfing within the Hawai'i Tourism Authority. Effective 7/1/2050. (SD2)	2/28/2020 S 48 Hrs. Notice 03-03-20.	EET, WAM	SUPPORT WITH AMENDMENTS
168	HCR6		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	1/17/2020 H Offered		MONITOR
169	HCR10		URGING THE STATE TO BAN SINGLE-USE PLASTIC GOODS AND PLASTIC BAGS AND TO SET A SUSTAINABILITY EXAMPLE BY ELIMINATING THE USE OF SINGLE-USE PLASTIC TABLEWARE AT STATE DEPARTMENT MEETINGS AND FUNCTIONS.	1/21/2020 H Offered		MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
170	HCR12		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO ASSESS THE OUTSTANDING CLAIMS RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	1/21/2020 H Offered		COMMENT
171	HCR24		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAALAWAI, HONOLULU, OAHU, FOR THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
172	HCR25		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMĀNALO, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
173	HCR26		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
174	HCR27		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
175	HCR28		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
176	HCR29		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT NAPILI 2 AND 3, LAHAINA, MAUI, FOR AN EXISTING WALKWAY, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
177	HCR30		AUTHORIZING THE ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE SUBMERGED LANDS AT WAOHULI-KEOKEA, WAILUKU, MAUI, FOR THE EXISTING SEAWALL, AND FOR THE USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
178	HCR31		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAOHULI-KEOKEA HOMESTEADS, KIHAI, MAUI, FOR THE EXISTING SEAWALL, ROCK REVETMENT, AND CONCRETE STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
179	HCR32		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAOHULI-KEOKEA HOMESTEADS AND BEACH LOTS, KIHAI, MAUI, FOR THE EXISTING SEAWALL AND ROCK REVETMENT, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/23/2020 H Offered		MONITOR
180	HCR35		REQUESTING THE GOVERNOR TO CONVENE A BLUE RIBBON COMMISSION TO EXAMINE AND FORMULATE A RECONCILIATION PROCESS RELATING TO ISSUES OF PAST, PRESENT, AND FUTURE IMPORTANCE TO THE NATIVE HAWAIIAN PEOPLE, STATE OF HAWAII, AND UNITED STATES OF AMERICA.	2/3/2020 H Re-referred to WLH, referral sheet 16	WLH	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
181	HCR37		REQUESTING THE GOVERNOR TO CONVENE A BLUE RIBBON RECONCILIATION COMMISSION TO EXAMINE AND FORMULATE A RECONCILIATION PROCESS RELATING TO ISSUES OF PAST, PRESENT, AND FUTURE IMPORTANCE TO THE NATIVE HAWAIIAN PEOPLE, THE STATE OF HAWAI'I, AND THE UNITED STATES OF AMERICA.	2/10/2020 H The committees on WLH recommend that the measure be PASSED, WITH AMENDMENTS.	WLH	MONITOR
182	SCR2		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	2/27/2020 S The committee(s) on HWN/HOU has scheduled a public hearing on 03-03-20 1:45PM in conference room 016.	HWN/HOU	MONITOR
183	SCR17		URGING THE STATE TO BAN SINGLE-USE PLASTIC GOODS AND PLASTIC BAGS AND TO SET A SUSTAINABILITY EXAMPLE BY ELIMINATING THE USE OF SINGLE-USE PLASTIC TABLEWARE AT STATE DEPARTMENT MEETINGS AND FUNCTIONS.	1/28/2020 S Referred to AEN/GVO.	AEN/GVO	MONITOR
184	SCR22		URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO ESTABLISH AN UPDATED SUSTAINABLE YIELD FOR THE KUALAPUU AQUIFER SYSTEM THAT INCORPORATES THE FINDINGS OF THE UNITED STATES GEOLOGICAL SURVEY'S CENTRAL MOLOKAI GROUNDWATER RECHARGE AND AVAILABILITY STUDY TO PROTECT NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES AND THE FUTURE WATER SELF-SUFFICIENCY OF MOLOKAI.	1/28/2020 S Referred to WTL/HWN.	WTL/HWN	SUPPORT
185	SCR27		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAALAWAI, HONOLULU, OAHU, FOR THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
186	SCR28		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMĀNALO, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
187	SCR29		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
188	SCR30		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
189	SCR31		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
190	SCR32		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT NAPILI 2 AND 3, LAHAINA, MAUI, FOR AN EXISTING WALKWAY, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
191	SCR33		AUTHORIZING THE ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE SUBMERGED LANDS AT WAIHOLI-KEOKEA, WAILUKU, MAUI, FOR THE EXISTING SEAWALL, AND FOR THE USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
192	SCR34		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAOHULI-KEOKEA HOMESTEADS, KIHAI, MAUI, FOR THE EXISTING SEAWALL, ROCK REVETMENT, AND CONCRETE STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
193	SCR35		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAOHULI-KEOKEA HOMESTEADS AND BEACH LOTS, KIHAI, MAUI, FOR THE EXISTING SEAWALL AND ROCK REVETMENT, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	1/28/2020 S Referred to WTL, JDC.	WTL, JDC	MONITOR
194	SCR37		REQUESTING THE GOVERNOR TO CONVENE A BLUE RIBBON COMMISSION TO EXAMINE AND FORMULATE A RECONCILIATION PROCESS RELATING TO ISSUES OF PAST, PRESENT, AND FUTURE IMPORTANCE TO THE NATIVE HAWAIIAN PEOPLE, STATE OF HAWAII, AND UNITED STATES OF AMERICA.	2/3/2020 S Referred to HWN.	HWN	MONITOR
195	HR4		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	1/17/2020 H Offered		MONITOR
196	HR8		URGING THE STATE TO BAN SINGLE-USE PLASTIC GOODS AND PLASTIC BAGS AND TO SET A SUSTAINABILITY EXAMPLE BY ELIMINATING THE USE OF SINGLE-USE PLASTIC TABLEWARE AT STATE DEPARTMENT MEETINGS AND FUNCTIONS.	1/21/2020 H Offered		MONITOR
197	HR10		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO ASSESS THE OUTSTANDING CLAIMS RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	1/21/2020 H Offered		COMMENT
198	HR20		RECOGNIZING THE 15TH ANNIVERSARY OF THE LEGACY LAND CONSERVATION PROGRAM.	2/6/2020 H Resolution adopted in final form.		SUPPORT

