

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, September 23, 2020**TIME:** 10:00 am**PLACE:** Virtual MeetingViewable at www.oaha.org/livestream OR

Listen by phone: (213) 338-8477,

Webinar ID: 920 4649 8729

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Twelfth Supplementary Proclamation dated August 20, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

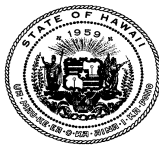
The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at www.oaha.org/livestream or listen by phone: (213) 338-8477, Webinar ID: 920-4649-8729

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
 - A. February 19, 2020
 - B. February 26, 2020
 - C. March 4, 2020
- IV. Unfinished Business
- V. New Business
 - A. OHA Federal Legislative Positioning - Matrix**† - Advocacy (Washington, D.C. Bureau)
 - B. OHA D.C. Bureau Updates - Advocacy (Washington, D.C. Bureau)
 - C. 2020 Legislative Session Report**† and 2021 Legislative Session Preparation – Advocacy (Public Policy)
- VI. Announcements
- VII. 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@oaha.org no later than three (3) business days prior to the date of the meeting.

Meeting materials will be available to the public on Friday, September 18, 2020 and posted to OHA's website at: www.oaha.org/bae



**STATE OF HAWAII
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.

*Public Testimony: Public testimony can be submitted to the OHA Board of Trustees either: (1) in writing emailed at least 24 hours prior to the scheduled meeting, or (2) as live, oral testimony online during the Public Testimony portion of the virtual meeting. **Public testimony must be limited to matters listed on the meeting agenda.** Please visit OHA's website for more detailed information on how to submit public testimony at: <https://www.oha.org/how-to-submit-testimony-for-oha-bot-meetings/>

Persons wishing to provide *written testimony* on items listed on the agenda should submit testimony via *email* to BOTmeetings@oha.org at least **24 hours prior** to the scheduled meeting. Any testimony received after this deadline will be late testimony and distributed to the Board members after the scheduled meeting. **Due to COVID-19, please do not fax, mail, or hand-deliver written testimony.**

Persons wishing to provide *oral testimony online* during the virtual meeting must register here first:

https://zoom.us/webinar/register/WN_XND0ZpO4T520it2E3p9b7w

Oral testimony online is limited to items listed on the agenda. The registration to provide oral testimony online will remain open until the Public Testimony section on the agenda has concluded. You will need to register prior to this time if you would like to orally testify. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting and further instructions on how to provide oral testimony during the virtual meeting. To provide oral testimony online, you will need (1) a computer or mobile device to connect to the internet, (2) internet access, and (3) a microphone to provide oral testimony. Oral testimony online will be limited to five (5) minutes. Oral testimony by phone will **not** be accepted at this time.

**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 09/22/20. 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.


Trustee John Waihe'e IV, Chair

Committee on Beneficiary Advocacy and Empowerment

09/17/2020

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

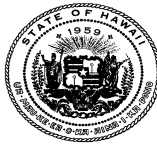
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**MEETING OF THE
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**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

February 19, 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 Colette Machado

EXCUSED:

Trustee Robert Lindsey

BOT STAFF:

Alyssa-Marie Kau
Bethann Hihina Ahsing
Brandon Mitsuda
Carol Ho'omanawanui
Crayn Akina
Lei-Ann Durant
Maria Calderon
Melissa Wennihan
Nathan Takeuchi

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pouhana / CEO
Lisa Watkins-Victorino, Ka Pou Nui Kūikawā / Interim COO
Annie Kauhane, PP
Daniel Santos, IT
Davis Price, CO
Everett Ohta, CC
Jenifer Jenkins, PP
Jocelyn Doane, PP
Kai Markell, COMP
Keola Lindsey, ADV
Olan Fisher, PP
Raina Gushiken, CC
Wayne Tanaka, ADV

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, February 19, 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'ĀINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	

At the Call to Order, **EIGHT (8) Trustees are PRESENT**, thereby constituting a quorum.

EXCUSED from the BAE Meeting are:

MEMBERS			COMMENT
TRUSTEE	ROBERT	LINDSEY	MEMO – REQUESTING TO BE EXCUSED

Chair Waihe'e would like the record to show that some materials (IV. A. and V. A.) 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: Aloha Trustees, I'm just going to go over really, briefly the legislative calendar, as a reminder. So, we just passed a significant deadline last week Friday which was the deadline for any bills that have more than one Committee Referral. We have another deadline next week Friday. So, this week and next will be hearings for all the bills that the Legislators want to hear that have one committee left.

So how that relates to our package; OHA-1 The House bill died a really, slow, bad death. As Trustees know, sometimes we introduce bills because we think they're going to pass and sometimes we introduce bills to start a conversation. I think this is consistent with our advocacy; Hawaiians should have a seat at the table for decision making on our Lands and Resources. So, this is one sort of attempt to do that, and we will continue to urge on the non-compliant members of Boards and Counsels that don't attend our training course to do so.

The Senate version is still alive – we actually reached out to Senator Rhoads about three of our bills in order to move OHA-1, OHA-2 and OHA-5 in the Senate. They're trying to get through the double referral bills this week, but we are hopeful.

OHA-3, this is the one that died a slow death – I think Chair and other members have brought up concerns that we have related to Historic Preservation. Unfortunately, this bill didn't pass but we're continuing to have conversations about how to improve the current processes. In fact, there are Historic Preservation related provisions in the legislative leadership bills that are moving. We've been successful at getting some of our suggested amendments in and I'll talk a little bit more about that when we get to the next matrix.

OHA-4, is a resolution we have a lot of time for; it already moved out of Hawaiian Affairs in the Senate. We will continue to watch that and hopefully it moves in the House as well.

OHA-5, this is our Land Liability bill - the Senate version is still alive.

OHA-6, the water storage for Wahiawā; both bills are moving. The House version has a blank dollar amount. Hopefully WAM or FIN will be scheduling this hearing in the next week.

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. ACTION ITEM: BAE #20-01: Approval of Nominees for the O'ahu Island Burial Council, Kaua'i & Ni'ihau Island Burial Council, Maui & Lāna'i Island Burial Council, and Hawai'i Island Burial Council

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

Ka Pouhana Hussey calls on Chief Advocate Keola Lindsey to walk us through the Action Item.

Chief Advocate Lindsey: Aloha Chair and Vice Chair, Trustees of the Committee. We presented to you folks for review and consideration an action today. Our recommended candidates for appointment to Island Burial Councils across the State. Some of the candidates are being recommended for appointment for the first time, other candidates have gone through an appointment before and are recommended as reappointments.

The Governor appoints nominees to the Burial Council and must choose 20% of the final nominees from OHA's list. Over the years OHA has worked to address some of the operational issues related to the Councils to make sure they can function, that's still an ongoing effort for some of the councils. We believe the candidates we've presented to you for consideration are all qualified for the kuleana to serve on these Councils and will contribute to getting those councils functioning on the different islands.

Trustee Hulu Lindsey: I was curious - *what is the process that we go through to receive our nominations?*

Chief Advocate Lindsey: We request a resume, and a Statement of why someone wants to serve on a Burial Council.

Trustee Hulu Lindsey: *Are these volunteers?*

Chief Advocate Lindsey: Correct, they might get lunch or something while at the meetings.

Trustee Hulu Lindsey: I wondered how their names come forward to us.

Chief Advocate Lindsey: We send out on our Social Media platforms and website that we're seeking candidates. Some of it is word-of-mouth, encouraging people once those go out. Our Community Engagement paia has been helpful in getting the word out. We ask for information on why they want to serve, their experience with iwi kupuna specifically, community service overall and the connection to the regional area they would like to represent. We have an internal screening and review process and then recommendations come out from that internal process.

Trustee Hulu Lindsey: I'm grateful we have very responsible representatives from Maui. Thank you very much for their nominations.

Chief Advocate Lindsey: Mahalo.

Trustee Lee: To Trustee Hulu's point about good nominees from Maui; the candidate Walter Kalani Nakoa based on the bio was provided to us appears to live on Maui. I'm wondering why he's being nominated for the Kona region for the Hawai'i Island Burial Council.

Chief Advocate Lindsey: That was also something that I questioned during my review of the Action Item and I questioned our internal committee about that. Apparently, while Mr. Nakoa lived on Maui for a time and has specific Community experiences on Maui, he is clearly applying for the Kona regional representative and has family connections to that area. It just appears that he lived on Maui for some time and listed those experiences there in his letter of interest, but his family connections are to Kona and his desire is to serve on the Hawai'i Burial Council representing Kona.

Trustee Akaka: I see here in the discussion that OHA selects its nominees and annually transmits a list of these nominees to the Governor's office to fill current and pending vacancies. *What is the length of time that this position is for?*

Chief Advocate Lindsey: It's a 4-year term and folks can serve two terms consecutively, so eight years in a row. If they take a break (and I've heard varying lengths of time for a break) they can come back on again and serve additional terms after they have taken a break.

Trustee Machado: You know I'm not happy because you folks have not identified any Moloka'i Burial Council members; there are three vacancies currently. *Can you explain why no solicitation was done on island to inquire if there might be interest to serve?*

Chief Advocate Lindsey: The general way we pushed out opportunities for folks to be aware of the Burial Council process and to sign up failed on Moloka'i for this round. We're working on more specific ways that we can get into the Moloka'i community to not only let them know about the opportunity, but also to help folks learn more and apply.

We recognize that the way we tried to get the word out, didn't work for certain communities, including Moloka'i. We're going to be developing more specific and targeted outreach into Island Communities in other areas that are not represented to address that issue.

Trustee Machado: I feel terribly disappointed because we have an active Civic Club Association, I'm not sure why they weren't contacted. There's also an active Hawaiian Homes Association that could've been contacted to assist. To tell me that you folks failed, that makes me feel like my work was not being done as a representative and Trustee for the island. I'm beginning to wonder - *why did it fail?* Don't we have a full-time staff member that could've done some solicitation. She has a really, broad outreach contact list; or even contacting me and saying we have a deadline Chair - *can you help us?* There are some ways of coordinating. Over there we still operate by coconut wireless; bulletin boards still work for us. We don't always have to do electronic. I'm pissed that we could not get someone. Now they can't even hold a meeting because they won't have a quorum of members.

The next question I have relates to Mr. Nakoa; *isn't there a requirement that you have to live on the island that you represent?* Not because he lives on Maui and can show that he has genealogical ties to Kona and that he's not living there. I'm sure that the Community of Hawai'i Island may be perturbed with that arrangement where you didn't solicit somebody who actually lives on the 'āina. That's another screw up that took place. When you read his bio - it's all Maui, Maui, Maui. You've acknowledged that he's agreed and consented to serve for Hawai'i Island, because he's got connections. *How does that fit with people that live in Kona? Is that something OHA would like to be known for/as?*

On the reappointments that you have listed here in this category, you have Hina that's listed as a reappointment; *this is what term?* There are no descriptions - *is this her second term?*

Trustee Akaka: This is another one that says Kona region.

Trustee Hulu Lindsey: This is the same thing as the other one.

Trustee Lee: It says, Kona Region – Oahu Island.

Trustee Akaka: I see.

Trustee Machado: Let me focus on the reappointments - *so Norman Kaimulua is this his second term?* I would like you to give me an analysis of the reappointments on pages 5, 6 and 7. Let's begin with Hina, *is this her first or second term?*

Chief Advocate Lindsey: All of these folks are finishing their first term.

Public Policy Manager Doane: So, like other term limits, the term limit is consecutive. So, a councilperson for example could serve two terms, take a break and then serve again - this is the situation with Hina. She has maxed out in the past, but she's not maxed out currently. We confirmed eligibility. Normally we would confirm eligibility with the Governor's Boards and Commissions Office – Kamaile has been doing this now for six years. They don't keep track of anything, they don't respond timely, we do not get enough information from them. So, what we've been doing is working with Hinano from SHPD. Hinano confirmed the eligibility of all the re-nominations for us and their interest to continue to serve.

Trustee Machado: So if you look at Nalei Pate-Kahakalau; he served multiple terms in the 1990s and also served in the capacity as Chair during that time. So, we don't get a good picture of how many years he's truly served on the Burial Council. That's what I'm looking for - to get a sense of how long these people have served.

Public Policy Manager Doane: Right, so the problem is – the State's Governor's office doesn't keep those records properly and in fact the Lingle Burial Council Records were trashed so we don't even have that information available. As you can imagine, this is not necessarily a priority for the Governor's Boards and Commissions Office. We've struggled. At one point, we were trying to create a spreadsheet. So, we had all that information available, but the fact is that it's just not readily-and-easily available. Just to confirm though the law doesn't allow more than two consecutive terms. It allows more than two terms - it just doesn't allow more than two consecutive terms. Which is very similar to other Boards and Commissions and very similar to some term limited political positions, for example.

Trustee Machado: So, you bring up a good point about compliance on the reappointments; that's all I'm looking for. We want to make sure what we're doing is diligent and consistent with the time that they've served.

Public Policy Manager Doane: Absolutely. I think that's the really, important question that you've asked. We've really struggled over the years keeping track of that, because the Boards and Commissions Office have not responded to us. We've worked with Hinano from SHPD to confirm their eligibility.

Trustee Machado: Ok, now I know for the reappointment for Hina, there was a question raised about a possible conflict because she's now employed by OHA. So, I wanted to ask if Everett was in the room, to see whatever was communicated with the Ethics Commission.

Corporation Counsel Everett Ohta: Thank you. Based on an inquiry that was raised with our office yesterday afternoon - we did make an inquiry to the Ethics Commission Office. We then did receive confirmation that OHA is allowed - to provide the name of an OHA employee to the Burial Council.

Trustee Machado: So, *no conflict?*

Corporation Counsel Everett Ohta: There is no prohibition on OHA's nominee list, including an OHA employee.

Trustee Lee: Thank you Everett for looking into that. I'm glad that Ethics cleared that up. My concern is no one else asked this question until I asked it at 4:30 p.m. yesterday.

Public Policy Manager Doane: We've actually done this before. We nominated Onaona Maly when she was an employee on Lāna'i, as well as Pua Ishibashi – and they weren't serving for OHA, it was in their personal capacities. At the time we did Pua's in 2014, we did indeed contact the Ethics Commission, but we can't find the email because all our old emails were deleted. It's something we have specifically thought about. You're right, we did not reach out to counsel, but it is something that we've done before.

Trustee Lee: Thank you.

Chair Waihe'e: *Did they answer all of your concerns Trustee Machado?*

Trustee Machado: Yes, they did. Thank you for letting me vent.

Chair Waihe'e: The guy from Maui, they didn't respond to that completely.

Trustee Lee: *Did he move? Does he live on the Big Island, or does he still live on Maui?*

Chief Advocate Lindsey: For Mr. Nakoa, while he listed experience in the Community on Maui – he lists a P.O. Box in Kailua Kona and lists additional activities that he's involved with in Kona - where he is indicating a family connection to as well.

Chair Waihe'e: *Does he reside in Kona?*

Chief Advocate Lindsey: He has listed a P.O. Box, a business, and multiple other activities that he's involved with in Kailua Kona.

Trustee Machado: Thank you for letting me blow off some steam. If anything, if we don't get Mr. Nakoa resolved we need to bifurcate him out. I'm very uncomfortable in supporting his nomination. Having a P.O. Box isn't enough. The way to prove residency is an electric bill in the name or a land line, if he has it. It looks a little sketchy. He would be an OHA nominee and I want to make sure whoever we nominate, is compliant.

Trustee Akaka: *Can we discuss what the timeframe is here and if it's possible to see what our options are so Moloka'i is not left out?*

Public Policy Manager Doane: Yes, I would recommend that we vote on those that the Trustees feel comfortable with voting on today. The Governor has asked us to get names by a certain date which is why we're here now. With that said, we absolutely can do more outreach on Moloka'i specifically to recommend an interim appointment. Depending on how fast that goes, it could mean that a GM might not be submitted for them this session, but there are interim appointments and that has happened before. So, we absolutely have an opportunity to convince some of our 'ohana on Moloka'i to serve.

Trustee Akaka: *What's the latest date that we feel comfortable visiting this, to put it as an Action Item?*

Public Policy Manager Doane: There can be interim appointments, which means that the regular deadlines for GMs don't necessarily need to be met. I think if we have a meeting over the next couple days about an implementation plan, we can better assess whether-or-not they could sensibly make it. It's really, about whether-or-not the Governor is going to take our recommendations at this late time, and recommend a GM. Regardless, we could convince them to appoint someone for the interim. So, we may or may not meet the Session deadline, but we could still find an interim appointment.

Trustee Lee: Based on some comments, and a suggestion made before the meeting - that it's better to be right than fast;

I move that we defer this matter until all these many questions being brought to the table are addressed.

Chair Waihee: *Ok there's a motion to defer this matter, is there a second?*

Trustee Hulu Lindsey: ***Second.***

Chair Waihee: It's been moved by Trustee Lee, seconded by Trustee Hulu Lindsey to defer this matter. *Any discussion on the motion members?*

Trustee Akaka: *Can we discuss our options here?* On one hand I think it's good to defer, but on the other hand I don't want us to hold up the process of those that we feel comfortable voting on.

Chair Waihee: Yes, we can. *Ka Pouhana?*

Ka Pouhana Hussey: I was going to offer a process option. To the point of those that are comfortable in moving forward, but that Administration comes back with a memo that outlines and addresses all the questions that were asked as to eligibility.

In the case of the recommendation in the Kona region on Hawai'i Island for example, if there are no other Kona applicants then that's a different context to consider that person. We could bring back all the information that we have as to: how many people are serving, we're adding so many people on, how many people are there already and their terms so that the trustees have a holistic context council-by-council about the decision that they're making to move forward.

We would try to bring that within the week to be able to have it approved in time. As much as it's a timing issue, I empathize with Public Policy's piece on the Boards and Commissions. That office has not been responsive to us, on numerous other occasions, for other appointments. I'd rather be right and fully vetted, because this is our representation of putting forward all of these pieces, and then the Governor selecting. Fortunately, BAE meets weekly, so we can try to resolve some of the issues by the end of the month.