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
199	HR24		COMMENDING DUANE DESOTO AND MALIA KAË~AIHUE FOR THEIR COMMITMENT AND OUTSTANDING INVOLVEMENT IN THE NATIVE HAWAIIAN COMMUNITY.	2/11/2020 H Resolution adopted in final form.		MONITOR
200	HR26		RECOGNIZING THE IMPORTANCE OF RENEGOTIATING THE COMPACT OF FREE ASSOCIATION BETWEEN THE UNITED STATES AND THE FEDERATED STATES OF MICRONESIA AND POSSIBLE SECESSION OF THE ISLAND OF CHUUK AND ENTRY OF A CHINESE MILITARY BASE IN THE REGION.	2/13/2020 H Offered		MONITOR
201	SR2		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO ALLOW HAWAIIAN HOMESTEADS TO BE DIRECT RECIPIENTS OF FEDERAL NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT.	2/27/2020 S The committee(s) on HWN/HOU has scheduled a public hearing on 03-03-20 1:45PM in conference room 016.	HWN/HOU	MONITOR
202	SR18		URGING THE STATE TO BAN SINGLE-USE PLASTIC GOODS AND PLASTIC BAGS AND TO SET A SUSTAINABILITY EXAMPLE BY ELIMINATING THE USE OF SINGLE-USE PLASTIC TABLEWARE AT STATE DEPARTMENT MEETINGS AND FUNCTIONS.	1/28/2020 S Referred to AEN/GVO.	AEN/GVO	MONITOR
203	GM506		Submitting for consideration and confirmation as the Commission Chair of the Department of Hawaiian Home Lands, Gubernatorial Nominee, WILLIAM J. AILA, for a term to expire 12-31-2022 (title amended to Chairperson of the Hawaiian Homes Commission, Department of Hawaiian Home Lands by GM510).	2/10/2020 S Confirmed.	HWN	MONITOR
204	GM507		Submitting for consideration and confirmation as the Deputy to the Chairperson of the Department of Hawaiian Home Lands, Gubernatorial Nominee, TYLER I. GOMES, for a term to expire at noon on 12-05-2022 (title amended to Deputy to the Chairperson of the Hawaiian Homes Commission, Department of Hawaiian Home Lands by GM511).	2/10/2020 S Confirmed.	HWN	MONITOR

THIRTIETH STATE LEGISLATURE, 2020

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRAL	POSITION
205	GM511		Letter dated 01-17-2020, correcting the title on GM507, Gubernatorial Nominee Tyler I. Gomes as the Deputy to the Chairperson of the Department of Hawaiian Home Lands, for a term to expire at noon on 12-05-2022, title amended to Deputy to the Chairperson of the Hawaiian Homes Commission, Department of Hawaiian Home Lands.	1/23/2020 S Filed.		MONITOR
206	GM548		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, DAN GIOVANNI, for a term to expire 06-30-2021.	1/31/2020 S Referred to WTL.	WTL	MONITOR
207	GM550		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, DAWN CHANG, for a term to expire 06-30-2023.	2/5/2020 S Referred to WTL.	WTL	MONITOR

Committee on Beneficiary Advocacy and Empowerment

Trustee John Waihe'e IV, *Chair*Trustee Kaleihikina Akaka, *Vice Chair***Members**

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Brendon Kalei'aina Lee, At-Large

Trustee Carmen Hulu Lindsey, Maui

Trustee Robert K. Lindsey, Jr., Hawai'i Island

Trustee Colette Y. Machado. Moloka'i / Lāna'i



**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

DATE: Wednesday, March 4, 2020
TIME: 1:00 p.m.
PLACE: Maui Ola Boardroom
 Nā Lama Kukui
 560 N. Nimitz Highway
 Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Public Testimony*
- III. Approval of Minutes
 - A. February 5, 2020
 - B. February 12, 2020
- IV. Unfinished Business
 - A. 2020 OHA Legislative Package Updates - Matrix 1**†
- V. **New Business**
 - A. 2020 OHA Legislative Positioning - Matrix 2**†
 - B. **ACTION ITEM: BAE #20-02: Approval of Nominee(s) for the Moloka'i Island Burial Council**
 - C. Briefing on the background and history of OHA participation in Nā Wai 'Ehā (Maui) litigation and related matters.
- VI. Executive Session‡
 - A. Approval of Executive Session Minutes for January 22, 2020
 - B. Consultation with OHA attorney Pamela Bunn, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding OHA's ongoing participation in Nā Wai 'Ehā (Maui) litigation, including the surface water use permit applications contested case hearing.
- VII. Community Concerns*
- VIII. Announcements
- IX. Adjournment

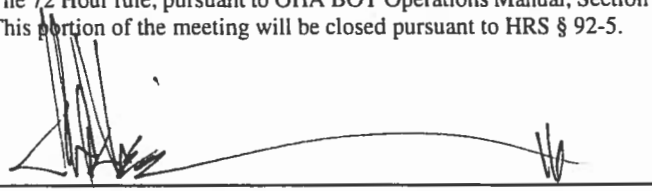
If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: rainag@oha.org no later than three (3) business days prior to the date of the meeting.

* Notice: Persons wishing to provide testimony are requested to submit 13 copies of their testimony to the Chief Executive Officer at 560 N. Nimitz, Suite 200, Honolulu, HI, 96817 or fax to 594-1868, or email BOTmeetings@oha.org 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: Trustees may establish or revise an OHA position on ANY proposed bill / resolution / executive message currently moving through the state legislature or other relative elected body. The Matrices, which are available for public review in the meeting room at this stated meeting, provide a brief description of each bill, the bill's number, the bill's title, the bill's intent, and the proposed and specific OHA position on each measure, current through 03/03/20. However, the Trustees both in committee and as the Board of Trustees (BOT) reserve the right to discuss any and all bills on the Matrices, as well as those that time does not permit to be placed on the Matrices, in order to discharge their fiduciary obligations as Trustees of the Office of Hawaiian Affairs.

† Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.


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


 Date



Action Item
Committee on Beneficiary Advocacy and Empowerment

March 4, 2020

BAE #20-02

Action Item Issue: To Approve the Office of Hawaiian Affairs' 2020 Molokai Island Burial Council Nomination

Prepared by:

Ka Markell 2/27/2020
Kai Markell
Ka Pou Kako'o Kia'i Kanawai, Compliance Enforcement Manager
Date

Reviewed by:

Keola Lindsey 2/27/2020
Keola Lindsey
Ka Pou Kihi Kū, Chief Advocate
Date

Reviewed by:

Lisa M. Watkins-Victorino 2/20/20
Lisa Watkins-Victorino, Ph.D.
Ka Pou Nui Kūikawā, Interim Chief Operating Officer
Date

Reviewed by:

Sylvia M. Hussey 2/28/20
Sylvia M. Hussey, Ed.D.
Ka Pūhaha, Chief Executive Officer
Date

Reviewed by:

Trustee John D. Waihe'e IV 02/29/20
Luna Ho'omalua o ke Kōmike BAE
Chair, Committee on Beneficiary Advocacy and Empowerment (BAE)
Date

I. Action

To approve the following candidate as a nominee for immediate appointment to the Molokai Island Burial Council:

Ms. Frances "Makanani" Cobb-Adams, OHA Nominee for East Molokai regional representative on the Molokai Island Burial Council (MIBC)

II. Issue

Should the OHA Board of Trustees approve staff's proposed OHA 2020 nomination to the Island Burial Councils for transmittal to the Governor.

III. Discussion

HRS § 6E-43.5 establishes the Island Burial Councils within the Department of Land and Natural Resources (DLNR) and the process for appointment of Island Burial Council members. The amended statute provides that each Island Burial Council shall be composed of nine members, with the exception of the Molokai Island Burial Council, which shall be composed of five members. There must be one representative from each identified geographic region of the islands, who must possess an understanding of the culture, history, burial beliefs, customs and practices of Native Hawaiians. In addition, no more than three representatives of development and large property owner interests may also be appointed to each council. The Governor appoints members to the councils from lists provided by DLNR and OHA; at least two of the regional representatives on each council must be appointed from lists provided by OHA.

Historically, OHA has assisted the State Historic Preservation Division of DLNR and the Governor's Office in identifying, soliciting and recommending candidates for appointment to the Island Burial Councils, and has submitted a number of nomination lists for this purpose.