Public Policy Manager Doane: I have a strong recommendation that we move forward the positions and recommendations that the Committee feels comfortable with. Firstly, many of these boards have quorum issues. So, it may result in them not being able to meet, which can have bad impacts on recommendations that the Burial Councils make.

I strongly urge the trustees to move forward on the nominees that you feel comfortable with. I want to point out which might not have been as articulated as well as it could've been – the reappointments have already been substantially vetted by this Board. On all the reappointments, we have had numerous meetings on in the past. These are people that the Board has already voted on. Of course, if there was something in the interim that we wanted to discuss, that would be relevant.

The reason why we came to the BAE Committee with this today, is because of the BOT meeting tomorrow, and there is no BOT meeting scheduled for next week. This means we wouldn't get Board approval for a couple more weeks, which would potentially cause issues for having the Governor take our recommendations. So, I just wanted to point out those specific processes and make that recommendation.

Trustee Hulu Lindsey: I will withdraw my second.

Trustee Lee: You don't have to. It was pointed out to me by Trustee Ahuna correctly, that I was Out of Order because there was no motion before this body for us to defer.

Chair Waihee: That's correct.

Trustee Lee: Before we get the motion, I'd like to point out that I agree with what Jocelyn is saying. It is important that we move forward with what we can today. What I am extremely not happy about, is that the Trustees are being put in this position of rushing this decision – it's not like this came up two days ago; somebody knew that these appointments were coming up. This should've come before this committee last month, not today in the eleventh hour where we're making this rushed decision.

Trustee Lee moves to approve the following candidates as nominees for immediate appointment to the O'ahu Island Burial Council, Kaua'i & Ni'ihau Island Burial Council, Maui & Lāna'i Island Burial Council, and Hawai'i Island Burial Council:

- **Kyle K. Nakanelua**, *Nominee for Hāna regional representative on the Maui/Lāna'i Island Burial Council*
- **Susan Talbot Herhold**, *Nominee for Kohala regional representative on the Hawai'i Island Burial Council*
- **Naki'a Nae'ole**, *Nominee for Ko'olaupua regional representative on the O'ahu Island Burial Council*
- **Tatiana Kalaniopua Young**, *Nominee for Wai'anae regional representative on the O'ahu Island Burial Council*
- **Hinaleimoana Wong-Kalu**, *Nominee for reappointment for Kona regional representative on the O'ahu Island Burial Council*
- **Norman Kaimulua**, *Nominee for reappointment for Kona regional representative on the Hawai'i Island Burial Council*
- **Scott Haili Mahoney**, *Nominee for reappointment for Ka'u regional representative on the Hawai'i Island Burial Council*
- **Nalei Pate-Kahakalau**, *Nominee for reappointment for Hāmākua regional representative on the Hawai'i Island Burial Council*
- **Sandra Quinsa**, *Nominee for reappointment for Kōloa regional representative on the Kaua'i/Ni'ihau Island Burial Council*
- **Kaheleonalani Dukelow**, *Nominee for reappointment for Honua'ula regional representative on the Maui/Lāna'i Island Burial Council*

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**.

							1:40 p.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	1		X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				8	0	0	1

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

V. NEW BUSINESS

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

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

Ka Pouhana Hussey recalls on Public Policy Manager Jocelyn Doane and Senior Public Policy Advocate Wayne Tanaka to present.

Public Policy Manager Doane: Ok so, I have two recommended changes to the matrix, after some good discussions with the CEO and the Chair as well.

Page 3, Item 11 –SB43; this was a Short Form Bill. So, language was dropped into the bill Related to the Native Hawaiian Healing Practitioner Certification Process. We were originally recommending a position of Comment but I'm changing our recommendation to MONITOR. As a short recap; in 1998 the State of Hawai'i provided an exemption for Native Hawaiian Healers if they were certified and recognized by a panel convened by Papa Ola Lokahi from exercising their healing practices even though they're not necessarily fulfilling other related regulatory requirements. For example, if you practice medicine in the State of Hawai'i you have to be licensed to practice medicine.

What this specific exemption is – if a Healer is certified by a panel which is convened by Papa Ola Lokahi, they would have an exemption from that law. What Papa Ola Lokahi was required to do at that time was to convene panels of practitioners to recommend legislation for permanent implementation of a certification process for practitioners. Then the statute specifically allowed, however, interim certification by the Hawaiian Practitioner Community to recognize such healers through a panel that Papa Ola Lokahi brings forward together.

According to Papa Ola Lokahi, they've established kupuna councils over this time. Last year they convened an Ad-Hoc Committee of practitioners from multiple islands and disciplines to evaluate and codify policies and procedures. The bill itself would create an interim process which they're saying the law already allows them to do and that they've already initiated it. I think these issues are complicated and Native Hawaiian Practitioners have Constitutional Rights to exercise their rights, but of course are subject to reasonable regulations such as other regulatory requirements for certain practices.

Rather than getting involved directly, we wanted to watch what happens at the hearing and get some input about why the bill was introduced in the first place. Papa Ola Lokahi opposes this bill, so we are recommending MONITOR instead of ~~Comment~~.

Ka Pouhana Hussey: Papa Ola Lokahi's specific opposition is because that's a process that should be determined by the Practitioner Community and not the Legislative process.

Public Policy Manager Doane: I wanted to bring back the Blue Ribbon Commission Resolutions; there are three of them. Page 52 & 55, Item 247 – HCR35, Item 248 – HCR37, and Item 261 – SCR37; we're recommending a position change from ~~Comment~~ to MONITOR on all three of these resolutions. Of course, we support the idea of reconciliation, we have a long history of that. There's been some controversial statements about what Community members thought that meant, which I don't necessarily think we need to get into the fray of at this point. We know that there are things that the Legislature and the State can do now to reconcile with Hawaiians on different issues. We wanted to get input from the trustees if you have any strong feelings toward it.

Trustee Hulu Lindsey: I haven't read these Concurrent Resolutions, but I think it's very critical on HCR37 as far as how the Governor appoints or who he appoints. I get the feel from our people – they should decide what reconciliation process we want and not just anybody from the Community. I think if we're going to say anything it should be in strong support to let our people decide.

Trustee Machado: *What has been the sentiment and response from the Community at-large?* I understand there has been tremendous opposition.

Public Policy Manager Doane: I didn't read all the testimony, but I went to the hearing – There was a lot of discussion about past attempts, that this is what OHA was created for, there's lots of things you could do now... I think Community members came and were super-skeptical about the intent of the resolution. Also, there was lots of conversation from the Community about: who gets to be on it, there's no trust, and do you just want a predetermined outcome from this coming together. The Governor and the AG were up there and cheering on the idea.

Moving on to the **New Significant Bills**. Page 4, Item 18 – SB2442; this bill was originally a bill related to Kauhale style projects – it's a big initiative of the Lieutenant Governor. We are recommending a position of OPPOSE on this because the latest draft included all the exemptions in the Governor's Proclamation. It would only be in the bill for a pilot-period, but I've been here long enough to know that pilot's turn into permanent exemptions. So, this is consistent with bill positions we've taken in the past.

Page 6, Item 25 – SB3099; Trustees may recall that in 2017 the Legislature established the Climate Change Mitigation and Adaptation Commission, we have a representative on that Commission. They submitted a report in December 2017 with recommendations; the report names OHA but doesn't assign kuleana in the report itself.

This seems to be an implementation of staff regarding those recommendations. It would implement the recommendations of the report and direct the agencies to fulfill certain kuleana. The bill would attempt to require OHA to establish a Coastal Lands and Water Adaptation Working Group to consult with Native Hawaiians to develop adaptation plans to access Coastal Lands and Water impacted by sea-level rise. It also includes specifically, lands and waters in Papahānaumokuākea.

As drafted the Commission would include: the OHA CEO or designee, the DHHL Chair or designee, the Aha Moku Committee Chair or designee, three practitioners appointed by the Speaker of the House, Senate President and Governor, and three people with Climate Change background.

We're recommending a position of **SUPPORT WITH AMENDMENTS**. First, to change the scope slightly to include some things that are currently assigned in the bill to SHPD. We would recommend that OHA establish a working group to develop adaptation plans. Specifically, for: impacts to sea-level rise on historic properties of traditional and cultural significance, iwi kūpuna and their associated moepū, accessing coastal lands for traditional and customary practices and any other identified cultural resources.

We may actually also make some recommendations on the membership as well. Right now, the only membership OHA gets to determine is ourselves. If we're going to go out and do the work, it may be best that we get to decide who gets to be on the Commission itself. There's also some confusion with the Aha Moku Committee, because I believe the old members have expired already so I don't think they're currently functioning. So those would be our suggested amendments.

Moving into the **BILL POSITION CHANGES** - Page 7, Item 32 – SB2005; we're catching some companion bills. We already talked about the companion bill in depth last week – so we're recommending **SUPPORT** instead of ~~Monitor~~ on this version as well.

Page 7, Item 33 – SB2368; unfortunately, this is a bill that has been introduced every year and has not moved every year. Originally, it would have required use of 'okina and kahakō in State Letterheads and formal State Documents, but now it's been changed to allow it. So, we're recommending changing our position to **MONITOR** from ~~Support with Amendments~~.

Page 7, Item 34 – SB2620; this is the bill that would have changed the jurisdiction of certain district boundary amendments from the Land Use Commission to the County. The Committee has changed it substantially so we're recommending **COMMENT** rather than ~~Oppose~~.

Page 8, Item 35 – SB2940; this is the Stadium Authority bill. Originally, it would exempt the land that the Stadium owns in fee from §171-2 which means that they would be able to come up with their own rules. We're not objectionable to it, in concept. They made one important change from our suggestion. They added the coordinating language from §171-64.7 – so if they decide to sell it there will be a process and we'll get advanced notice. As a reminder, about 98.5% of the land is not ceded lands, so that's why we're suggesting **MONITOR**.

Senior Public Policy Advocate Wayne Tanaka: Page 8, Item 36 – SB3019; this bill was introduced by Senator Kahele. Originally, it would've directed the DLNR to permit Traditional Farming in all subzones of the Conservation District. Our original recommendation was **Comment** because it was unclear what the bill specifically wanted to do. The bill was amended to direct DLNR to engage in rulemaking to allow for Traditional Farming explicitly in the subzones. So, we are now recommending a change to **SUPPORT** instead of ~~Comment~~.

Public Policy Manager Doane: Page 8, Item 37 – SB3104; this is the Leadership Housing Omnibus bill that we talked about. As a reminder, the four components that we had been weighing in on was: the Land Use Commission provision, the SHPD amendment provision, a shift of allowing HHFDC to do 99-year leases on lands that they don't own, and the last provision is related to the Affordable Housing definition. We're recommending COMMENT instead of ~~Oppose~~ because substantial changes were made. It has a hearing next Tuesday before WAM. So, if any other substantial changes are made, we'll be back.

Senior Public Policy Advocate Wayne Tanaka: Page 9, Item 38 – SB2417; this bill originally would've elevated the promotion of Game Mammals & Commercial Fishing. It also would've mandated all State agencies to update their rules and policies to reflect the same. We raised concerns in our testimony acknowledging that hunting is a critical part of our beneficiaries' subsistence lifestyles. However, at the same time the process involving watersheds and commercial fishing can be devastating for the resources that our beneficiaries rely upon. We suggested some amended language that would reflect a better balance in the considerations and the committee adopted that language. So, we are recommending changing our position from ~~Oppose~~ to COMMENT.

Public Policy Manager Doane: The last updates I wanted to give to the trustees are on the bills that **specifically name OHA** – some of them might not be on the matrix anymore. The Residential Kaka'ako Bill did not get a hearing, so it died.

The bill that would require all grants and contracts to be approved by the Board and have the PLT Negotiating Committee is also dead, so it's no longer on the matrix.

The bill that would allow removal of the Administrator by a majority of those present is still alive. We had good discussions with the Judiciary Chair. We have asked him to not hear the bill and/or if he did hear the bill to make some suggested amendments which include making clear that they meant 'the majority-of-the-entire Board', not those present.

We also suggested making what the amount is, consistent with the Board By-Laws. So that, if we wanted to change it to majority, the statute would allow us to do it, but not require us to do it. That's on Page 49, Item 234 – SB3178. So, it's still alive.

That is all for the OHA-specific updates that I wanted to bring to your attention, so that's all I have for today.

Thank you.

Chair Waihe'e: Thank you Jocelyn.

**Trustee Ahuna moves to approve Administration's recommendations on:
NEW BILLS (Items 1 - 31) and BILL POSITIONS FOR RECONSIDERATION (Items 32 - 38),
along with the following revisions:**

CHANGE items:

- 11, SB43 from ~~Comment~~ to **MONITOR**; and
- 247, 248, and 261; HCR35, HCR37, and SCR37 respectively, from ~~Comment~~ to **MONITOR**

on the OHA Legislative Positioning Matrix dated February 19, 2020, as amended.

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills					
1	HB1132	RELATING TO PUBLIC MEETINGS.	Requires legislative bodies subject to sunshine laws to publish notice of the substantive content of any measure being heard or decided on. Changes the time to file a suit to void a final action taken in violation of sunshine laws from within ninety days to within one hundred eighty days of the action.	MONITOR	
2	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)	MONITOR	
3	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.	COMMENT	
4	HB2112	RELATING TO HOMELESSNESS.	Requires the office of the lieutenant governor to convene a working group to examine the feasibility of establishing and implementing a kauhale pilot program based on specified criteria to provide shelter and other services to homeless individuals in the State and to submit a report of the working group's findings and recommendations, including any proposed legislation, to the legislature prior to the regular session of 2021. Takes effect on December 31, 2059. (HD1)	MONITOR	
5	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)	MONITOR	
6	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)	MONITOR	

7	HB2720	RELATING TO GENDER EQUITY.	Requires publicly held domestic and foreign corporations to include certain numbers of females among their boards of directors. Authorizes administrative fines for noncompliance. Takes effect on January 1, 2050. (HD1)	MONITOR	
8	HB2749	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. Takes effect on 7/1/2050. (HD1)	COMMENT	
9	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. 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 July 1, 2050. (HD1)	COMMENT	
10	SB4	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	
11	SB43	RELATING TO HAWAIIAN AFFAIRS.	Creates a statewide supplementary certification board for the practitioners of traditional native Hawaiian healing arts, where practitioners may be certified to practice. (SD1)	COMMENT	Comment >>> MONITOR
12	SB2052	RELATING TO LOAN FORGIVENESS FOR EARLY CHILDHOOD EDUCATION PROFESSIONALS.	Adds early childhood education students to the Hawai'i educator loan program to allow the education loans of those individuals to be forgiven after five years teaching in early childhood education. Appropriates funds. (SD1)	MONITOR	
13	SB2055	RELATING TO GOVERNMENT.	Establishes a state government realignment commission to periodically review the state executive branch's departments, divisions, and agencies, including functions and services, and submit its findings and recommendations to the legislature.	MONITOR	
14	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. (SD1)	MONITOR	
15	SB2073	RELATING TO EDUCATION.	Requires the Department of Education, in collaboration with the Department of Business, Economic Development, and Tourism, the Department of Labor and Industrial Relations, and the University of Hawai'i, to develop and implement a K-12 curriculum-to-career-pipeline initiative to ensure that the State's public school students are adequately trained and prepared to enter the State's workforce upon graduation from high school. Appropriates funds for the development and implementation of the program, including for (1.0) FTE Educational Specialist II staff position.	MONITOR	

16	SB2253	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. (SD1)	MONITOR
17	SB2258	RELATING TO CRIMINAL DEFENSE.	Prohibits defendants from claiming that discovery, knowledge, or disclosure of a victim's gender, gender identity, gender expression, or sexual orientation resulted in extreme mental or emotional disturbance sufficient to reduce a charge of murder to a charge of manslaughter unless the other circumstances of a defendant's explanation exist and are sufficient to reasonably find extreme mental or emotional disturbance.	MONITOR
18	SB2442	RELATING TO HOMELESSNESS.	Establishes the kahale pilot program to provide shelter and certain services to homeless individuals. Appropriates funds for the kahale pilot program. Appropriates funds for two FTE employees for the Hawai'i Housing Finance and Development Corporation. (SD1)	OPPOSE
19	SB2491	RELATING TO FAMILY LEAVE.	Provides family leave insurance benefits and extends period of family leave to sixteen weeks for businesses that employs one or more employees who meet the hourly qualifications. Effective 7/1/2050. (SD1)	MONITOR
20	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.	COMMENT
21	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. (SD1)	COMMENT
22	SB2689	RELATING TO RURAL DISTRICTS.	Allows one dwelling per quarter-acre in rural districts.	MONITOR
23	SB2951	RELATING TO SHORT-TERM RENTAL ASSISTANCE.	Creates the short-term rental assistance fund; establishes the short-term rental assistance program.	MONITOR
24	SB2952	RELATING TO HOUSING.	Appropriates funds for the state rent supplement program. (SD1)	MONITOR
25	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. (SD1)	SUPPORT WITH AMENDMEN TS

26	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)	MONITOR
27	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. (SD1)	MONITOR
28	HR20		RECOGNIZING THE 15TH ANNIVERSARY OF THE LEGACY LAND CONSERVATION PROGRAM.	SUPPORT
29	HR24		COMMENDING DUANE DESOTO AND MALIA KA'AIHUE FOR THEIR COMMITMENT AND OUTSTANDING INVOLVEMENT IN THE NATIVE HAWAIIAN COMMUNITY.	MONITOR
30	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.	MONITOR
31	GM550		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, DAWN CHANG, for a term to expire 06-30-2023.	MONITOR

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
Bill Positions for Reconsideration					
32	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 >> SUPPORT	
33	SB2368	RELATING TO HAWAIIAN LANGUAGE.	Clarifies that native Hawaiians, as the indigenous people of Hawai'i, have the right to revitalize, use, develop, and transmit to future generations their histories, language, oral traditions, philosophies, writing systems, and literatures, and to designate and retain their own names for communities, places, and persons. (SD1)	SWA >> MONITOR	
34	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)	OPPOSE >> COMMENT	
35	SB2940	RELATING TO THE STADIUM DEVELOPMENT DISTRICT.	Establishes the stadium development special fund. 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. (SD1)	COMMENT >> MONITOR	
36	SB3019	RELATING TO TRADITIONAL HAWAIIAN PRACTICES.	Requires the department of land and natural resources to develop administrative rules to allow for traditional Hawaiian farming systems and tiny homes in association with the farming systems on lands designated as conservation districts. (SD1)	COMMENT >> SUPPORT	
37	SB3104	RELATING TO LAND DEVELOPMENT.	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 a period not to exceed ninety-nine years, 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 program to the Legislature by December 31, 2020, which addresses various housing concerns, including the steps necessary to end the State's housing shortage. Authorizes the issuance of \$200,000,000 in general obligation bonds, with the proceeds used for the establishment of infrastructure to support the development of housing on lands near the University of Hawai'i West O'ahu campus. Defective date 7/1/3000. (SD1)	OPPOSE >> COMMENT	

38	SB2417	RELATING TO SUSTAINABILITY.	Recognizes 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. (SD1)	OPPOSE >> COMMENT	
Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
2020 Legislative Session (Bill Positions Previously Approved)					
247	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 HAWAI'I, AND UNITED STATES OF AMERICA.	COMMENT	Comment >>> MONITOR
248	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	Comment >>> MONITOR
261	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 HAWAI'I, AND UNITED STATES OF AMERICA.	COMMENT	Comment >>> MONITOR

Trustee Akaka seconds the motion.

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

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

							2:09 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA	1		X			
VICE-CHAIR KALEIHIKINA	AKAKA		2	X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				8	0	0	1

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 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.

							2:12 p.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			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				8	0	0	1

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 September 23, 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, September 23, 2020**TIME:** 10:00 am**PLACE:** Virtual MeetingViewable at www.oaha.org/livestream OR

Listen by phone: (213) 338-8477,

Webinar ID: 920 4649 8729

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Twelfth Supplementary Proclamation dated August 20, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at www.oaha.org/livestream or listen by phone: (213) 338-8477, Webinar ID: 920-4649-8729

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
 - A. February 19, 2020
 - B. February 26, 2020
 - C. March 4, 2020
- IV. Unfinished Business
- V. New Business
 - A. OHA Federal Legislative Positioning - Matrix**† - Advocacy (Washington, D.C. Bureau)
 - B. OHA D.C. Bureau Updates - Advocacy (Washington, D.C. Bureau)
 - C. 2020 Legislative Session Report**† and 2021 Legislative Session Preparation – Advocacy (Public Policy)
- VI. Announcements
- VII. 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@oaha.org no later than three (3) business days prior to the date of the meeting.

Meeting materials will be available to the public on Friday, September 18, 2020 and posted to OHA's website at: www.oaha.org/bae

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS**

560 N. NIMITZ HIGHWAY, SUITE 200

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

February 26, 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
Trustee Colette Machado

BOT STAFF:

Alyssa-Marie Kau
Anuheia Patoc
Bethann Hihina Ahsing
Crayn Akina
Melissa Wennihan
Nathan Takeuchi
Paul Harleman

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pouhana
Lisa Watkins-Victorino, Ka Pou Nui Kūikawā
Annie Kauhane, PP
Jenifer Jenkins, PP
Jocelyn Doane, PP
Olan Fisher, PP
Wayne Tanaka, ADV

EXCUSED:

Trustee Robert Lindsey

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, February 26, 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	
TRUSTEE	LEINA'ALA	AHU ISA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'ĀINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	Arrived at 10:04 a.m.
TRUSTEE	COLETTE	MACHADO	PRESENT	Arrived at 10:04 a.m.
VICE-CHAIR	KALEIHIKINA	AKAKA	PRESENT	Arrived at 10:10 a.m.

At the Call to Order, **FIVE (5) Trustees are PRESENT**, thereby constituting a quorum.

EXCUSED from the BAE Meeting are:

MEMBERS			COMMENT
TRUSTEE	ROBERT	LINDSEY	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

A. January 29, 2020

Trustee Hulu Lindsey moves to approve the minutes of January 29, 2020.

Trustee Ahu Isa seconds the motion.

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

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

							10:03 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA		2	X			
DAN	AHUNA						Arrived at 10:04 a.m.
VICE-CHAIR KALEIHIKINA	AKAKA						Arrived at 10:10 a.m.
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						Arrived at 10:04 a.m.
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				5	0	0	4

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION CARRIES**.

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: Aloha Trustees. We are rapidly approaching a deadline on Friday. So, all bills need to get through its last committee in its originating house by Friday, in order to successfully move forward. Then there is going to be a third reading deadline the week after.

With regards to our bills; OHA-1 had a hearing on Monday - they're going to hold decision-making in a couple of days. Basically, what's happening is the Judiciary Chair doesn't know if he wants to move the bill with the requirement that four members of the BLNR and four members of the LUC get appointed from a list of names from OHA. So, they're having conversations regarding it now; we'll see if they can reach a compromise.

OHA-2, Our Employment Discrimination bills are both moving, which we are excited about. It might be the only bill of ours that will pass.

OHA-3, is officially Dead.

OHA-4, is a resolution we still have a lot of time for.

OHA-5, it looks like we have not been able to convince the Judiciary Chair to hear it. Today will probably be the last day that hearings get posted for Friday. So, we are still, keeping our fingers crossed.

OHA-6, we've never done a CIP before, so we're trying to still understand the process. We've been chatting with the WAM staff. It is still alive and hopefully we'll have an update on it for you next week.

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 Pouhana Sylvia Hussey.

Ka Pouhana Hussey calls on Public Policy Manager Jocelyn Doane and Senior Public Policy Advocate Wayne Tanaka to present.

Public Policy Manager Doane: So, we have one change that we would like to make to the matrix after having a chance to talk to Justice Klein. Page 5, Item 24 – HB1821; we are recommending a change from ~~Monitor~~ to OPPOSE. This bill actually or hopefully died yesterday, but in case it comes back we wanted to be on record opposing it. Wayne will explain why.

Senior Public Policy Advocate Tanaka: Our concerns with this bill is that it may restrict access to the courts and justice for our beneficiaries. It limits the use of declaratory actions which basically is a legal intervention where parties try to ascertain their rights in an issue - even if there hasn't been an actual injury and even if there are other forms of relief. This bill would require that there clearly be an injury for a plaintiff and that the plaintiff's injuries are greater than that of the general public. It would also prohibit declaratory actions seeking with prospective relief in terms of constitutional rights. Since it would limit these legal mechanisms that are used by public interest programs like: NHLC and Earth Justice; 'they' have been opposing this measure.

Public Policy Manager Doane: I'm going to skip the three **New Significant Bills**. Item 2 we already approved a couple of weeks ago, so I'm not going to go over them unless the trustees have a question.

I am going to go over **BILL POSITION CHANGE RECOMMENDATIONS**. Page 1, Item 4 – HB2062; we are recommending a position change from ~~Monitor~~ to COMMENT. The bill would create a Statewide Coordinator and a Program within the Department of Human Services to address needs of sexually exploited children. It would also create a steering committee. Our comments would request that OHA be a part of that steering committee to ensure that there are solutions specifically addressed for our beneficiaries' needs.

Page 1, Item 5 – HB2297; this is identical to five other bills in your matrix already. What this bill would do, like the other bills, is open-up flexible policies to be available on lands that they (HHFDC) don't own. So, the Governor could set aside any State lands to them and/or State agencies could lease their lands to them. These are, for the most part, all Public Land Trust Lands / Ceded Lands. Therefore, we are asking for consideration of Native Hawaiian-specific interest; the way we've been asking for having an allocation of units to OHA or DHHL. So, we're asking that we get approval to COMMENT on this actual bill, consistent with the other bills. Therefore, our recommendation is changing from ~~Monitor~~ to COMMENT.

Page 2, Item 6 – HB2544; we're recommending a position change from ~~Monitor~~ to OPPOSE.

Senior Public Policy Advocate Tanaka: This measure would establish a School Facilities Agency to hold title to land and oversee development projects for those lands. It doesn't have any Chapter 171 Exemptions although we're going to be monitoring closely for those. What is concerning is that this agency, in its development of lands, would be exempt from Chapter 343 and Chapter 6E. There's some language in the bill that requires the agency to adopt rules that offer substantially similar protections as provided under Chapter 343. There's nothing that regards Chapter 6E, so essentially this agency could develop lands that could impact iwi kupuna. There would be no requirement for historic preservation review or anything like that. Therefore, for those reasons we are recommending changing from ~~Monitor~~ to OPPOSE.

Public Policy Manager Doane: Page 2, Item 7 –SB1363; this is the Public Land Trust bill that has a hearing today. We're recommending a position change from ~~Support~~ to SUPPORT WITH AMENDMENTS (SWA). Basically, this bill is identical to a bill in our 2018 package, except the first committee that moved this out last year blanked out all the amounts. So, the 'SWA' would be to recommend for the amounts to be put back in; which would be at this point \$35 million and \$159 million a year. The way we came up with the \$159 million - we took the \$35 million and subtracted the \$15.1 million and multiplied it by the eight years since the Kaka'ako "Settlement".

There are two other **RESURRECTED BILLS** that we already have positions on from 2019, that have carried over.

Page 22, Item 99 – SB568; you may recall last year, the State of Hawai'i passed a bill that would allow an "X" Gender Marker on regular drivers licenses. This bill would allow removal of all gender markers on limited purpose drivers licenses. Our position was SUPPORT and we are still recommending that.

Page 23, Item 102 – SB749; this is one of the Quiet Title Bills. Our position has been SUPPORT. This bill just got a hearing. So, we wanted to bring it back to your attention because we haven't talked about it yet this session. If an Action to Quiet Title kuleana lands is brought, the defendant may ask the court to require mandatory mediation and require the plaintiffs to bear the cost of the mediation. The idea is trying to get the families to work it out before different legal interests are brought in.

Those were all the New or Resurrected Bills. I do want to go over the **BILLS THAT NAME OHA OR DHHL** to give you a status update. None of the Water bills moved. Page 25, Item 113 – SB2043; this is one of those HHFDC forever, long 99-year lease bills, it has a hearing today. Units to OHA and/or DHHL, to specifically account for our Public Land Trust interest, is in this bill.

Page 34, Item 154 – SB2387; you might recall there was a bill that moved that was introduced by Senator Keohokalole and the Hawaiian Affairs Caucus to appropriate funds to DHHL and OHA. This bill must get a hearing by Friday in order to move.

Page 34, Item 155 – SB2388; this is the increase in Public Funds availability for OHA Elections, it did not get a hearing yet.

Page 35, Item 159 – SB2414; this is the OHA Election Randomization Bill – it has a hearing tomorrow.

Page 49, Item 227 – SB3099; the WAM Committee didn't move this bill, it doesn't look like they've taken our suggested amendments. We're hoping to get that conversation continued in the House.

Page 49, Item 228 – SB3104; this is the Leadership Housing Bill. It had a hearing yesterday and decision making will be on Friday. Last week we were invited to attend a meeting that was convened by PRP – they've been a part of discussions with some of the Legislative Leadership on this bill before session started.

Page 51, Item 236 – SB3178; this is the bill that would change how to remove the OHA Administrator. Judiciary has not scheduled it, which we had specifically asked for and I don't anticipate that happening today.

The last ones are the Blue Ribbon Commission Resolutions, there hasn't been any movement on them yet.

Those are all the updates I wanted to bring to your attention today.
Thank you.

Chair Waihe'e: Thank you Jocelyn. Members; *are any questions on the OHA Legislative Package?*

There are none.

Vice Chair Akaka moves to approve Administration's recommendations on:

NEW BILLS (Items 1 - 3) and BILL POSITIONS FOR RECONSIDERATION (Items 4 - 8), along with the following revision:

CHANGE item:

- 24, HB1821, from ~~Monitor~~ to **OPPOSE**;

on the OHA Legislative Positioning Matrix dated February 26, 2020, as amended.

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills					
1	SB35	RELATING TO EDUCATION.	Establishes a safe space program within alternative learning centers in the department of education to support students by providing twenty-four hours per day seven days per week emergency crisis services. Makes an appropriation. (SD1)	MONITOR	
2	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	
3	SB3062	RELATING TO THE CONVEYANCE TAX.	Removes the cap to be paid into the rental housing revolving fund from Conveyance Tax revenues. (SD1)	MONITOR	
Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
Bill Positions for Reconsideration					
4	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)	MONITOR >> COMMENT	
5	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)	MONITOR >> COMMENT	
6	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 >> OPPOSE	

7	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. (SD1)	SUPPORT >> SUPPORT WITH AMENDMENTS	
8	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. (SD1)	MONITOR >> OPPOSE	
Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
2020 LEGISLATIVE SESSION (Bill Positions Previously Approved)					
24	HB1821	RELATING TO DECLARATORY JUDGMENTS.	Prohibits declaratory judgments when there is a cause of action and in other certain instances. Requires a plaintiff to show a personal stake in the actual controversy beyond a general disagreement or complaint by requiring a showing of an injury-in-fact.	MONITOR	Monitor >>> OPPOSE

Trustee Ahu Isa seconds the motion.

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

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

							10:34 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA		2	X			
DAN	AHUNA			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			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				8	0	0	1

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.

							10:35 a.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						EXCUSED
COLETTE	MACHADO		2	X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				8	0	0	1

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

Chair Waihe'e adjourns the BAE meeting at 10:35 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 September 23, 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

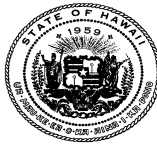
Trustee Keli'i Akina, At-Large

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, September 23, 2020**TIME:** 10:00 am**PLACE:** Virtual MeetingViewable at www.oha.org/livestream OR

Listen by phone: (213) 338-8477,

Webinar ID: 920 4649 8729

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Twelfth Supplementary Proclamation dated August 20, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listen by phone: (213) 338-8477, Webinar ID: 920-4649-8729

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
 - A. February 19, 2020
 - B. February 26, 2020
 - C. March 4, 2020
- IV. Unfinished Business
- V. New Business
 - A. OHA Federal Legislative Positioning - Matrix**† - Advocacy (Washington, D.C. Bureau)
 - B. OHA D.C. Bureau Updates - Advocacy (Washington, D.C. Bureau)
 - C. 2020 Legislative Session Report**† and 2021 Legislative Session Preparation – Advocacy (Public Policy)
- VI. Announcements
- VII. 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.

Meeting materials will be available to the public on Friday, September 18, 2020 and posted to OHA's website at: www.oha.org/bae

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

March 4, 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

BOT STAFF:

Alyssa-Marie Kau
Brandon Mitsuda
Crayn Akina
Kama Hopkins
Kauikeaolani Wailehua
Lei Ann Durant
Maria Calderon
Mark Watanabe
Melissa Wennihan
Nathan Takeuchi

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pouhana
Annie Kauhane, PP
Everett Ohta, CC
Gloria Palma, ADV
Jenifer Jenkins, PP
Jocelyn Doane, PP
Kai Markell, COMP
Keola Lindsey, ADV
Olan Fisher, PP
Raina Gushiken, CC
Wayne Tanaka, ADV

GUESTS:

Pamela Bunn, Esq.

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, March 4, 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	

At the Call to Order, **NINE (9) Trustees are PRESENT**, thereby constituting a quorum.

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

- A. February 5, 2020
- B. February 12, 2020

BAE Vice-Chair Akaka moves to approve the minutes of February 5 and 12, 2020.

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.

							1:01 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	1		X			
KELI'I	AKINA			X			
BRENDON KALEI'AINA	LEE			X			
CARMEN HULU	LINDSEY			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 notes for the record that all members present vote 'AE (YES) and the MOTION CARRIES.

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: Good afternoon Trustees, your fearless Public Policy Manager Jocelyn Doane is here to present.

Public Policy Manager Doane: Hi Trustees, so going through our package – it's doing surprisingly decently. OHA-1, the Senate version just moved over to the House – we originally requested four of the seven BLNR and four of the nine LUC members be appointed from a list from OHA; it was amended to be one which is still a victory. They were originally proposing to take it out, so we advocated and luckily the conversation is still alive. So that bill should pass. An important thing to note though is that the House Water and Land Chair didn't even hear the last bill, so we have some requests to make and meetings to have, to see if we can convince him to do that – maybe he'll like the one member better than the four.

OHA-2; our Employment Discrimination bills - both have crossed over from its respective chambers. They'll likely be heard between the 16th and 20th of this month in order to keep moving.

OHA-3, died a while ago, which we're not shocked about. The discussions happening at the legislature is less about increasing the regulations for Historic Preservation and more about changing the regulations.

OHA-4, our resolutions are doing fine. The resolution introduction deadline is on Friday, and our Senate resolution has already met its deadline; it just needs to crossover to the House. The House resolution will probably get its committee assignment when the rest are assigned.

OHA-5, also died unfortunately. As we've discussed in the past, the plaintiff's attorney lobbyists are very powerful. We knew this was going to be an uphill battle.

OHA-6, is doing surprisingly well. The Senate version is crossing over to the House.

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 Pouhana Sylvia Hussey.

Ka Pouhana Hussey recalls on Public Policy Manager Jocelyn Doane and Senior Public Policy Advocate Wayne Tanaka to present.

Public Policy Manager Doane: So, we have one new resolution for your consideration, and a couple of measures that are not on the matrix because they were just introduced yesterday. SCR70 & SR37 are resolutions being introduced by the State Women's Commission related to a missing and murdered indigenous women task force. There's been a lot of discussion nationally about missing and murdered indigenous women across the country. Up to this point we have not necessarily looked at data as how it relates to Native Hawaiians specifically.