In order to consistently fulfill OHA's kuleana, OHA staff have established an internal process for filling Island Burial Council seats. This process incorporates collaboration among OHA's Community Engagement, Research, and Advocacy lines of business to reach out to interested community members, identify and solicit qualified candidates, and evaluate applications from individuals willing to step into existing and future vacancies. Through this process, OHA selects its nominees and annually transmits a list of these nominees to the Governor's Office to fill current and pending vacancies.

Staff included as an attachment to the Action Item, a printout from the State Historic Preservation Division (SHPD) website showing the island burial councils and current membership and vacancies for the Trustees' information. (Attachment 4) This roster is subject to update periodically as the SHPD forwards their statutory nominations to the Office of the Governor. The SHPD also appoints interim members to fill unexpected vacancies until official Governor appointment.

Nominee for Appointment

Based on their review of applications, the staff selection committee recommends the Board of Trustees approve the following candidate as a nominee for appointment to the Molokai Island Burial Councils.

Ms. Frances “Makanani” Cobb-Adams, OHA Nominee for East Molokai regional representative on the Molokai Island Burial Council (MIBC)

Ms. Cobb-Adams is an excellent candidate to serve on the MIBC as a former council member who wishes to be of service once again. She currently works as a Manager for the Kamehameha Schools Molokai Resource Center, and formerly worked as an ‘ōlelo Hawai‘i and Hawaiian Studies instructor at the University of Hawai‘i on Molokai and also as a Program Coordinator for Na Pua No‘eau.

Ms. Cobb-Adams expresses her strong cultural identity quite well in her attached cover letter as well as her experience in addressing iwi kūpuna issues in her previous service on the MIBC.

We are proffering Ms. Cobb-Adams as an East Molokai regional representative given her strong connections to the area. She also possesses connections to other areas of Molokai as well and given her employer, and her stated support of her Director at Kamehameha Schools, she could also fill the position as a landowner representative on the MIBC should another East Molokai candidate express an interest in serving.

The immediate appointment of Ms. Cobb-Adams, as a third appointment joining two other serving members on the five-member MIBC, would allow the MIBC to begin functioning pursuant to §13-300-26, HAR:

Quorum. A majority of the council shall constitute a quorum to conduct business and a majority of the members present at the meeting shall be necessary to approve any council action.

IV. Alternative Actions:

Decline to approve staff’s proposed OHA 2020 nomination for the Moloka‘i Island Burial Councils for transmittal to the Governor.

V. Recommended Action:

To Approve the Office of Hawaiian Affairs’ 2020 Nomination of Ms. Frances “Makanani” Cobb-Adams for immediate appointment to the Molokai Island Burial Council.

VI. Funding:

No funding is required.

VII. Timeframe:

Immediate action is recommended. The nomination will be transmitted to the Governor's Office of Boards and Commissions immediately upon approval by the BOT.

Attachments:

Attachment #1 - Frances "Makanani" Cobb-Adams, Letter of Interest

Attachment #2 - Frances "Makanani" Cobb-Adams, IBC Application

Attachment #3 - Frances "Makanani" Cobb-Adams, Resume

Attachment #4 - State Historic Preservation List of Island Burial Council Members

ACTION ITEM: BAE #20-02

**2020 MOLOKAI ISLAND BURIAL COUNCIL
NOMINATION**

FRANCES “MAKANANI” COBB-ADAMS

ATTACHMENT #1: LETTER OF INTEREST



20 Pepeluali 2020

Welina mai me ke aloha.

For as long as I can remember, I have always had a very deep and solid respect for my culture. My dad and mom were older when they had me, so they raised me with values fixed in "old ways". It's because of this upbringing that I would like to serve on the Burial Council. I was taught to always respect my kūpuna, those who are still with us as well as those who have gone. I believe that even though a person may not physically be here in the material world, their 'uhane still exists and that whatever remains here should be treated with respect and care.

Some people think that if 'iwi are found, especially in an area that is not known, or if found "inadvertently" that those 'iwi are not important – that they must not matter if no one was taking care of them. I cannot understand this reasoning. As time passes, things change. The environment around us changes. The social and geographical landscape of Hawai'i has change incredibly since the contact of the European world. To say that 'iwi which are discovered unexpectedly have no importance is totally arrogant and completely pretentious.

I believe that 'iwi and/or items that are pili should be cared for and treated with the appropriate respect that is deserved as if a family member. The mana and 'uhane attached to such items needs to be given appropriate respect.

I would like to represent any region of Molokai that needs to be covered. I live on the east end of the island in Kalua'aha. I have lived Mana'e for the past 25 years but as a descendant of Rudolph Meyer, I have an interest in the Meyer estate in Kala'e as well. I work for Kamehameha Schools as the Molokai Resource Center manager so I also have an interest in the lands owned by Ke Ali'i Pauahi (Mapulehu, Keawanui, Ka'amola, Kamalō and Kalama'ula/Nā'iwa). For the purpose of getting our Burial Council to a place where we can have quorum and actually have official meetings, I would be willing to represent any area on Molokai that needs to be filled and that I am deemed to be qualified to represent.