The State Women's Commission would be required to convene a Task Force and would also need the Administrator of the Task Force to determine the scope of the issue and report, investigate and compile data relating to missing and murdered Native Hawaiian women and girls in Hawai'i. We would be on the Commission along with: the Prosecuting Attorney and Police Chief of every County, the Attorney General and the Administrative Director of the Courts, the Director of Health, the Director of Human Health Services and some Community service providers, including Papa Ola Lokahi. The Commission would be required to report their findings at the end of 2021. We talked a little about data related to sex trafficking and Native Hawaiians specifically, so we think that there may be an issue here. We think it is a good idea to support, so we're recommending a position of SUPPORT on that. That's the only change I'm recommending. There are a few new measures that I'm going to go over really, quickly.

Page 2, There are eight resolutions related to potential sales by primarily HHFDC. You may recall that we have a policy to oppose almost any sale of ceded lands; we have some exceptions.

Items 6 & 10 – HCR20 & SCR23; are related to a portion of a street that would be sold to the City. I believe they're trying to condense projects, so this is related to kupuna rentals. This is a street, which makes it highly likely to be sold in the future and it's going to the City. So, we would recommend a position of MONITOR.

Items 7 & 11 – HCR21 & SCR24; on Inoaole Street in Waimanalo are ceded. 174 of 190 units have already been purchased and they started selling them before OHA filed their lawsuit. So, we would not recommend oppose for that reason – we are recommending MONITOR.

Items 8, 9, 12 & 13– HCR22, HCR23, SCR25 & SCR26; on Kuahelani Avenue and Mehe'ula Parkway in Mililani are not ceded lands, so we would recommend MONITOR on those as well.

There are a couple of **BILL POSITION CHANGE RECOMMENDATIONS** that we need to make, but I wanted to talk about all the HHFDC exemptions to 172 bills together to see how the Trustees want to proceed with them in a consistent way.

I spent the last two days re-reading all these bills to make sure I understand them, looking back at HHFDC's administrative rules and statutes. So, I want to go through all of them, and you'll note there are question marks because I want to have a discussion with the Trustees about what they do and then we can talk about what makes sense.

The first one is HB2297 – as a reminder DLNR has management and control over almost all of the State lands. There are exceptions to that rule - so basically what that means is that there is a framework of how Hawai'i can manage most of its Public Lands in a transparent way; an accountable way. In that Chapter you have lease length maximums, most of which are 65 years. There are provisions that only allow lease length extensions in certain circumstances and under certain circumstances. It requires for the most part, Fair Market Value, except for when you're leasing to another State agency or to a Non-Profit. We think that those processes and the transparent processes to make sure that they manage the Public Lands are really, important and we rely upon that for many things, including evaluation. That's how lands get leased. Different State agencies including HHFDC may exercise management and control over lands that they own. The rule is generally the exceptions to when DLNR has management, oversight and control; or for when a State agency truly owns the land.

HHFDC can currently do Affordable Housing with an unlimited number of years. That's not what they generally do now, but they could. So, that's really, important to understand because when you change who gets to decide and what rules apply, then you change things like: accountability, transparency, how evaluation is determined and then of course how long a property can be leased for.

HB2297 is one of the many bills we're going to discuss that would expand the applicability of HHFDC's disposition policies which is found in their statutes and rules to apply to substantially increase lands and in this instance it would be lands set aside to HHFDC primarily for Affordable Housing. So, this would not be lands leased from another State agency which is a policy being considered on a bunch of different bills. So, the set aside process is that the Governor decides that he/she is going to set aside lands to HHFDC and the BLNR would have to approve of it. So, there is some level of transparency there because the Board would have an opportunity to assess the situation. This specific bill does not include a provision that requires HHFDC to transfer units to OHA or DHHL.

There have been a lot of questions from the community about some of these bills like;

- *What lands are we talking about? and*
- *How do you know what lands we're going to use?*

The policy itself that is being proposed would be for any lands the Governor is willing to set aside to them, which are all public lands which are primarily and overwhelmingly ceded.

As the trustees know, we generally oppose any long-term leases and the form in which they've been taking over recent years is 99-years on Ceded or Public Land Trust Lands. With the multi-generations involved, you start creating a scenario where lessees feel like they own the land. Every year I see lessees at the legislature looking for policies to poke holes through some of these processes to let them have longer leases; overwhelmingly that's what the conversation is.

Trustee Lee: Just for clarification for the Board, our original position on this measure last year was Oppose and then we changed it to Comment.

Public Policy Manager Doane: So, generally we've opposed all 99-year lease bills. This bill would allow for leases even longer than 99 years. We would also oppose any exemptions to §171-2 that does not also make sure that they clearly comply with §171-64.7. We did change our position from Oppose to Comment because they made the amendment that we had asked for.

However, what has happened over the last year is that these bills have decreased after more research into §201H; a process which we never really had to do before. I don't know of any crazy, long leases on property we care about that they've done. Also, I do not think they've been doing a lot of super, long leases, but now it's a conversation and that's real. In learning more about the §201H processes, I've realized there is no lease term so that made me worried. Thus, I'm bringing this up today because I want the trustees to understand the context in which this is all happening so that we can decide as a Board what position we want to take.

Chair Waihe'e: Members, *does anybody have any insight?*

Trustee Lee: I think our opinion should be that these are our lands; and they're going to take it away from us again and lease it out into perpetuity. Our beneficiaries see the benefit to that and saying that Affordable Housing is a benefit is a flat out lie because there's no guarantee that it will go to our beneficiaries. If it's Affordable Housing - for sure no money is going to come to our beneficiaries. The purpose of Affordable Housing isn't to make money.

Trustee Ahuna: So, *what position do we want to take?*

Trustee Lee: I would agree with the position we took last year changing from Oppose to Comment, with the comments being that we want these provisions included. If we get questioned, which I'm sure we will; then we will fight against it because they're taking our land again.

Chair Waihe'e: If I understand correctly, we were opposing it until they made changes that made it so we commented, but now they moved those changes; *why wouldn't the recommendation go back to Oppose?*

Public Policy Manager Doane: So, it's a little bit more complicated than that – right now there are six bills that do the same §171-2 thing. We didn't totally realize what they could do, and the bills look really, different. Some of the bills do say '99 years' - some of the bills are silent and because they're silent – that means we have to learn about all the statutes and rules that would apply in those instances which we're less savvy about. I'm learning new information about how all these statutes work together. That's why I'm bringing them all to you now. I didn't realize at the time that we changed our position to comment - that they could do lease lengths forever.

Chair Waihe'e: I guess what I'm asking is, if they don't even have the bare minimum that changed it from Oppose to Comment – *why wouldn't you just recommend Oppose?*

Trustee Lee: I would have to agree with Trustee Waihe'e.

Public Policy Manager Doane: They made the change that we asked them to make last year.

Trustee Lee: *Then they took it out?*

Public Policy Manager Doane: No, they did not. What I'm trying to say and maybe I'm not doing the best of articulating it - is that now that I know what this truly means - an issue of which I was less aware of last year. Now that I know what this means I have more information then I'm bringing to the Board about what it means in practice. I know this is confusing because we've talked about it in detail with the other bills. This bill is not detailed like the other bills; it just has simple statutory changes. So, to understand the legal and policy implications of those changes, required more research.

Chair Waihe'e: The question I'm asking is *why aren't you recommending Oppose?* Everything that you're saying is making it even more so that we should Oppose it then we did before and your recommendation is currently Comment with a question mark.

Trustee Lee: Let me put it a different way, if you had known last year what you know now – *would you have to come to us with a recommendation to change to Comment or would we have left it as Oppose?*

Public Policy Manager Doane: I'm sorry, I understand your question. I wanted input from the trustees because the reason why we were opposing is nuance and sometimes difficult to explain to the lay person – where it would just look like we're opposing Affordable Housing projects. So, I wanted to make sure that we had a buy-in from all the trustees about the decisions that we're making. That's why I didn't come with a pre-recommendation.

Trustee Robert Lindsey: Whenever in your learning and trying to get a good sense about any bill, if in your mind these bills are detrimental to our basic mission, then clearly in my head, if I was sitting in your place, I'd say this is not good for our people and we should Oppose.

Public Policy Manager Doane: Ok, so what I'm hearing, is that the sentiment is that we would likely Oppose these kinds of bills and I just want to make sure that is where we're all at. Then, accordingly and consistent with that, I would recommend that we also Oppose Items 16, 18 and 19 – SB2036, SB2308 and SB3104.

Trustee Akina: *What would these bills have to reflect in order of us not to Oppose them?*

Public Policy Manager Doane: There would have to be some explicit consideration for Native Hawaiian interest, which are in two bills that we are not recommending Oppose on – Items 87 (SB2043) and 148 (SB2946). The gist is they want to provide more lands for HHFDC to build more housing; it makes sense. The only concerns that have been raised that I have heard; is fair housing and remuneration in these two bills that we are recommending COMMENT on.

Trustee Robert Lindsey: Housing is one of our Strategic Priorities and we know that Housing is critical for our State and our people. *Do we have data to show how this impacts our mission and how many of our Hawaiian people this would benefit?*

Public Policy Manager Doane: In all of our testimony we show how we're particularly impacted by the Housing crisis. We just go and show Housing data specifically for Native Hawaiians that was just published a month or so ago. Our needs are as needy as everyone else and the fact that we make less money than others. So absolutely the need and justification for Native Hawaiians to specifically be considered for housing is there. We wrote the language in a way that would give HHFDC flexibility for determining what kinds of projects would make sense to have DHHL units. So, if it's the will of the Board, I will recommend that we OPPOSE items 15, 16, 18 and 19.

Trustee Lee: With the understanding that we're going share our concerns with them, we won't just say that we stand on our position; we will highlight our concerns.

Public Policy Manager Doane: Yes, we will be clear that we are not just opposing the bills and share the ways that we've identified to address our concerns in our testimony.

Trustee Akina: *Is it too late to pursue amending these bills?*

Public Policy Manager Doane: No, they're all crossing over. Honestly as it relates to Item 19, it crossed over with a clean effective date, so there's a high probability that it will not be amended at all in the House and will be adopted early.

Trustee Machado: SB3104, there's a portion that says *exempts from the definition of Public Lands not set aside by the Governor or leased by any State Department or agency to the Hawai'i Housing Finance and Development Corporation*. That grabs me the wrong way, that's why we must Oppose.

Public Policy Manager Doane: Yes, that language is in all four of the bills.

Trustee Machado: That's critical.

Public Policy Manager Doane: Ok. So, if there are no other questions about the Affordable Housing bills then I'll move on. Page 3, Item 17 – SB2308; This is just a correction from last week, we didn't catch the companion. This is related to a sex trafficking committee and we would ask that OHA be put on there.

If you'll entertain us for a few more minutes there are some other **KEY BILLS** that I'd like to go over, we are not asking for any changes on these.

Page 16, Item 82 – SB1363; this is the Public Land Trust Bill with blanks. I think they absolutely moved this bill because they took us out of the other bill, but as you know this will be a huge uphill battle in the House. This bill is crossing over.

Page 22, Item 113 – SB2414; we went over this last week, the OHA Election Randomization Bill – they deleted the language that would randomization per precinct, so it might be that it's only randomized once. Whereas the last version would've had alphabetical randomization per precinct.

Senior Public Policy Advocate Tanaka: Page 10, Item 54 – HB2191; this measure would authorize the Board of Land and Natural Resources to extend all Commercial, Industrial, Resort, and Government Leases for up to 40 years. We've been continuing to OPPOSE because such authority would allow DLNR to essentially issue leases that would extend for over a century.

Public Policy Manager Doane: One last one. Page 31, Item 161 – SB3103; this is the School's Facilities Bill that you may have seen in the news. It would establish a School Facilities agency that would kind of take over the responsibility of DAGS, but also potentially talk about other uses on school property. The horrible thing about this bill is that it exempts the agency from Chapter 6E completely, and it also has an exemption from 343 (EIS).

Those are all the updates I wanted to bring to your attention today.

Thank you.

Chair Waihe'e: Thank you Jocelyn. Members *are there any questions on the OHA Legislative Positioning?*

There are none.

Trustee Ahuna moves to approve Administration's recommendations on:

NEW BILLS (Items 1 - 14) and where BILL POSITIONS FOR RECONSIDERATION Items are changed as follows:

- 15; HB2297 from ~~Comment~~ to OPPOSE
- 16; SB2036 from ~~Comment~~ to OPPOSE
- 17; SB2308 from ~~Monitor~~ to COMMENT
- 18; SB2648 from ~~Monitor~~ to OPPOSE
- 19; SB3104 from ~~Comment~~ to OPPOSE;

along with the following revision:

- ADD both SCR70 and SR37 as SUPPORT

on the OHA Legislative Positioning Matrix dated March 4, 2020, as amended.

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
New Bills					
ADD	SCR70 / SR37		REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO CONDUCT A STUDY ON MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS AND TO SUBMIT A REPORT ON THE STUDY TO THE LEGISLATURE.		SUPPORT
1	HB1620	RELATING TO THE ADMINISTRATION OF JUSTICE.	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. 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)	MONITOR	

2	SB1256	RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4.	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. 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)	MONITOR
3	SB2033	RELATING TO THE ADMINISTRATION OF JUSTICE.	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)	MONITOR
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)	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)	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.	MONITOR
7	HCR21		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-613 INOAOLE STREET, WAIMĀNALO, HAWAI'I.	MONITOR
8	HCR22		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-033 KUAHELANI AVENUE, NO. 133, MILILANI, HAWAI'I.	MONITOR
9	HCR23		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-942 MEHE'ULA PARKWAY, NO. 244, MILILANI, HAWAI'I.	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.	MONITOR
11	SCR24		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-613 INOAOLE STREET, WAIMĀNALO, HAWAI'I.	MONITOR
12	SCR25		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-033 KUAHELANI AVENUE, NO. 133, MILILANI, HAWAI'I.	MONITOR
13	SCR26		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-942 MEHE'ULA PARKWAY, NO. 244, MILILANI, HAWAI'I.	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.	MONITOR

Bills that were discussed					
ITEM	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
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)	COMMENT >> ?	Comment >>> OPPOSE
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)	COMMENT >> ?	Comment >>> OPPOSE
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)	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)	MONITOR >> ?	Monitor >>> OPPOSE
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)	COMMENT >> ?	Comment >>> OPPOSE

Vice Chair Akaka seconds the motion.

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

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

							Motion: 1:54 p.m. Vote: 1:55 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA	1		X			
VICE-CHAIR KALEIHIKINA	AKAKA		2	X			
KELI'I	AKINA			X			
BRENDON KALEI'AINA	LEE			X			
CARMEN HULU	LINDSEY					1-Kanalua 2-Kanalua = ABSTAIN	
ROBERT	LINDSEY			X			
COLETTE	MACHADO			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				8	0	1	0

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

V. NEW BUSINESS

B. ACTION ITEM: BAE #20-02: Approval of Nominee(s) for the Moloka'i Island Burial Council

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

Ka Pouhana Hussey recalls on Chief Advocate Keola Lindsey.

Chief Advocate Keola Lindsey: Aloha Chair, Vice-Chair, and Trustees. I'm presenting to you folks today for your review and consideration, an action item recommending approval of an OHA nominee to the Moloka'i Island Burial Council. Included in the Action Item attachments is the background information about the applicant and staff's review has confirmed that this applicant is well-qualified and committed to serve and is aware of the responsibilities that come with the position. This nominee, though it is just one person, is critical for the Moloka'i Council because that council has five seats and quorum is a 'majority of the seats the council is entitled to'. They currently only have two seats filled so with this nominee they would be able to start conducting meetings again. Since we last met two weeks ago, we were given many names for consideration and this person was the only one who has made it through our process during the timeframe. We're still working on some of the other names to get through the process and hope to come back later to add more names for consideration.

Chair Waihe'e: Ok, thank you. Members: *can we get a motion on the table before we move into any discussion?*

Trustee Machado moves to approve the Office of Hawaiian Affairs' 2020 Nomination of Ms. Frances "Makanani" Cobb-Adams for immediate appointment to the Moloka'i Island Burial Council.

Trustee Robert Lindsey seconds the motion.

Chair Waihe'e asks if there is any discussion.

Trustee Lee: I just wanted to inform the Committee that I've known Fran since she was four. She's a 13-year Senior from Kamehameha Schools, so I've known her pretty much my whole life.

Trustee Hulu Lindsey: Her mother danced hula for me.

Trustee Ahuna: I know her very well, from when we were kids too.

Trustee Hulu Lindsey: Call for the vote.

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

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

							Motion: 1:59 p.m. Vote: 2:01 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			X			
ROBERT	LINDSEY		2	X			
COLETTE	MACHADO	1		X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				9	0	0	0

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

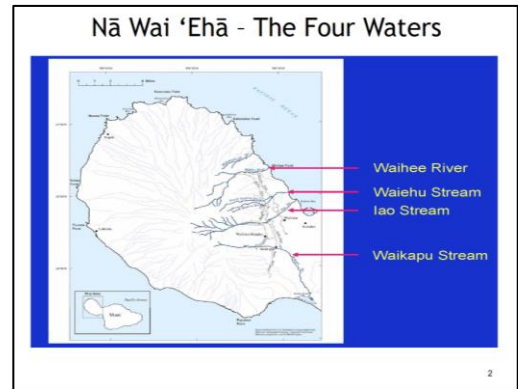
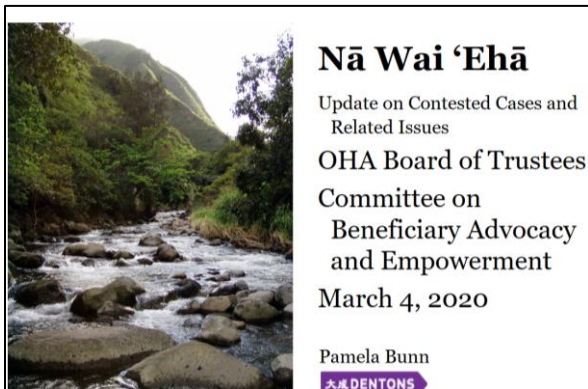
V. NEW BUSINESS

C. Briefing on the background and history of OHA participation in Nā Wai ‘Ehā (Maui) litigation and related matters.

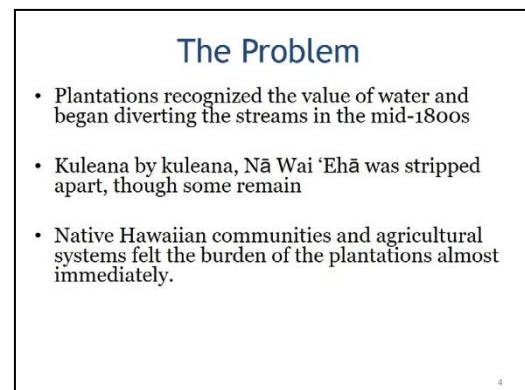
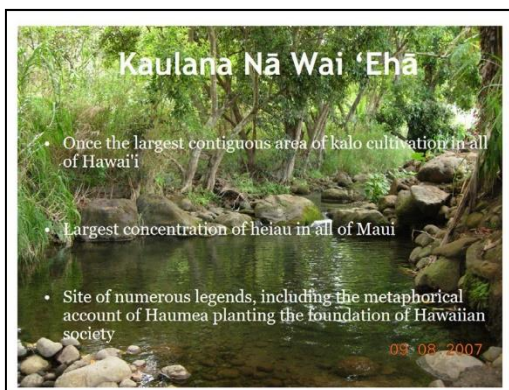
Chair Waihe‘e turns it back over to Ka Pouhana Sylvia Hussey.