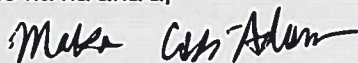
Throughout my life, I have tried as much as possible to "live the culture". From food preparation and gathering from the ocean, honoring kūpuna and akua, lei making, to 'ōlelo, I honestly do not separate culture, from who I am. It is who I am. After graduating from UH-Mānoa with a bachelor's degree in Hawaiian Studies (emphasis in Natural Environment) I went on to become an 'ōlelo Hawai'i and Hawaiian Studies instructor at UH-MCC on Molokai and also worked as a program coordinator with Nā Pua No'eau before coming to KS, where I am now a manager.

I have served previously as a Burial Council member for Molokai where we have been able to attend meetings and workshops, discussing a variety of topics related to the repatriation of 'iwi and funerary items within a Hawaiian cultural context. We've talked about appropriate protocol, establishing how to provide materials to ho'i 'iwi, and having workshops to relay information regarding anything to do with Burial Council kuleana.

I am committed to this kuleana as a Burial Council member, if I am allowed to. I have the support of my 'ohana and my director at KS. My hope is that with or without me, our Molokai Island Burial Council will be a functioning and active entity, ready to serve our kūpuna .

Should there be any questions, please contact me. 808-

Me ka ha'aha'a,



Frances Cobb-Adams

Kaunakakai H. [REDACTED]

ACTION ITEM: BAE #20-02
2020 MOLOKAI ISLAND BURIAL COUNCIL
NOMINATION
FRANCES "MAKANANI" COBB-ADAMS
ATTACHMENT #2: IBC APPLICATION

STATE OF HAWAII
DEPARTMENT OF LAND & NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707
(808)692 -8015

Island Burial Council Candidate Application

I. Applicant Information

Name: Makanani Cobb-Adams Date: 2/20/2020

Mailing Address: [REDACTED]

City: Kaunakakai State: HI Zip Code: 96748

Phone (h): _____ (w): _____ (cell): [REDACTED]

Fax: _____ Email: [REDACTED]

Place of birth: Honolulu, Hawaii

List your Hawaiian Organization affiliations: _____

II. Island Burial Councils

a. Check the Island Burial Council you are applying for:

☐ Hawai'i ☐ Maui/Lāna'i ☒ Moloka'i ☐ O'ahu ☐ Kaua'i/Ni'ihau

b. Check the type of seat on the island burial council you are applying for:

☒ Regional Representative ☒ Large Property Owner

III. Regional Representative Applicants:

a. Check the geographic region you wish to represent

Hawai'i: ☐ Kohala ☐ Kona ☐ Ka'ū ☐ Puna ☐ Hilo
 ☐ Hāmākua

Maui/Lāna'i: ☐ Lāhainā ☐ Wailuku ☐ Makawao ☐ Honua'ula ☐ Hāna
 ☐ Lāna'i

Moloka'i: ☐ West Moloka'i ☐ Central Moloka'i ☒ East Moloka'i ☐ Kalawao

O'ahu: ☐ Wai'anae ☐ 'Ewa ☐ Kona ☐ Ko'olaupoko ☐ Ko'olauloa
 ☐ Wāralua

Kaua'i/Ni'ihau: ☐ Waimea ☐ Kōloa ☐ Līhu'e ☐ Kawaihau ☐ Manalei ☐ Nā Pali
 ☐ Ni'ihau

b. Additional Required Information for Regional Representatives Applicants:

i. Attach a letter of interest including:

1. A statement explaining your connection to the geographic region indicated above which may include family ties, residence knowledge of the region's history, experience with the region's cultural and historic sites, understanding of the region's customs, or other basis.
2. A statement explaining your knowledge and understanding of Hawaiian burial beliefs and practices relating to the care and protection of Native Hawaiian burial sites, ancestral remains, and burial goods.
3. A statement explaining the reasons you wish to serve on the Island Burial Council as a regional representative.

ii. Attach an updated resume outlining your relevant experience.

IV. For Developer or Large Property Owner Applicants:

- a. Check if you are applying to be a representative of a Developer or Large Property Owner:

☒ Yes ☐ No

- b. Please indicate the name and mailing address of the Developer or Large Property Owner or who you wish to represent and attach a letter from the Large Property Owner acknowledging or authorizing your representation of the Large Property owner on the Island Burial Council:

Developer or Large Property Owner Name: Kamehamaha Schools

Developer or Large Property Owner Contact Person: Venus Rosete-Medeiros

Developer or Large Property Owner Mailing Address: [REDACTED]

City: Wailuku State: HI Zip Code: 96793

Phone (w): [REDACTED] (cell): [REDACTED]

Fax: [REDACTED] Email: [REDACTED]

c. Additional Required Information for Developer or Large Property Owner Applicants:

i. Are you currently employed by the Developer or Large Property Owner listed above?