Ka Pouhana Hussey recalls on Public Policy Manager Jocelyn Doane and Pamela Bunn, Esq. to provide some background and context.

Pamela Bunn: Good afternoon. For about sixteen years now it's been my privilege and honor to represent OHA in the Nā Wai ‘Ehā Contested Cases and I do enjoy periodically coming in to update you. I'm hoping we're going to have news soon because as you'll see we're getting to the point where we're expecting a decision from the commission. Before that happens, I wanted to make sure you folks were updated. This case concerns Nā Wai ‘Ehā which are the four great waters of Maui; Waihe‘e River, Waiehu Stream, ‘Iao Stream which has now gone back to its original name Wailuku River and Waikapū Stream.



This is a legendary region of Maui; it was once the largest contiguous area of cultivation in all of Hawai‘i. It has the largest concentration of heiau and it's the site of numerous legends. The problem has been that from the mid-1800s the plantations recognized the value of the abundant water in Nā Wai ‘Ehā and began diverting streams for sugar cultivation. The kuleana started disappearing as the Sugar planters bought up for very cheaply the water and put it in this diversion system and moved a lot of it to the Central plains for sugar. The Native Hawaiian Communities and the Agricultural Systems were impacted immediately.



Until late 2018 the waters of the four streams were controlled by HC&S and Wailuku Water Company which had previously been Wailuku Agribusiness and Wailuku Sugar.

they did was HC&S started using Wailuku Water's share of the water so that it wouldn't have to use its Well. Then the electricity that it saved; it could sell to MECO because HC&S generated its own electricity. Diversions posed a problem for the communities of Nā Wai 'Ehā; most were without sufficient water to grow kalo on their kuleana lands.

Late 1980s - The Plantations Need Less Water, but Diversions Continue

- Wailuku Agribusiness Company (now Wailuku Water Company) ceased sugar cultivation, then ceased agriculture and starts selling off its lands. By early 2000s, it had no more use for water
- HC&S completed conversion from flood irrigation to drip irrigation
- Instead of reducing diversions, HC&S uses Wailuku's "share" of the diverted water and stops using Well No. 7

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The Problems with Diversions

- Traditional and customary Hawaiian rights are impaired
 - Some beneficiaries struggle to grow kalo with insufficient water, and some cannot grow kalo on their kuleana land at all
 - Lack of mauka to makai flow interrupts the life cycles of the native stream organisms, such as 'o'opu, opae, and hihiwai, making these organisms unavailable for gathering
 - Lack of streamflow has dried up coastal springs and wetlands
 - Lack of discharge at the mouths of the streams impairs the nearshore marine environment, diminishing traditional resources such as limu
- Other public trust uses, such as recreation, are impaired
- Recharge to the 'Āo Aquifer, which provides the drinking water for Central Maui, is decreased

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In 2007 these (slide below) were the goals OHA had for being involved in the Nā Wai 'Ehā case.

The first part of this - a petition to amend the Interim Instream Flow Standard. The IIFS defines the amount of water that's required to remain in the stream to support Public Trust uses. The four primary uses are: maintenance of the streams in their natural state, support for traditional and customary Native Hawaiian Rights, DHHL Reservations and drinking water for the general public. In the 1980s when the Water Code was first established, the legislature set the IIFS at the status quo. For every stream in Hawai'i whatever was flowing on the date it was set was the standard, and they stayed that way for a long time.

OHA's goals for Nā Wai 'Ehā

1. Re-establish year round flows in the streams of Nā Wai 'Ehā, from the summit of Pu'u Kukui and Mauna Kahalawai till they reach the Pacific Ocean
2. Return Public Trust resources to public control and management
3. Securing permanent stewardship & funding for the watersheds so there will be streams for the future

September 20, 2007

Admin Update - Nā Wai 'Ehā

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Petition to amend the IIFS

- Interim Instream Flow Standards define the amount of water required to remain in a stream to support Public Trust uses
- In 1980s, State set them at status quo – amount flowing at time
- Petition to amend the IIFS was filed by Community Groups on June 26, 2004
- This petition resulted in contested case hearing, in which OHA intervened

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This case is only the second time that the IIFS has been increased. Waiahaole was the first case and it took 17 years – so we're trying to do it a little faster this time. The petition was filed by two community groups. Hui o Nā Wai 'Ehā and Maui Tomorrow in 2004 and OHA intervened in support of the community groups. The hearings were in late 2007 and early 2008. OHA's consistent position in the Contested Case was that there is enough water, if HC&S only used what it only needed.

Nā Wai 'Ehā Contested Case Hearing

Parties:

Hui o Nā Wai 'Ehā and Maui Tomorrow
County of Maui
Office of Hawaiian Affairs
Hawaiian Commercial & Sugar Company
Wailuku Water Company

Hearing Officer:

Dr. Lawrence Miike

Hearing:

24 Days of Hearings, from December 2007 to March 2008 (one day in October 2008)

Evidence:

77 Witnesses, more than 600 Exhibits

15

OHA's Position in Contested Case

There is enough water to irrigate HC&S's fields and support public trust uses, including the exercise of traditional and customary Native Hawaiian rights, if water HC&S does not actually need is left in Nā Wai 'Ehā

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We were able to establish in the Contested Case Hearing that HC&S was diverting approximately 20 million gallons per day (mgd) more than that it had an actual need for. Waiale reservoir leaked 6-8 million gallons a day and their internal ditches leaked another 3 million gallons a day and they were using more water on their crops than they needed. That 20 million gallons alone would've put a lot of water back in the streams. We go to the proposed decision in 2009, that was a decision from Dr. Miike that makes a recommendation to the full Water Commission. All the parties have an opportunity to make objections to his decision and to argue them before the Water Commission, and then the Commission as-a-whole votes.



17

April 9, 2009 Proposed Decision Recognized:

- The negative impact stream diversions have had on traditional and customary Hawaiian practices in Nā Wai 'Ehā
- The Commission's public trust duty to protect the exercise of these practices to the greatest extent practicable
- That restoration of sufficient flow is critical to perpetuating Hawaiian culture in Nā Wai 'Ehā

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He recognized that these stream diversions have a negative impact on Traditional and Customary Hawaiian Practices in Nā Wai 'Ehā, and he also recognized that the Commission has a Public Trust Duty to protect the exercise of Traditional and Customary Practices to the greatest extent practical. I think his most compelling finding was that restoration of sufficient flow is critical to perpetuating Hawaiian Culture in Nā Wai 'Ehā. His recommendation would've put a total of 34.5 mgd back in the four streams; more in the two rivers and less in the two streams which are considerably smaller.



4/9/09 Proposed Decision Recommended IIFS

• Waihe'e River	14 mgd
• Waiehu Stream	3.5 mgd
• Wailuku River	13 mgd
• Waikapū Stream	4 mgd
• TOTAL	34.5 mgd

Then it went to the full Commission for its decision, and it took almost a year. The full Commission left most of the findings intact, including the FOF 58 – that mauka to makai flow was critical for the perpetuation of Hawaiian Culture. Even so, they didn't restore any water at all to Wailuku River or to Waikapū Stream and they cut back on the amounts to Waihe'e River and Waiehu Stream.

	Proposed Decision (4/9/09)	Final Decision (6/10/10)
• Waihe'e River	14 mgd	10 mgd
• Waiehu Stream	3.5 mgd	2.5 mgd
• Wailuku River	13 mgd	0
• Waikapū Stream	4 mgd	0
• TOTAL	34.5 mgd	12.5 mgd



OHA appealed; and that took two years. We appealed in 2010 and got the decision in 2012, and it was a resounding win – the Hawai'i Supreme Court said no this doesn't satisfy your Public Trust responsibilities and you haven't even considered the feasibility of protecting Traditional and Customary Rights. They vacated the entire decision and remanded it back to the Commission. These were the issues that they wanted them to work out. (*Primary Issues on Remand slide*)

Supreme Court of Hawai'i
In re 'ĀO GROUND WATER MANAGEMENT AREA HIGH-LEVEL SOURCE WATER USE
PERMIT APPLICATIONS and Petition to Amend Interim Instream Flow Standards of Waihe'e River
and Waiehu, 'Āo, and Waikapu Streams Contested Case Hearing.
No. SCAP-30603.
Aug. 15, 2012.

In reviewing Hui/MTF's and OHA's points of error, the court concludes that the Commission on Water Resource Management erred in several respects.

First, in considering the effect of the IIFS on native Hawaiian practices in Na Wai 'Eha, the Commission failed to enter findings of fact and conclusions of law regarding the effect of the amended IIFS on traditional and customary native Hawaiian practices in Na Wai 'Eha, and regarding the feasibility of protecting any affected practices.

Second, the Commission's analysis of instream uses was incomplete, as it focused on amphidromous species and did not fully consider other instream uses to which witnesses testified during the hearings.

Third, the Commission erred in its consideration of alternative water sources and in its calculation of diverting parties' acreage and reasonable system losses.

The court must vacate the Commission's June 10, 2010 Findings of Fact, Conclusions of Law, Decision and Order, and remand the case for further proceedings.

128 Hawai'i 228, 231-32, 287 P.3d 129, 132-33.

Primary Issues on Remand

- Feasibility of protecting traditional and customary Native Hawaiian Rights
- Restoration of Flow to 'Āo and Waikapū
- HC&S's use of Well No. 7 as alternative to diverting from Nā Wai 'Ehā streams
- Use of recycled water from Kahului Treatment Plant as alternative
- Reduction of waste as alternative

As of 2012 we were back before the Commission. At the same time there were a few other things going on; the first was the designation of Nā Wai 'Ehā as a Surface Water Management Area.

Designation of Nā Wai 'Ehā as a Surface Water Management Area

- Designation effective April, 2008
- Requires all users of Nā Wai 'Ehā water to file Surface Water Use Permit Applications (SWUPAs) by April, 2009
- 125 SWUPAs for existing uses, 115 accepted as complete, 69 claimed appurtenant rights
- 72 SWUPAs for new uses, 51 claimed appurtenant rights

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Water Available for Offstream Use:

- Before permits can be issued for off-stream use, CWRM needs to know how much water is available
- Water that is required to remain in the stream to satisfy IIFS is unavailable
- Water required to satisfy appurtenant rights is unavailable

28

Appurtenant rights are interesting historically. They're the right to use the amount of water that was used on a parcel at the time it was converted to fee simple during the Māhele and they're treated as property right. They can also be extinguished. So, appurtenant rights don't last forever because their property rights can determine whether the easement follows the property. In the case before the court in *Reppun*, what had happened was the seller of the property put in the deed a reservation of the water rights. In *Reppun*, the court held that that severed the appurtenant right. You can't sever an appurtenant right from the land because it goes with the land, so if you attempt to sever it, you extinguish it.

Appurtenant (or Kuleana) Rights:

- The "rights to the use of water utilized by parcels of land at the time of their original conversion into fee simple land." *Reppun v. Bd. of Water Supply*, 65 Haw. 531, 551, 656 P.2d 57, 71 (1982).
- Kuleana rights are property rights – they are "incidents of land ownership", and constitute "an easement in favor of the [property with an appurtenant right] as the dominant estate." *Id.* (quoting *Peck v. Bailey*, 8 Haw. 658 (1867) (brackets in original)).
- Kuleana rights are expressly protected and preserved by the Hawai'i Constitution (Art. XI, § 7) and the State Water Code (HRS § 174C-101(d)), and their exercise is a public trust purpose.

29

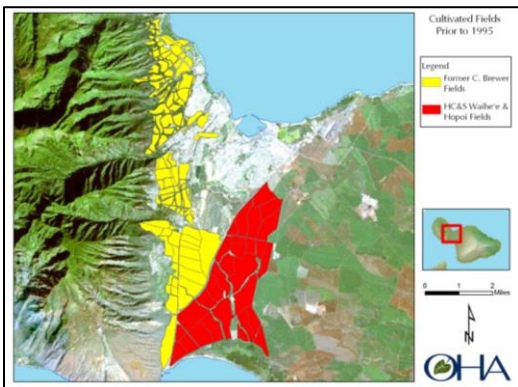
Extinguishment of Kuleana Rights:

In *Reppun*, Chief Justice Richardson held that an attempt to sever appurtenant rights from a parcel by reserving the rights in a deed had the effect of extinguishing the rights:

"We find, however, that while no appurtenant rights were effectively transferred in this case, *the deed that attempted to reserve such rights had the effect of extinguishing them.* For while easements appurtenant may not be utilized for other than the dominant estate, "[t]here is nothing to prevent a transferor from effectively providing that the benefit of an easement appurtenant shall not pass to the transferee of the dominant [estate]." *Id.*

Reppun, 65 Haw. at 552, 656 P.2d at 71 (emphasis added).

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Traditional and Customary Native Hawaiian Rights

HRS § 174C-101(c):

Traditional and customary rights of ahupua'a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778 shall not be abridged or denied by this chapter. Such traditional and customary rights shall include, but not be limited to, **the cultivation or propagation of taro on one's own kuleana** and the gathering of hihiiwai, opae, o'opu, limu, thatch, ti leaf, aho cord, and medicinal plants for subsistence, cultural and religious purposes.

See also Haw. Const., art. XII, § 7.

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During this process that lasted mostly into 2013 and 2014, OHA assisted many kuleana users in Nā Wai ‘Ehā to try and document their appurtenant rights where they had them. Dr. Miike was appointed as the Hearings Officer and they set out a structure and framework for how this would be done. The first phase was to determine whether the right did in fact exist. OHA’s Kīpuka database made it a lot easier for people to find their kuleana records.

Status of Kuleana Rights Determinations:

- OHA assisted many kuleana users in Nā Wai ‘Ehā to document their appurtenant rights
- Dr. Miike has been appointed Hearings Officer for the appurtenant rights determinations
- Appurtenant rights will be determined in two phases – first the existence of the right, and second, the amount of water the kuleana user is entitled to (this phase will be conducted in conjunction with the water permitting)
- The Hearings Officer has issued recommendations regarding the first phase, and a hearing was set for August 30, 2013 for CWRM to act on the recommendation, but it was postponed indefinitely

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Where are we now?

- Dr. Miike has been appointed Hearings Officer for the remand proceedings
- Issues on remand have been briefed, final briefs due 2/18/14
- Remand contested case hearing scheduled to start March 10, 2014 on Maui
- Chair has asked to parties to mediate

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In 2014 it took about 4 days of serious hard work, Robbie Alm was our mediator to reach a decision on new IIFS that almost doubled what we had in the 2010 final decision. With the mediated decision in hand that opened the way for everything else to be resolved.

	Proposed Decision (4/9/09)	Final Decision (6/10/10)	Mediated Decision (4/17/14)
• Waihe’e	14 mgd	10 mgd	10 mgd
• Waiehu	3.5 mgd	2.5 mgd	1.9 mgd
• Wailuku	13 mgd	0	10 mgd
• Waikapū	4 mgd	0	2.9 mgd
• TOTAL	34.5 mgd	12.5 mgd	24.8 mgd

Combined Contested Case Hearing

- **Appurtenant Rights Determinations**
(following the establishment of the Mediated IIFS, CWRM held “due process” hearings and issued a provisional order on December 31, 2014)
- **Surface Water Use Permits**
- **Petition for Upward Amendment of IIFS**
based on HC&S termination of sugar cultivation

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What was decided was that we would have a combined Contested Case. During the Contested Case HC&S announced it was no longer going to grow sugar and that it was going to give up its lease on part of the land. So, we filed a petition then to amend the IIFS upwards. The really, good news was that we had argued that appurtenant rights that are reserved are extinguished and relied much more heavily on the traditional and customary right to grow kalo. The hearing officer recognized that right as a basis for a permit; that had never happened before. Not only that, he prioritized those rights, so in deciding who was getting permits he categorized them.

Combined Contested Case Hearing

- Prehearing conferences in 2015 and 2016
- Prehearing briefing and IIFS Petition in early 2016
- 11 hearing days from July to October, 2016.
- 96 witnesses (76 SWUPA applicants) testified

37

Proposed FOF, COL, and D&O (11/1/2017)

- Recognized T&C right to cultivate kalo as basis for SWUPA, independent of appurtenant rights
- Prioritized T&C rights and appurtenant rights for T&C purposes as Category 1, existing uses and appurtenant rights for other purposes as Category 2, and new uses as Category 3.
- Increased the IIFS

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The proposed decision also increased the IIFS, not as much as we would've hoped, but it basically added 4 million gallons a day to Waihe'e River which is the largest of the four. Although the Hearing Officer recognized permitted and prioritized Traditional & Customary rights he imposed this restriction that has never been part of the law; which is that in order to establish that you have a Traditional & Customary right you have to prove that you have an ancestral connection both to the practice and to the location. That resulted in 2/3 of the beneficiaries who asserted Traditional & Customary rights being denied their permits for that. The other thing was that he found a way to revive the extinguished rights; as practical matter in this case it means several million gallons of water per day going to golf courses and gentlemen farms.