☒ Yes ☐ No

ii. Attach a letter of interest including:

- a. If you are not currently employed by the Developer or Large Property Owner, add a statement explaining how you are associated with the large property owner.
- b. A statement explaining how you are qualified to represent the interests of the Developer or Large Property Owner or both.
- c. A statement explaining the reasons you wish to serve on the Island Burial Council as a Developer or Large Property Owner representative.

iii. Attach an updated resume outlining your relevant experience.

Mulan Grib Adams

2/20/2020

APPLICANT'S SIGNATURE

Date

For Office Use Only

Date Completed Application Received: _____

Reviewed By: _____ Date: _____

Staff Recommendations: _____

Comments: _____

ACTION ITEM: BAE #20-02

2020 MOLOKAI ISLAND BURIAL COUNCIL

NOMINATION

FRANCES “MAKANANI” COBB-ADAMS

ATTACHMENT #3: RESUME

Kaunakakai HI 96748
Mobile Phone (808) (

EDUCATION

1980 – 1988 Graduated, Kamehameha School, Kapalama
1996 - 2000 BA – Hawaiian Studies, University of Hawaii at Manoa
*Graduated with distinction

2010 to present
Kamehameha Schools
Manager, Resource Center

Kaunakakai, Molokai

- ♦ Understand & support KS educational programs & related programs/divisions. Provide support and management for the following programs on Molokai/Lanai:
 - Campus & Community Education Program Supports (admissions), (7-12 grade, preschool, summer school & summer/intercession programs)
 - Outreach Support Services (financial aid)
 - Hooulu Verification Services (ancestry verification)
 - KS Kapalama Boarding
 - Asset management of Pauahi's aina
- ♦ Represent KS for a variety of communications & liaison within the Molokai community.
- ♦ Support the effort of SP2020/Vision 2040, facilitate/coordinate community meetings, and create objectives and actions tied to the strategic goals.
- ♦ Utilize related KS systems to support timely and accurate responses to constituent inquiries and processing.
- ♦ Direct efforts of the combined educational, land, administrative support services units of KS in the Molokai community including providing leadership, guidance, training, operational planning, scheduling, personnel, budgeting, procurement and other operational duties
- ♦ Support Native Hawaiian cultural nohona Hawaii and community service efforts, meeting and activities.

Kaunakakai, Molokai

Nā Pua No'eau - Center for Gifted and Talented Native Hawaiian Children

MOLOKAI PATHWAYS/HO'OMAU SITE COORDINATOR

- ♦ Responsible for planning and coordinating natural and environmental sciences activities for Hawaiian students participating in the Na Pua No'eau Pathways Program.
- ♦ Reported to the Project Coordinator and worked closely with other Na Pua No'eau staff.
- ♦ Worked with students teachers at their respective schools and with ohana of students.
- ♦ Identified and coordinated facilities and teacher resources for program implementation.
- ♦ Overall implementation, evaluation and monitoring of project activities, results, outcomes, schedule, budget, & other resources.
- ♦ Ensured quality of Project Hoomau program model, content, activities, and results through close collaboration with faculty, students, & project staff;
- ♦ Coordinated:
 - Research Seminars, workshop & counseling/campus visit logistics, including advertising, mailing, registration, confirmation, implementation;
 - Project activities with existing scholarship programs statewide;
 - Completed project evaluation reports and USDOE grant reports.

2003 to 2012

State of Hawaii – MCC, Molokai Education Center

Kaunakakai, Molokai

INSTRUCTOR – HAWAIIAN LANGUAGE/HAWAIIAN STUDIES

- ♦ Teach the basic structures of the Hawaiian language with an emphasis on listening comprehension, speaking, reading and writing.
- ♦ Teach how to communicate in Hawaiian and associating Hawaiian language to daily life experiences and Hawaiian culture.
- ♦ Keep attendance records, grades and associated information.
- ♦ Create learning activities such as one-on-one oral communication, group discussions, individual speech topics, supplemental worksheets, informative handouts, chapter quizzes, mid-term exams and final exams.
- ♦ Work with students outside of class when needed.

2001 to 2003

State of Hawaii – Department of Education

Kaunakakai, Molokai

SUBSTITUTE TEACHER (All grade levels)

- ♦ Teach classes and instruct students using lecture and demonstration, audio/visual aids and other materials and activities to supplement presentations and further educational stimulation.
- ♦ Assign lessons and correct class work.
- ♦ Keep attendance records and administer appropriate actions for classroom management.
- ♦ Maintain discipline and respect in the classroom.
- ♦ Follow curriculum guidelines and requirements of the state and school.
- ♦ Establish and maintain an open communication with the instructor, both orally and written.

1996 to 1998

Kawela Plantation Homeowners' Association

Kaunakakai, Molokai

BOOKKEEPER/OFFICE MANAGER

- ♦ Kept records of financial transactions using computer and calculator.
- ♦ Allocated and posted details of business transactions to subsidiary accounts in journals and ledgers on computer accounting program.
- ♦ Computed, typed, and mailed monthly water and quarterly maintenance fee billing statements to homeowners.
- ♦ Prepared monthly income statement, balance sheet, general ledger and other financial reports.
- ♦ Maintained payroll records, computed and posted wages.
- ♦ Prepared withholding of Social Security and other scheduled State and Federal excise tax reports.
- ♦ Responsible for verifying invoices and disbursing appropriate payments (Accounts Payable).
- ♦ Computed monthly homeowner water usage and estimated water loss.
- ♦ Managed office and maintained supply inventory.

LANGUAGE

Hawaiian – Able to speak, read and write with accurate fluency.

AFFILIATIONS

Phi Beta Kappa, member.

Association of Owners of Kulana Oihi, President since 2015.

Molokai Island Burial Council, former member (2009-2018)

HOBBIES

Crafting seed, flower and shell lei & jewelry, cultivating native plants, fishing, surfing, diving, paddling, hiking, Pilates & yoga training, cooking, making inamona & other Hawaiian food items/articles.

ACTION ITEM: BAE #20-02

2020 MOLOKAI ISLAND BURIAL COUNCIL

NOMINATION

ATTACHMENT #4:

STATE HISTORIC PRESERVATION

LIST OF

ISLAND BURIAL COUNCIL MEMBERS



State of Hawaii
State Historic Preservation

Home » About » Branches » History and Culture » Burial Council Members

BURIAL COUNCIL MEMBERS

ISLAND BURIAL COUNCIL MEMBERS

Island Burial councils have [scheduled meetings](#) once each month on their respective islands. All Council members are appointed by the Governor of Hawai'i and confirmed by the Senate. Expiration dates for council members are shown in parentheses following their names. No council member may serve more than a maximum of eight consecutive years. All meetings by the council are open to the public. Any person may submit oral or written testimony to the council regarding a matter under consideration, provided that applicants first submit a written request to the department to be placed on the council meeting agenda. For more details on the History & Culture Branch or the Island Burial Councils, please refer to the [program rules and regulations](#) (<http://hawaii.gov/dlnr/shpd/har/300.pdf>). Click here to see [meeting agendas and minutes for an Island Burial Council](#).

HAWAI'I (7)

Hawai'i Island Burial Council	Name	Representation	Term expiration date
	VACANT	Kohala	N/A
	Kalena Blakemore	Puna	6/30/2021
	Desmon Haumea	Ka'u	6/30/2022
	VACANT	Landowner/Developer	N/A
	Norman Kaimulua	Kona	6/30/2019
	Scott Mahoney	Ka'u	6/30/2020
	Nalei Pate-Kahakalau	Hamakua	6/30/2020

	Randall Higa	Hamakua	6/30/2021
	Clifford Kaponu	Hilo	6/30/2022

KAUA'I / NI'IIHAU (6)

Kaua'i Ni'iihau Island Burial Council	Name	Representation	Term expiration date
	Keith Yap	Landowner/Developer	6/30/2020
	VACANT	Waimea/Napali	N/A
	VACANT	Landowner/Developer	N/A
	Leiana Robinson	Niihau	6/30/2021
	Theodore Blake	Landowner/Developer	6/30/2020
	Sandra Quinsaat	Koloa	6/30/2020
	Carol Lovell	Kawaihau	6/30/2021
	VACANT	Hanalei	N/A
	Johnnette Kahalekai	Lihue	6/30/2023

MAUI/LANA'I (7)

Maui Lana'i Island Burial Council	Name	Representation	Term expiration date
	VACANT	Makawao	N/A
	Dane Maxwell	Lahaina	6/30/2021
	VACANT	Landowner/Developer	N/A

State Historic Preservation | Burial Council Members

	Kaheleonalani Dukelow	Honua'ula	6/30/2019
	Johanna Kamaunu	Wailuku	6/30/2021
	Iris Peelua	Landowner/Developer	6/30/2020
	VACANT	Lanai	N/A
	Kyle Nakanelua	Hana	6/30/2020
	Scott Fisher	Landowner/Developer	6/30/2022

O'AHU (6)

O'ahu Island Burial Council	Name	Representation	Term expiration date
	Mana Caceres	Ewa	6/30/2020
	Vacant	Landowner/Developer	N/A
	Kali Fermantez	Koolauloa	6/30/2021
	VACANT	Koolaupoko	N/A
	Aulii Mitchell	Waianae	6/30/2019
	Hinaleimoana Wong-Kalu	Kona	6/30/2020
	VACANT	Waialua	N/A
	Chuck Ehrhorn	Landowner/Developer	6/30/2019
	W. Kamana'o Mills	Landowner/Developer	6/30/2021

MOLOKA'I (2)