	Proposed Decision (4/9/09)	Final Decision (6/10/10)	Stip. Decision (4/17/14)	Prop. Decision (11/1/17)
• Waihe'e	14 mgd	10 mgd	10 mgd	14 mgd
• Waiehu	3.5 mgd	2.5 mgd	1.9 mgd	1.9 mgd
• Wailuku	13 mgd	0	10 mgd	10 mgd
• Waikapū	4 mgd	0	2.9 mgd	2.9 mgd
• TOTAL	34.5 mgd	12.5 mgd	24.8 mgd	28 mgd

BUT:

- While recognizing and prioritizing T&C rights, proposed decision imposed the extra-legal requirement that the practitioner's ancestors must have engaged in same practice on same land back to 1892. Resulted in 27 of the 41 beneficiaries who sought to exercise T&C rights to cultivate kalo being denied recognition of their T&C rights.
- Revived extinguished appurtenant rights, resulting in millions of gallons per day going to developers, gentlemen farms in Wailuku Country Estates, others who purchased their land knowing it had no water rights.

40

A couple things have changed since the 2017 proposed decision. One is that Mahi Pono purchased HC&S's property in December of 2018. In 2019 it substituted in for HC&S as a party. More recently in November 2019 we argued our exceptions to the commission. Now the commission has everything. It is in their hands, and what we're waiting for is a final decision.

Current Status

- Mahi Pono purchased HC&S's property in December 2018, and its May, 2019 motion to substitute for HC&S as a party was granted.
- The parties argued their exceptions to the Commission in November 2019. All that remains is for the Commission to issue a Final Decision.

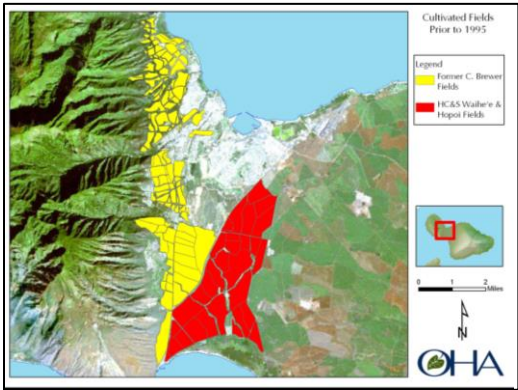
41

New Alliances

- HC&S gave up the lease for its Iao-Waikapu Fields in 2016 and, during the contested case hearing, OHA and the Community Groups reached an agreement with the Lessor, Waikapu Properties, which withdrew its claims for appurtenant rights.
- Before the November 2019 Commission hearing, OHA and the Community Groups reached an agreement with Mahi Pono on its water use and other valuable concessions.

42

We negotiated with Mahi Pono for several months, and the highlights are listed on the slides below.



Stipulation with Mahi Pono (pt. 2)

- MP's SWUPA 2206: Total 11.22 mgd (vs. 15.65 mgd for HC&S in proposed D&O)
 - Initial 2,500 gad over 3,740 acres (9.35 mgd)
 - Additional 500 gad (1.87 mgd), if MP:
 - ✓ meets all its Commitments
 - ✓ reaches and maintains 4.5 mgd Well 7 use
 - ✓ has actual need for additional water
 - ✓ implements plan to remediate system losses
 - ✓ provides info to verify conditions have been met.

45

Stipulation with Mahi Pono

- MP Commitments include:
 - MP supports and endorses Hui-MT/OHA's proposed IIFSs; will implement and comply.
 - Comprehensive and continual monitoring and reporting of stream and ditch flows, water uses, well use and salinity.
 - Recognize legal mandate of IIFS, prohibition against waste.
 - Immediate ditch improvements: bypass Wai'ale Reservoir, close low-flow intake at Spreckels.
 - Investigate and remediate system losses.
 - Potential assistance for North Waihe'e 'auwai reopening.
 - Non-transferable and ag-only conditions on permit.
 - Seek opportunities for native dryland ecosystem restoration.
 - Communication, transparency, information, site visits.

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Current Water Needs on Former HC&S Fields

'Iao-Waikapū Fields

HC&S 2009 SWUPA 2205
Existing use = 10.58 mgd

Waikapū Properties
= 1.81 mgd (D&O Table 2)

Waihe'e-Hopoi Fields

HC&S 2009 SWUPA 2206
Existing use = 36.29 mgd

Mahi Pono
= 9.35 - 11.22 mgd (Stip.)

TOTAL 2009 = 46.87 mgd

TOTAL Now = 11-13 mgd

As far as OHA's first goal; re-establishing year-round flows has been satisfied with the IIFS.

Returning the Public Trust resources was done through the designation, so now there is public control over those resources and anyone who wants to use stream water needs a permit.

As far as securing permanent stewardship and funding; that's our next task. I want to point out a couple of challenges; management of the ditch system – it is very old. Wailuku Water Company has been managing it for years, they're not making money at it anymore and they can't afford maintenance; there are gates that are frozen in place. So rather than trying to manage the flow into these ditches, they just set it and forget it. At some point they're going to abandon that system and that's going to put a lot of people struggling for how they're going to get water.

The other thing is the need to show cause to Wailuku Water Company as to why it shouldn't be regulated as a Public Utility and why it shouldn't have to apply for a CPCN.

OHA's goals for Nā Wai 'Ehā

1. Re-establish year round flows in the streams of Nā Wai 'Ehā, from the summit of Pu'u Kukui and Mauna Kahalawai till they reach the Pacific Ocean ([IIFS Petition](#))
2. Return Public Trust resources to Public Control and Management ([Designation](#))
3. Securing permanent stewardship & funding for the watersheds so there will be streams for the future (???)

September 20, 2007

Admin Update - Nā Wai 'Ehā

47

Challenges Ahead

1. Management of the Ditch system--What happens if/when it simply abandons the system?
2. PUC proceedings - will resume once Commission issues Final Decision on SWUPAs

September 20, 2007

Admin Update - Nā Wai 'Ehā

48

Whatever the final decision is, it is going to be historic. This case represents the first time that a watershed has ever been comprehensively managed. It's also the first surface water management area designation. The first time the commission has ever made determinations of appurtenant rights - it's been in the statute since the 1980s, but they've never done it before. It's the first recognition of the Traditional and Customary Rights to grow kalo as the basis for a water use permit.

The final slide contains photos of the streams today and if anyone has questions, I'd be happy to take them.

History Made

Whatever the Commission decides, it will be historic:

- First comprehensive management of watershed
- First surface water management area designation
- First appurtenant rights determinations
- First recognition of T&C right to cultivate kalo

September 30, 2007 Admin Update - Nā Wai 'Ehā 49



Chair Waihe'e: Thank you Pam. *Trustees are there any questions regarding the presentation?*

Trustee Akina: No question, but I did want to say that this is fascinating. Thank you and congratulations for all your work so far.

Pamela Bunn: I thank all of you.

Public Policy Manager Doane: I just wanted to give the big picture - I think that we have a lot about Nā Wai 'Ehā and the energy that our agency has put into it. Nā Wai 'Ehā is significant for many reasons, but the reason we decided to journey down this long path is because we see the implications being beyond Nā Wai 'Ehā – we see that the decisions made have impacted voluntarily updated interim instream flows on the West side of Maui and then it absolutely will and has affected what's happening in East Maui. So, I just wanted to point out how important this is for the Pae 'Āina.

Trustee Robert Lindsey: Pam, it's been a long journey and I want to thank you for staying with us all along the way.

VI. EXECUTIVE SESSION:

Chair Waihe'e asks for a motion to resolve into Executive Session pursuant to *HRS § 92-5(a)(4)*.

Trustee Hulu Lindsey moves to resolve into Executive Session.

BAE Vice-Chair Akaka seconds the motion.

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

Chair Waihe'e calls for a **Roll Call Vote**.

							2:47 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						Departed at 2:36 p.m.
DAN	AHUNA			X			
VICE-CHAIR KALEIHIKINA	AKAKA		2	X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						Departed at 2:36 p.m.
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

BAE Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION CARRIES**.

The committee resolved into Executive Session at 2:47 p.m. to discuss:

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.

The committee returned to Open Session at 2:57 p.m.

VII. COMMUNITY CONCERNS*

None

VIII. ANNOUNCEMENTS

Ka Pouhana Hussey: Just a couple quick announcements. We just sent out the hearing notice for the FCC update right before this meeting. So, you should have that in your inbox; it's tomorrow 1:15 p.m. - 3:15 p.m. The second announcement is that oral arguments on the Carmichael case related to DLNR's authority to holdover water revocable permits originally scheduled tomorrow has been moved to the 31st.

Chair Waihe'e: Thank you Pouhana.

IX. ADJOURNMENT

BAE Vice-Chair Akaka moves to adjourn the BAE meeting.

Trustee Hulu Lindsey 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.

							2:59 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						Departed at 2:36 p.m.
DAN	AHUNA			X			
VICE-CHAIR KALEIHIKINA	AKAKA	1		X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO						Departed at 2:36 p.m.
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 2:59 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 September 23, 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

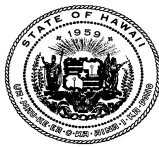
Trustee Keli'i Akina, At-Large

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, September 23, 2020**TIME:** 10:00 am**PLACE:** Virtual MeetingViewable at www.oaha.org/livestream OR

Listen by phone: (213) 338-8477,

Webinar ID: 920 4649 8729

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Twelfth Supplementary Proclamation dated August 20, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at www.oaha.org/livestream or listen by phone: (213) 338-8477, Webinar ID: 920-4649-8729

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
 - A. February 19, 2020
 - B. February 26, 2020
 - C. March 4, 2020
- IV. Unfinished Business
- V. New Business
 - A. OHA Federal Legislative Positioning - Matrix**† - Advocacy (Washington, D.C. Bureau)
 - B. OHA D.C. Bureau Updates - Advocacy (Washington, D.C. Bureau)
 - C. 2020 Legislative Session Report**† and 2021 Legislative Session Preparation – Advocacy (Public Policy)
- VI. Announcements
- VII. 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@oaha.org no later than three (3) business days prior to the date of the meeting.

Meeting materials will be available to the public on Friday, September 18, 2020 and posted to OHA's website at: www.oaha.org/bae

OHA Federal Priorities for the 116th Congress

ITEM NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRALS	POSITION
New Recommended Positions on Bills						
FED 9	S. 524	Department of Veterans Affairs Tribal Advisory Committee Act of 2019	Establishes the Department of Veterans Affairs Advisory Committee on Tribal and Indian Affairs to advise the Secretary of Veterans Affairs on matters relating to Indian tribes, tribal organizations, and Native American veterans, including Native Hawaiian veterans.	S: 1/29/2020 Reported out of Committee favorably without amendment	Senate Committee on Veterans' Affairs	WDCB Recommends: SUPPORT S. 524 <i>NOTE: The House bill as amended is not yet available</i>
	H.R. 2791			H: 7/30/2020 Reported out of Committee favorably as amended	House Committee on Veterans' Affairs	
FED 10	S. 1746	Explore America Act of 2019	Authorizes the provision of technical assistance under the Preserve America Program and directs the Secretary of the Interior to enter into partnerships with communities adjacent to units of the National Park System to leverage local cultural heritage tourism assets.	S: 6/5/2019 Introduced in Senate; Referred to Committee	Senate Committee on Energy and Natural Resources	WDCB Recommends: SUPPORT
	H.R. 5839			H: 2/20/2020 referred to Subcommittee on National Parks, Forests, Public Lands	House Committee on Natural Resources	
FED 11	S. 2384	Botanical Sciences and Native Plant Materials Research, Restoration, and Promotion Act	Promotes botanical research and botanical sciences capacity by proactively encouraging the use of native plants in projects on federal land when feasible, encouraging federal land management agencies to hire botanists, and establishing a collaborative grant program to support efforts to keep rare plant species from becoming endangered and help endangered plant species recover.	S: 7/31/2019 Introduced in Senate; Referred to Committee	Senate Committee on Energy and Natural Resources	WDCB Recommends: SUPPORT
	H.R. 1572			H: 7/18/2019 House Subcommittee on National Parks, Forests, Public Lands held hearing	House Committee on Natural Resources	
FED 12	S. 2741	Creating Opportunities Now for Necessary and Effective Care Technologies (CONNECT) for Health Act of 2019	Promotes higher quality of medical care, increased access to care, and reduced spending in Medicare through the expansion of telehealth services. Specifically, this bill would remove geographic and originating site restrictions for mental and emergency services, remove restrictions on Federally Qualified, Rural, and Native Hawaiian Health Centers for telehealth services, and require a study for more ways to expand access to telehealth services.	S: 10/30/2019 Introduced in Senate; Referred to Committee	Senate Committee on Finance	WDCB Recommends: SUPPORT
	H.R. 4932			H: 11/1/2019 Referred to Subcommittee on Health	House Committee on Energy and Commerce	

OHA Federal Priorities for the 116th Congress

ITEM NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRALS	POSITION
FED 13	S. 3181	Inspiring Nationally Vibrant Economies Sustaining Tribes (INVEST) Act of 2020	Expands the definition of low-income community for purposes of the new markets tax credit to include lands held in trust for Native Americans, lands that enclose all or part of an Indian tribal land, including Hawaiian Home Lands; prioritizes the allocation of credit amounts for investment in American Indian, Alaska Native, and Native Hawaiian communities and requires an allocation of at least 10% of credit amounts to certain Indian community development entities for investments that primarily serve low-income communities.	S: 1/9/2020 Introduced in Senate; Referred to Committee	Senate Committee on Finance	WDCB Recommends: SUPPORT
FED 14	S. 3232	Promoting Local Arts and Creative Economy Workforce (PLACE) Act of 2020	Promotes and supports the local arts and creative economy in the United States through new small business and creative workforce development grants, technical assistance for creative businesses, and new tax incentives to support the arts and creative economy. This bill also includes Native American expressions of their culture and heritage as activities eligible for these grants, assistance, and programs.	S: 1/28/2020 Introduced in Senate; Referred to Committee	Senate Committee on Finance	WDCB Recommends: SUPPORT
FED 15	S. 3328	Biliteracy Education Seal and Teaching (BEST) Act	Awards grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language. The act broadens the definition of “second language” to include Native American languages, and Classical Languages. Hawaii has established a Seal of Biliteracy program for graduating high school students meeting certain criteria.	S: 2/25/2020 Introduced in Senate; Referred to Committee	Senate Committee on Health, Education, Labor and Pensions	WDCB Recommends: SUPPORT
FED 16		Native American Language Vitalization Act	Establishes a Native American Language Vitalization and Training program within the U.S. Department of Education to award competitive grants to promote the preservation, revitalization, relevancy, and use of Native American languages, including ‘Ōlelo Hawai‘i.			WDCB Recommends: SUPPORT
	H.R. 4188			H: 8/16/2019 Introduced in House; Referred to Committee	House Committee on Education and Labor	
FED 18		Native American Housing Assistance and Self-Determination Reauthorization Act of 2019 (NAHASDA Reauthorization Act)	Reauthorizes the Native American Housing Assistance and Self-Determination Act of 1996, including authorization for the Native Hawaiian Housing Block Grant at \$13 Million, with annual incremental increases through Fiscal Year 2024			WDCB Recommends: SUPPORT
	H.R. 5319			H: 12/05/2019 Introduced in House; Referred to Committee	House Committee on Financial Services	

OHA Federal Priorities for the 116th Congress

ITEM NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRALS	POSITION
FED 19		Tribal Elder Care Improvement Act of 2019	Amends the Older Americans Act of 1965 to expand supportive services for Native American aging programs, including programs for Native Hawaiians			WDCB Recommends: SUPPORT
	H.R. 5323			H: 12/05/2019 Introduced in House; Referred to Committee	House Committee on Education and Labor	
FED 20	S. 3666	COVID-19 Designation of Immediate Special Authority of Spectrum for Tribes' Emergency Response (DISASTER) in Indian Country Act	Funds grants for the immediate deployment of wireless broadband on tribal lands and Hawaiian Home Lands and allows tribes, tribal entities, and the Director of the Department of Hawaiian Home Lands to apply for special temporary authority to use electromagnetic spectrum not currently in use.	S: 5/7/2020 Introduced in Senate; Referred to Committee	Senate Committee on Indian Affairs	WDCB Recommends: SUPPORT <i>NOTE: Admin provided a quote for Rep. Haaland's press release issued May 8, 2020</i>
	H.R. 6819			H: 05/12/2020 Introduced in House; Referred to Committee	House Committee on Energy and Commerce	
FED 21	S.3650	Coverage for Urban Indian Health Providers Act	Extends federal torts claim coverage for certain personal injury claims (i.e., medical malpractice liability protection) to urban Indian organizations and their employees by deeming them as part of the Public Health Service. Currently, such coverage is provided to Indian tribes, tribal organizations, Indian contractors, and their employees.	S: 07/29/2020 Committee ordered to be reported with an amendment favorably	Senate Committee on Indian Affairs	WDCB Recommends: Support Senate version, S. 3650, as amended
	H.R. 6535			H: 07/29/2020 House Committee on Natural Resources reported out by Unanimous Consent without amendment	House Committees on Natural Resources, Energy and Commerce, the Judiciary	
FED 22	S. 4331	Deploying the Internet by Guaranteeing Indian Tribes Autonomy over Licensing on (DIGITAL) Reservations Act	Preserves Indian Tribes' and Native Hawaiians' autonomy of access to spectrum over Tribal lands and expedites immediate deployment of telecommunications services for critical government services, including national emergencies, natural disasters, public health and biohazard threats, safety, education, opportunity to participate in the broadband economy, self-governance, access to Federal, State, and Tribal voting and elections, and the Federal census count, for the protection of life and property in furtherance of the Federal trust responsibility, among other things	S: 07/27/2020 Introduced in Senate; Referred to Committee	Senate Committee on Commerce, Science, and Transportation	WDCB Recommends: SUPPORT <i>NOTE: Admin provided a quote for Rep. Haaland's press release issued July 27, 2020</i>
	H.R. 7774			H: 8/21/2020 referred to Subcommittee for Indigenous Peoples of the United States	House Committees on Natural Resources and Energy and Commerce	

OHA Federal Priorities for the 116th Congress

ITEM NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRALS	POSITION
FED 23	S. 4571	2020 Census Deadline Extensions Act	Extends two key statutory deadlines by four months to give the agency enough time to compile accurate data sets. The deadline for the delivery of apportionment data to the U.S. House of Representatives is changed to April 30, 2021 from December 31, 2020; and the deadline for the delivery of redistricting data to the states is changed to July 31, 2021 from March 31, 2021. The bill would also require the Census Bureau to continue field operations through the original end date of 2020 Census field operations (October 31, 2020) to give the agency enough time to ensure a full and accurate count in hard-to-count communities like Native Hawaiians.	S: 09/15/2020 Introduced in Senate; Referred to Committee	Senate Homeland Security and Governmental Affairs Committee	WDCB Recommends: SUPPORT
Bill Positions for Reconsideration						
None at this time						
116th Congress (All positions previously taken)						
FED 2	S. 467	Native American Suicide Prevention Act of 2019	For any state receiving grants or under a cooperative agreement under the Public Health Service Act to implement an early intervention and prevention strategy, a state or eligible entity must collaborate with tribes, tribal organizations, urban Indian organizations, and Native Hawaiian health care systems in developing and implementing the strategy.	S: 2/13/2019 Introduced in Senate; Referred to Committee	Senate Committee on Health, Education, Labor and Pensions	SUPPORT BAE voted (April 10, 2019) BOT ratified (April 11, 2019)
	H.R. 1191			H: 2/14/2019 Referred to Subcommittee on Health	House Committee on Energy and Commerce	
FED 4	S. 126	Native American Millennium Challenge Demonstration Act	This bill creates a domestic version of the Millennium Challenge Corporation to form 5-year compacts for Native Hawaiian and Alaska Native organizations to invest in infrastructure projects.	S: 1/15/2019 Introduced in Senate; Referred to Committee	Senate Committee on Indian Affairs	SUPPORT BAE voted (August 21, 2019) BOT ratified (August 22, 2019)
	H.R. 558			H: 2/4/2019 Referred to Subcommittee on Indigenous Peoples of the United States	House Committee on Natural Resources	
FED 6	S. 2165	Safeguard Tribal Objects of Patrimony Act of 2019	This bill enhances Native American Graves Protection and Repatriation Act (NAGPRA) penalties, creates an export prohibition, certification systems, and international agreements, and allows for the voluntary return of tangible cultural heritage. The bill creates an interagency working group and tribal working group. It also creates a Freedom of Information Act (FOIA) exemption for tribes.	S: 07/29/2020 Committee ordered to be reported out favorably with an amendment in the nature of a substitute	Senate Committee on Indian Affairs	SUPPORT BAE voted (August 21, 2019) BOT ratified (August 22, 2019) <i>NOTE: The Senate bill as amended is not yet available</i>
	H.R. 3846			H: 9/19/2019 House Subcommittee on Indigenous Peoples of the United States held hearing	House Committees on Natural Resources; the Judiciary; and Foreign Affairs	

OHA Federal Priorities for the 116th Congress

ITEM NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRALS	POSITION
FED 7	S. 2191	Native American Business Outreach Act	This program would permanently authorize the Native American Outreach Program in the Small Business Act for \$5 million each fiscal year. The program extends assistance to Native American communities, including Native Hawaiians, for training and educational outreach through business development workshops and entrepreneurial classes.	S: 7/18/2019 Introduced in Senate; Referred to Committee	Senate Committee on Small Business and Entrepreneurship	SUPPORT BAE voted (August 21, 2019) BOT ratified (August 22, 2019)
	H.R. 5280			H:12/3/2019 Introduced in House; Referred to Committee	House Committee on Small Business	
FED 8	S. 2037	Building Indigenous STEM Professionals Act	This bill will reauthorize and amend a grant to create and expand programs that produce Alaska Native and Native Hawaiian graduates in science, technology, engineering, and math fields.	S: 6/27/2019 Introduced in Senate; Referred to Committee	Senate Committee on Health, Education, Labor and Pensions	SUPPORT BAE voted (August 21, 2019) BOT ratified (August 22, 2019)
Bills Passed into Law						
FED 1	S. 256	Esther Martinez Native American Languages Programs Reauthorization Act	Amends the Native American Programs Act of 1974 to reauthorize the program for up to \$13 Million in federal appropriations through Fiscal Year (FY) 2024, and also increases the length of grants from three to five years. Decreases the number of required Native students in Native American language nests and Native American language survival schools.	Became Public Law No. 116-101 on December 20, 2019	Senate Committee on Indian Affairs	SUPPORT BAE voted (April 10, 2019) BOT ratified (April 11, 2019)
	H.R. 912				House Committee on Education and Labor	
FED 5	S. 1413	END Network Abuse Act of 2019	This bill requires the Secretary of Defense to establish an initiative to improve the capacity of military criminal investigative organizations to prevent child sexual exploitation in various high risk areas, including at least two States where there is a large percentage of Indian children, including children who are Alaska Native or Native Hawaiian.	An amended version was included in S. 1790, the National Defense Authorization Act of FY 2020 and became Public Law No. 116-92 on December 20, 2019	Senate Committee on Armed Services	SUPPORT BAE voted (August 21, 2019) BOT ratified (August 22, 2019)
	H.R. 3588				House Committee on Armed Services	

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

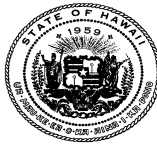
Trustee Keli'i Akina, At-Large

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, September 23, 2020**TIME:** 10:00 am**PLACE:** Virtual MeetingViewable at www.oha.org/livestream OR

Listen by phone: (213) 338-8477,

Webinar ID: 920 4649 8729

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Twelfth Supplementary Proclamation dated August 20, 2020 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listen by phone: (213) 338-8477, Webinar ID: 920-4649-8729

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
 - A. February 19, 2020
 - B. February 26, 2020
 - C. March 4, 2020
- IV. Unfinished Business
- V. **New Business**
 - A. OHA Federal Legislative Positioning - Matrix**† - Advocacy (Washington, D.C. Bureau)
 - B. **OHA D.C. Bureau Updates - Advocacy (Washington, D.C. Bureau)**
 - C. 2020 Legislative Session Report**† and 2021 Legislative Session Preparation – Advocacy (Public Policy)
- VI. Announcements
- VII. Adjournment

*No Materials have been provided for this section

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.

Meeting materials will be available to the public on Friday, September 18, 2020 and posted to OHA's website at: www.oha.org/bae

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

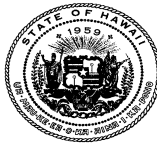
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OFFICE OF HAWAIIAN AFFAIRS
Interoffice Memorandum

Lā: September 18, 2020

Iā: Sylvia Hussey, Ed.D., Ka Pouhana, Chief Executive Officer

I o: Sterling Wong, Ka Pou Nui Kūikawā, Interim Chief Operating Officer
Keola Lindsey, Ka Poukihi Kū, Chief Advocate

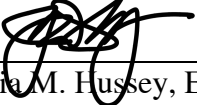
Maiā: Wayne Tanaka, Pou Kāko‘o Kulekele Aupuni, Public Policy Manager

Kumuhana: 2020 LEGISLATIVE SESSION OHA STAFF FINAL REPORT

Public Policy is seeking your approval to submit the enclosed 2019 Legislative Session OHA Staff Final Report, with Attachments A-E, to present at the upcoming BAE Meeting on September 23, 2020. **Approval is requested by COB Friday, September 18.**

‘AE/‘A‘OLE:

Comments: Received on the morning of 9/18/2020

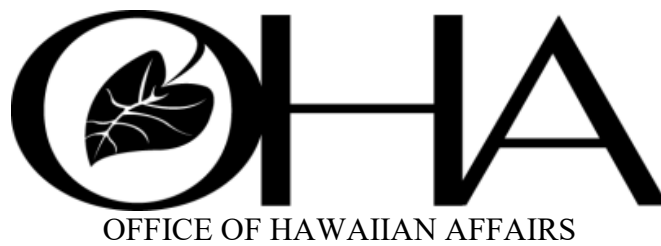


Sylvia M. Hussey, Ed.D.
Ka Pouhana, Chief Executive Officer

9/18/2020

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OHA Staff Final Report
Thirtieth State Legislature
Regular Session of 2020

Introduction

The 2020 Legislative Session was directly impacted by the COVID-19 pandemic, which reached Hawai‘i’s shores in early March. After the pandemic caused an abrupt, two-month recess in session, the Legislature reconvened twice, and legislators focused primarily on pandemic relief-related measures and board and commission nominations. As a result, relatively few measures survived the legislative process this year.

Despite the pandemic – which also resulted in OHA transitioning to telework during the remaining legislative session – OHA staff were able to uphold their roles in legislative advocacy and engagement, including advocating for the surviving 2020 OHA Legislative Package measures. OHA’s 2020 Legislative Package included five package bills and one resolution, introduced via 12 measures or “vehicles,” of which one bill was adopted into law – a notable accomplishment considering that only 76 bills total were transmitted to the Governor this year, with only 71 of these becoming law.

OHA’s bill that has now been enacted as Act 51 will help reduce the stigma carried by those with past convictions, including a disproportionate number of Native Hawaiians, by limited the length of time that old conviction records may be used in employment decisions.

OHA staff also reviewed all non-OHA package measures throughout session, and identified those relevant and important to our Native Hawaiian beneficiaries, ultimately tracking 613 of the 2,590 bills, 112 of the 834 resolutions, and 40 of the 360 Governor’s Messages that were introduced this session. OHA supported or supported with amendments 145 measures identified as having positive outcomes for OHA beneficiaries; 11 such measures passed. OHA also opposed 43 bills having adverse impacts to OHA’s beneficiaries, none of which were passed by the legislature. Notably, in addition to its successful package measure, OHA also helped support the passage of a law prohibiting waste or disposal facilities in the state conservation district, as well as requiring a half-mile buffer zone between any new, modified, or expanded waste or disposal facility and any residential, school, or hospital property line. OHA was also instrumental in opposing and defeating several measures that would have reduced protective oversight for natural and cultural resources on tens of thousands of acres of public “pasture” lands on Hawai‘i Island, and amending proposals that would have exempted development projects from historic preservation and environmental review protections.

OHA’s 2020 Legislative Package

Efforts to solicit legislative ideas and proposals for OHA’s 2020 Legislative Package began in July 2019. Internal meetings were held with various Paia and other working groups to inform staff of OHA’s legislative advocacy, and to gather ideas for OHA’s 2020 Legislative Package. Additional input was collected and meetings were held with external stakeholders within the Hawaiian community and with other subject matter experts. Gathered ideas were internally discussed, researched, and evaluated by Public Policy staff, resulting in six unique measures being put forward as OHA’s 2020 Legislative Package: OHA-1, introduced as House Bill 1781

(HB1781) and companion Senate Bill 2192 (SB2192); OHA-2, introduced as House Bill 1782 (HB1782) and companion Senate Bill 2193 (SB2193); OHA-3, introduced as House Bill 1783 (HB1783) and companion Senate Bill 2194 (SB2194); OHA-4, introduced as House Concurrent Resolution 5 (HCR5) and companion Senate Concurrent Resolution 3 (SCR3); OHA-5, introduced as House Bill 1784 (HB1784) and companion Senate Bill 2195 (SB2195); and OHA-6, introduced as House Bill 1780 (HB1780) and companion Senate Bill 2191 (SB2191). All six (6) measures received approval on December 5, 2019 from the OHA Board of Trustees (“BOT”), after receiving prior approval from the Executive Team the Beneficiary Advocacy and Empowerment (“BAE”) Committee of the BOT.

OHA-1 (HB1781/SB2192) sought to ensure greater consideration of Native Hawaiian rights, knowledge, values, and practices in state decisionmaking for lands critical to Native Hawaiian cultural and spiritual well-being. Since 2016, a number of state boards and commissions with land use and resource management responsibilities have been required to attend a Native Hawaiian law and public trust training course. Unfortunately, despite regular notice to board and commission administrators, the vast majority of those boards and commissions required to attend the training course have failed to fully comply. Moreover, requiring only a single member of critical decisionmaking bodies, such as the Land Use Commission (“LUC”) and Board of Land and Natural Resources (“BLNR”), to have experience or expertise in Native Hawaiian practices or resource management approaches has not resulted in decisions that consistently recognize or incorporate Native Hawaiian knowledge. The bill would have addressed these challenges by providing clear statutory remedies for noncompliance with the training course requirement, and further requiring that four members of the nine-member LUC and four members of the seven-member BLNR be appointed from a list of names submitted to the Governor by OHA.

OHA-2 (HB1782/SB2193) sought to improve the ability of people with old conviction records to obtain and keep legitimate employment, thereby supporting their rehabilitation and continued law-abiding conduct over the long-term. This measure would mitigate the impacts of the ten-year criminal background checks encouraged under state law, by limited the length of time that convictions may be used in employment decisions, to a maximum “lookback” period of five years for felonies and three years for misdemeanors (subject to existing exemptions for certain jobs and agencies). SB2193 HD2, passed into law as Act 51, was amended to limit the maximum lookback period to seven years for felonies and five years for misdemeanors.

OHA-3 (HB1783/SB2194) sought to establish and enhance enforcement mechanisms to meaningfully deter violations of state historic preservation laws in Hawai‘i Revised Statutes (“HRS”) Chapter 6E and better protect culturally invaluable historic sites and iwi kūpuna. The State Historic Preservation Division (“SHPD”) is generally unable to investigate or enforce after-the-fact violations of construction permit and attendant historic preservation review requirements, due to the destruction of any evidence of impacts to iwi kūpuna or historic sites after construction work has been completed. This measure would have better protected iwi kūpuna and historic sites by making unpermitted construction activities that did not undergo historic preservation review (if it would have otherwise been required) a standalone violation under HRS Chapter 6E, increasing penalties for Chapter 6E violations; giving greater authority to SHPD to impose and enforce penalties and corrective actions; creating a citizen complaint intake process; and requiring the production of educational materials and the posting of notice of historic preservation laws at construction worksites.

OHA-4 (HCR5/SCR3) would have urged the Department of Land and Natural Resources (“DLNR”) and SHPD to engage in long-awaited and much-needed administrative rulemaking amendments, to better protect iwi kūpuna and cultural sites in the SHPD review process. Despite the apparent need for greater regulatory guidance, SHPD administrative rules have not been updated for over 23 years regarding iwi kūpuna protection and over 16 years for archaeological/historical resources. This resolution pointed to general and specific rule provisions that SHPD should consider amending.

OHA-5 (HB1784/SB2195) sought to reinforce Native Hawaiian constitutional rights by encouraging landowners to accommodate Native Hawaiian traditional and customary practitioners’ access on their lands. This measure would have addressed the liability concerns of private landowners and government entities by protecting such landowners from legal claims arising from a practitioner’s access to their lands, if they granted the practitioner explicit permission to access their lands.

OHA-6 (HB1780/SB2191) was OHA’s Capital Improvement Project budget request to appropriate \$3 million, via the issuance of state general obligation bonds, for the construction of a water storage and distribution system on OHA’s agricultural lands in Wahiawā, Kūkaniloko, O‘ahu.

See Attachment A for OHA’s 2020 Legislative Package matrix.

Results of OHA’s 2020 Legislative Package

One of the six OHA 2020 Legislative Package measures, OHA-2, was enacted into law. OHA-2, via SB2193 HD2, Relating to Employment Discrimination, was transmitted to the Governor on July 13, 2020 was signed into law on September 15, 2020 as Act 51.

The Senate vehicle for OHA-1, SB2192, passed out of the Senate and crossed over to the House, where it eventually stalled; the House vehicles for OHA-3, HB1783, and OHA-5, HB1784, were deferred in their first hearings by the House Committee on Water, Land, & Hawaiian Affairs; the Senate vehicle for OHA-4, SCR3, passed out of the Senate and crossed over to the House where it stalled in the House Finance Committee; the Senate vehicle for OHA-5, SB2195, passed out of its subject matter committee but then stalled at the Senate Committee on Judiciary; the House vehicle for OHA-6, HB1780, passed out of its subject matter committee but then stalled at the House Finance Committee, and Senate vehicle for OHA-6, SB2191, passed out of the Senate and crossed to the House where after passing through its subject matter committee it stalled at the House Finance Committee.

Attachment B compares the success of OHA’s legislative packages from 2003 to 2020.

Attachment C compares the outcome of OHA’s 2020 Legislative Package with that of other entities’ legislative packages.

See below for a more detailed summary of OHA’s 2020 Legislative Package:

OHA-1 (HB1781/SB2192) (Died in Committee)

Measure Title: RELATING TO HAWAIIAN EXPERTISE IN LAND USE AND RESOURCE MANAGEMENT.

Report Title: Office of Hawaiian Affairs Package; Department of Land and Natural Resources; BLNR; State Land Use Commission; Council; Board; Commission; Members; Training; Appointment

Description: 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 the board of land and natural resources and 4 members of the state land use commission be appointed from a list submitted by the office of Hawaiian affairs.

Summary and Status: HB1781/SB2192 sought to ensure more appropriate consideration of Native Hawaiian rights, knowledge, values, and practices in state decision making for lands critical to Native Hawaiian cultural and spiritual well-being. Since 2016, a number of state boards and commissions with land use and resource management responsibilities have been required to attend a Native Hawaiian law and public trust training course. Unfortunately, despite regular notice to board and commission administrators, the vast majority of those boards and commissions required to attend the training course have failed to fully comply. Moreover, requiring only a single member of critical decisionmaking bodies, such as the Land Use Commission (“LUC”) and Board of Land and Natural Resources (“BLNR”), to have experience or expertise in Native Hawaiian practices or resource management approaches has not resulted in decisions that consistently recognize or incorporate Native Hawaiian knowledge. The bill would have addressed these challenges by providing clear statutory remedies for noncompliance with the training course requirement, and further requiring that four members of the nine-member LUC and four members of the seven-member BLNR be appointed from a list of names submitted to the Governor by OHA.