Moloka'i Island Burial Council	Name	Representation	Term expiration date
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	VACANT	Kalawao	N/A
	VACANT	East Molokai	N/A
	Nile Soares	Central Molokai	6/30/2022
	La'akea Poepoe	West Molokai	6/30/2021
	VACANT	Landowner/Developer	N/A

Committee on Beneficiary Advocacy and Empowerment

Trustee John Waihe'e IV, *Chair*Trustee Kaleihikina Akaka, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Brendon Kalei'aina Lee, At-Large

Trustee Carmen Hulu Lindsey, Maui

Trustee Robert K. Lindsey, Jr., Hawai'i Island

Trustee Colette Y. Machado. Moloka'i / Lāna'i



**STATE OF HAWAII'
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

DATE: Wednesday, March 4, 2020
TIME: 1:00 p.m.
PLACE: Maui Ola Boardroom
 Nā Lama Kukui
 560 N. Nimitz Highway
 Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Public Testimony*
- III. Approval of Minutes
 - A. February 5, 2020
 - B. February 12, 2020
- IV. Unfinished Business
 - A. 2020 OHA Legislative Package Updates - Matrix 1**†
- V. **New Business**
 - A. 2020 OHA Legislative Positioning - Matrix 2**†
 - B. ACTION ITEM: BAE #20-02: Approval of Nominee(s) for the Moloka'i Island Burial Council
 - C. Briefing on the background and history of OHA participation in Nā Wai 'Ehā (Maui) litigation and related matters. **No materials are provided at this time for V. C.**
- VI. Executive Session‡
 - A. Approval of Executive Session Minutes for January 22, 2020
 - B. Consultation with OHA attorney Pamela Bunn, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding OHA's ongoing participation in Nā Wai 'Ehā (Maui) litigation, including the surface water use permit applications contested case hearing.
- VII. Community Concerns*
- VIII. Announcements
- IX. Adjournment

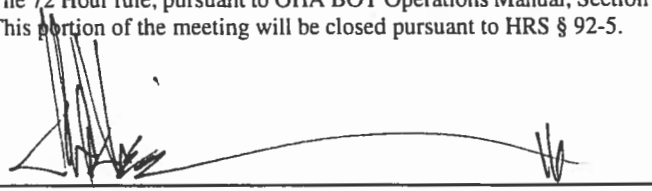
If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: rainag@oha.org no later than three (3) business days prior to the date of the meeting.

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


 Date

Committee on Beneficiary Advocacy and Empowerment

Trustee John Waihe'e IV, *Chair*Trustee Kaleihikina Akaka, *Vice Chair**Members*

Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large

Trustee Brendon Kalei'aina Lee, At-Large

Trustee Carmen Hulu Lindsey, Maui

Trustee Robert K. Lindsey, Jr., Hawai'i Island

Trustee Colette Y. Machado. Moloka'i / Lāna'i



**STATE OF HAWAII'
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT**

DATE: Wednesday, March 4, 2020**TIME:** 1:00 p.m.

PLACE: Maui Ola Boardroom
Nā Lama Kukui
560 N. Nimitz Highway
Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Public Testimony*
- III. Approval of Minutes
 - A. February 5, 2020
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 - A. 2020 OHA Legislative Package Updates - Matrix 1**†
- V. New Business
 - A. 2020 OHA Legislative Positioning - Matrix 2**†
 - B. ACTION ITEM: BAE #20-02: Approval of Nominee(s) for the Moloka'i Island Burial Council
 - C. Briefing on the background and history of OHA participation in Nā Wai 'Ehā (Maui) litigation and related matters.
- VI. Executive Session‡
 - A. Approval of Executive Session Minutes for January 22, 2020
 - B. Consultation with OHA attorney Pamela Bunn, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding OHA's ongoing participation in Nā Wai 'Ehā (Maui) litigation, including the surface water use permit applications contested case hearing.
- VII. Community Concerns*
- VIII. Announcements
- IX. Adjournment

**Materials will be distributed in the
closed meeting - Executive Session**

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: rainag@oha.org no later than three (3) business days prior to the date of the meeting.

* Notice: Persons wishing to provide testimony are requested to submit 13 copies of their testimony to the Chief Executive Officer at 560 N. Nimitz, Suite 200, Honolulu, HI, 96817 or fax to 594-1868, or email BOTmeetings@oha.org 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: Trustees may establish or revise an OHA position on ANY proposed bill / resolution / executive message currently moving through the state legislature or other relative elected body. The Matrices, which are available for public review in the meeting room at this stated meeting, provide a brief description of each bill, the bill's number, the bill's title, the bill's intent, and the proposed and specific OHA position on each measure, current through 03/03/20. However, the Trustees both in committee and as the Board of Trustees (BOT) reserve the right to discuss any and all bills on the Matrices, as well as those that time does not permit to be placed on the Matrices, in order to discharge their fiduciary obligations as Trustees of the Office of Hawaiian Affairs.

† Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.

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

Date