Although the Senate vehicle, SB2192, passed out of its subject matter committee with only nonsubstantive amendments as an SD1, its second committee, the Senate Committee on Judiciary, amended the bill to require only one member of the BLNR and LUC to be nominated from a list provided by OHA to the Governor.

After passing through the Senate, SB2192 SD2 crossed over to the House where it was referred to the House Committee on Water, Land & Hawaiian Affairs (WLH), House Committee on Judiciary (JUD), and the House Committee on Finance (FIN). It did not receive a hearing date in the House and died.

The House companion, HB1781, was referred to WLH, JUD, and FIN, but did not receive a hearing date and died.

Result: SB2192 SD2 and HB1781 both died for failing to receive a hearing in WLH.

OHA-2 (HB1782/SB2193 – Enacted as Act 51)

Measure
Title: RELATING TO EMPLOYMENT DISCRIMINATION.

Report Title: Office of Hawaiian Affairs Package; Employment Discrimination; Criminal History

Description: 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.

Summary and Status: HB1782/SB2193 sought to mitigate the impacts of the ten-year criminal background checks encouraged under state law, by limiting the length of time that convictions may be used in employment decisions from a maximum time period of five years for felonies and three years for misdemeanors (subject to existing exceptions for certain occupations and agencies such as those related to law enforcement). These new limits would discourage most employers from using old and possibly irrelevant convictions in making employment decisions; shorten the unreasonably long ten-year conviction background check period used by employers in evaluating job applicants; and ensure that those who have long past paid their debt to society receive a more meaningful opportunity to support themselves and their families and become contributing members of the community. By striking a better balance between employers' liability concerns and the need to provide former pa'ahao and those with conviction records with meaningful employment opportunities, this measure will help to reduce recidivism, facilitate successful pa'ahao reentry, and enhance public safety in the long-term.

Although the House vehicle, HB1782, passed out of the House as an HD1 and crossed over to the Senate, after passing through the Senate Committee on Labor, Culture and the Arts (LCA) as an SD1, HB1782 HD1 SD1 stalled at the Senate Committee on Judiciary (JDC) where it died.

Fortunately, the Senate vehicle, SB2193, was successfully passed by the legislature and transmitted to Governor Ige, who signed it into law as Act 51 on September 15, 2020. In its final, amended form as SB2193 HD2, this bill would reduce the "lookback period" for the use of convictions in employment decisions from the current 10 years for all convictions, to seven years for felony convictions, and five years for misdemeanor convictions.

Result: SB2193 HD2 passed into law with the Governor's signature on September 15, 2020 as Act 51 (GM1156).

OHA-3 (HB1783/SB2194) (Died in Committee)

Measure
Title: RELATING TO HISTORIC PRESERVATION.

Report Title: Office of Hawaiian Affairs (OHA) Package; DLNR; Historic Preservation; Iwi Kupuna; Construction Worksites; Protection

Description: 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. Increases the maximum civil and administrative fines for violations of historic preservation review requirements. Requires the Department of Land and Natural Resources to maintain and publish a list of certain violators. Authorizes the expenditure of moneys in the historic preservation special fund for certain costs relating to the enforcement of chapter 6E, Hawaii Revised Statutes.

Summary and Status: HB1783/SB2194 aimed to establish and enhance enforcement mechanisms to meaningfully deter violations of state historic preservation laws in Hawai‘i Revised Statutes (“HRS”) Chapter 6E and better protect culturally invaluable historic sites and iwi kūpuna. The State Historic Preservation Division (“SHPD”) is generally unable to investigate or enforce after-the-fact violations of construction permit and attendant historic preservation review requirements due to the likely destruction of any evidence of impacts to iwi kūpuna or historic sites after construction work has been completed. This measure would have better protected iwi kūpuna and historic sites by making unpermitted construction activities that did not undergo historic preservation review (if it would have otherwise been required) a standalone violation under HRS Chapter 6E, increasing penalties for Chapter 6E violations; giving greater authority to SHPD to impose and enforce penalties and corrective actions; creating a citizen complaint intake process; and requiring the production of educational materials and the posting of notice of historic preservation laws at construction worksites.

HB1783 was given a triple referral to the House Committee on Water, Land & Hawaiian Affairs (WLH), House Committee on Judiciary, and House Committee on Finance. In its first hearing, WLH deferred the measure. SB2194 was given a joint referral to the Senate Committees on Labor, Cultural, and the Arts (LCA), and Water and Land (WTL), and a second joint referral to the Senate Committees on Ways and Means (WAM), and Judiciary (JDC). The measure received no hearing dates from LCA/WTL nor WAM/JDC and died.

Result: HB1783 and SB2194 both died in committee.

OHA-4 (HCR5/SCR3) (Died in Committee)

Measure REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES
Title: TO ADOPT ADMINISTRATIVE RULES THAT BETTER PROTECT IWI

KUPUNA AND NATIVE HAWAIIAN CULTURAL AND HISTORIC RESOURCES.

Report Title Protection of iwi kupuna and native Hawaiian cultural and historic resources

Summary and Status: HCR5/SCR3 would have urged the Department of Land and Natural Resources (DLNR) and its State Historic Preservation Division (SHPD) to engage in long-awaited and much-needed administrative rulemaking amendments to better protect iwi kūpuna and cultural sites in the SHPD review process. Despite the apparent need for greater regulatory guidance, SHPD administrative rules have not been updated for over 23 years regarding iwi kūpuna protection and over 16 years for archaeological/historical resources. This resolution pointed to general and specific rule provisions that SHPD should consider amending.

HCR5 was referred to the House Committee on Water, Land & Hawaiian Affairs and the House Committee on Judiciary, but received no scheduled hearings. SCR3 was referred jointly to and passed with amendments through the Senate Committees on Hawaiian Affairs and Water and Land; it was then transmitted to the House as an SD1 where it was referred to the House Committee on Finance where it did not receive a hearing.

Result: HCR5 and SCR3 SD1 both died in committee.

OHA-5 (HB1784/SB2195) (Died in Committee)

Measure Title: RELATING TO LANDOWNER LIABILITY.

Report Title: Office of Hawaiian Affairs (OHA) Package; Landowner Liability; Native Hawaiian Traditional and Customary Practices

Description: 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.

Summary and Status: The Hawai‘i constitution provides cultural practitioners with the right to access less-than-fully-developed lands in the reasonable exercise of their Native Hawaiian traditional and customary practices; in recognition of Hawai‘i’s unique history of land ownership, land tenure, and native displacement, this right extends to both government and privately held lands. Unfortunately, both private and government landowners may be reluctant to provide explicit permission or otherwise accommodate practitioners seeking to access their lands, due to liability concerns. HB1784/SB2195 sought to address the liability concerns of private landowners and government entities (in the case of government lands not otherwise open to the public) who grant explicit permission to cultural practitioners to access their lands to specifically engage in Native Hawaiian traditional and customary practices. By protecting landowners from legal claims arising from such access, this measure would encourage their

accommodation of practitioners and facilitate the perpetuation of Native Hawaiian traditional and customary practices, as envisioned in our constitution and otherwise protected under the law.

HB1784 was referred to the House Committee on Water, Land & Hawaiian Affairs (WLH), House Committee on Judiciary, and House Committee on Finance; it was deferred in its first hearing by WLH. SB2195 passed out of its subject matter committee with amendments as an SD1 but did not receive hearing date at its second referred Senate Committee on Judiciary.

Result: Both HB1784 and SB2195 SD1 died in committee.

OHA-6 (HB1780/SB2191) (Died in Committee)

Measure Title: RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWA, OAHU.

Report Title: Office of Hawaiian Affairs Package; Water; GO Bonds; Appropriation (\$)

Description: 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 Wahiawa, Oahu surrounding the Kukaniloko Birthing Stones site. Effective 7/1/2050. (HD1)

Summary and Status: OHA is working to plan, design, permit, and otherwise prepare for the construction of a water storage and distribution system on OHA's 511-acre property in Wahiawā. This activity aligns with OHA's Conceptual Master Plan (Plan) for the property, approved by the BOT in 2018, which requires a consistent and reliable water source for its implementation. This activity is also necessary to amend the conservation easement that accompanied OHA's acquisition of the property in 2012; the City and County of Honolulu (the holder of the easement) has communicated that OHA will need to demonstrate agricultural uses before the easement can be amended to accommodate the Plan's commercial elements. Notably, OHA has secured an allocation of water from the Agribusiness Development Corporation (ADC), which would provide OHA with one million gallons of water per week from ADC's Bott Well; however, ADC cannot provide the water to OHA without a water storage system. OHA has committed OHA funds for FY 20 (\$200,000.00) and FY21 (\$300,000) for the planning, designing, and permitting of the system and is starting the procurement process. HB1780/SB2191 requested state CIP funds raised by the issue of general obligation bonds to pay for the actual construction of the system, estimated by our research to be approximately \$3 million.

HB1780 was referred to the House Committee on Water, Land & Hawaiian Affairs (WLH) and the House Committee on Finance (FIN); although it passed WLH as an HD1 amending the appropriation sum to a blank amount, it failed to receive a hearing date in FIN. SB2191 passed unamended through the Senate Committees on Water and Land, Hawaiian Affairs, and Ways and Means, and crossed over to the House. Although WLH also passed SB2191 as an HD1 with only an effective date amendment, the bill stalled when it failed to receive a hearing date in FIN.

Result: Both HB1788 HD1 and SB2191 HD1 died in committee.

Other Legislative Measures: Bills Impacting Native Hawaiians and/or OHA

There were a total of 3,818 measures active in the 2020 Legislative Session, which included 2,590 bills, 834 resolutions and concurrent resolutions, and 360 Governor’s Messages (“GMs”). Of the measures introduced, the OHA staff tracked a total of 613 measures—458 bills, 112 resolutions, and 40 GMs—all of which may have had a significant impact on OHA and/or its beneficiaries. Of those tracked measures, the OHA Advocacy team actively supported, opposed, and/or commented on approximately 288 measures through ongoing written and verbal testimony. Of the 21 measures actively opposed by OHA, only 2 passed. See Attachment D for the final matrix of all legislative measures tracked by OHA during the 2020 Legislative Session.

Notably, because of the COVID-19 pandemic, the OHA BAE Committee was not able to meet to review and approve recommended new and amended positions that occurred after the initial pandemic shutdown, and prior to the end of the 2020 session. In order to maintain OHA’s level of service in legislative advocacy, OHA Administration established a COVID Legislative Advocacy Plan (“Plan”) to guide the tracking, position recommendations, and submission of testimonies on GMs based on prior BAE or BOT approval, or on Administrative approval as appropriate. See Attachment E. A similar process was followed for the tracking and submission of testimonies on other legislative measures that merited new or amended positions. Several testimonies were submitted reflecting administrative positions and these developments were reported to BAE leadership during weekly meetings between the BAE Chair and Vice Chair and OHA Administration, including representatives from the Advocacy Line of Business. All recommended positions on measures that did not receive BAE or BOT Approval are identified at the top of Attachment D under the “New Administrative/Recommended Positions” and “Amended Administrative/Recommended Positions” sections.

Below are brief summaries of selected highlighted measures that, although not included in OHA’s 2020 Legislative Package, were identified as measures of note to OHA and/or its beneficiaries.

Senate Bill 3103 SD2 HD2 (Act 72)

Measure Title:	RELATING TO A SCHOOL FACILITIES AGENCY.
Report Title:	School Facilities Agency; BOE; Department of Education; Construction (\$)
Description:	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. (HD2)
Companion:	
Package:	HB2544
Current	LHE, FIN

Referral:

Introducer(s): KOUCHI, BAKER, S. CHANG, ENGLISH, FEVELLA, GABBARD, IHARA, INOUE, K. KAHELE, KANUHA, KEITH-AGARAN, J.KEOHOKALOLE, KIDANI, KIM, MORIWAKI, NISHIHARA, RIVIERE, RUDERMAN, SHIMABUKURO, L. THIELEN, WAKAI

Status: Senate Bill 3103 SD2 HD2 was signed into law as Act 72 on September 15, 2020 (Governor's Message No. 1177).

OHA's position: COMMENT (*Administrative Position)

This measure sought to establish a School Facilities Agency ("SFA") to oversee development projects for public school purposes. As originally drafted, this measure would have granted SFA broad powers and exempted its projects from historic preservation, environmental review, land disposition, procurement, and other laws. OHA and many others strongly opposed the nearly unprecedented breadth of exemptions that would have granted the SFA the ability to authorize development projects without historic preservation or environmental review, potentially resulting in unnecessary and irrevocable harm to natural and cultural resources and sites.

During its first hearing, which took place after the legislature reconvened, the bill was amended to remove all exemptions of concern. As a result, OHA staff recommended and submitted testimony noting an administrative position of comment, a change from the prior BOT position of oppose. OHA comments noted OHA's ongoing concern regarding the existing 99-year leasing authority for three public school sites that was granted to the Department of Education via Senate Bill 1303 (Act 272) of last year; this authority would be potentially assumed by the SFA.

Senate Bill 2386 SD2 HD2 (Act 73)

Measure Title: RELATING TO WASTE MANAGEMENT.

Report Title: Waste Management; Landfills; Buffer Zones; Conservation Districts

Description: 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 around residences, schools, and hospitals for the construction, modification, or expansion of a waste or disposal facility. Specifies that "waste or disposal facility" excludes individual, state certified, non-industrial redemption centers. (HD2)

Companion: HB2442

Package: Senate Native Hawaiian Caucus

Current Referral: WLH/EEP, FIN

Introducer(s): K. KAHELE, Fevella, Kanuha, Kidani, Riviere, Ruderman, Shimabukuro, L. Thielen

Status: Senate Bill 2386 SD2 HD2 was passed into law as Act 73 on September 15, 2020 (Governor’s Message No. 1178).

OHA’s position: SUPPORT

As adopted, this measure prohibits any waste or disposal facility from being located in a conservation district, subject to an exception for emergency situations (not to exceed three years), where it may be necessary to mitigate significant risks to public safety or health. The bill also prohibits any new, modified, or expanded facility within a half mile of any residential, school, or hospital property line. OHA testimony noted the high value of state conservation district lands as hosting natural and cultural resources as well as watershed areas critical to our islands’ water security, and supported the prohibition of landfills and other waste or disposal facilities on such lands as largely incompatible with the purpose and nature of the conservation district. OHA testimony also noted that if necessary and appropriate, state land use district boundary amendment processes could be undertaken to accommodate a waste or disposal facility on lands currently within the conservation district; OHA noted that the district boundary amendment process for conservation district lands includes specific mechanisms to identify and mitigate any potential harms to natural and cultural resources, Native Hawaiian traditional and customary practices, and other public trust interests.

Senate Bill 2828 HD1 (Died in committee)

Measure Title:	RELATING TO WATER
Report Title:	Board of Land and Natural Resources; State Water Code; Water; Reservoirs; Fire Safety
Description:	Specifies in the state water code that fire safety use is a beneficial use of water. Requires the board of land and natural resources to work with the county governments, Hawaii emergency management agency, and owners to use reservoir water for fire safety. Effective 7/1/2050. (HD1)
Companion:	HB2646
Package:	None
Current Referral:	WLH, FIN
Introducer(s):	KEITH-AGARAN, K. Kahele, Riviere

Status: Senate Bill 2828 SD1 HD1 died after not receiving a hearing in the House Finance Committee.

OHA’s position: OPPOSE

This measure sought to amend the State Water Code to categorically list the maintenance of fresh water for fire safety as a “beneficial use” of water. Such an amendment is not necessary for a determination that the maintenance of water for fire safety purposes is a “beneficial use” in appropriate circumstances; however, the categorical elevation of such a use would have instead promoted and potentially enabled the continuous diversion of streams for the “banking” of public trust water in leaking and dangerous dams and reservoirs, an issue of longstanding concern in Nā Wai ‘Ehā and elsewhere. OHA joined water rights advocates Earthjustice in opposing this

measure, which eventually died after failing to receive a hearing in the House Finance Committee.

Senate Bill 2940 SD2 HD2 (Died after Senate disagreement)

Measure Title: RELATING TO THE STADIUM DEVELOPMENT AUTHORITY.

Report Title: HCDA; Stadium Development District; Stadium Authority; Membership; Appropriation (\$)

Description: Establishes the stadium development special fund. Defines "stadium development district" and "district". Establishes general development guidance policies for the stadium authority's actions in the stadium development district. Requires the stadium authority to submit annual comprehensive status reports to the legislature. Broadens the powers and duties of the stadium authority that includes authorizing the stadium authority to acquire and hold title to real property. Exempts land to which the stadium authority holds title from the definition of "public lands". Transfers authority to issue leases of lands within the stadium development district from the Hawaii community development authority to the stadium authority, including expenditure of general funds and issuance of revenue and general revenue bonds proceeds provided by Act 268, SLH 2019. Authorizes the stadium authority, with approval from the governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions. Repeals part IX of chapter 206E, HRS, relating to the stadium development district. Broadens the representation of the stadium authority by adding two members to its membership. Makes the financial disclosures of members of the stadium authority public records pursuant to section 84-17(d), HRS. (HD2)

Companion:

Package: None

Current Referral: LAB, FIN

Introducer(s): DELA CRUZ

Status: Senate Bill 2940 SD2 HD2 died after the Senate disagreed with the House amendments.

OHA's position: OPPOSE (*Administrative Position)

This measure sought to transfer development authority over lands in the Stadium Development District from the Hawai'i Community Development Authority ("HCDA") to the Stadium Authority ("SA"). A last minute amendment made by the House Finance Committee, pursuant to recommendations from the Department of Accounting and General Services ("DAGS"), would have also granted the HCDA the authority to issue land leases of up to 99 years in any development district, other than the Stadium Development District.

OHA initially did not oppose this measure as it would have only transferred development jurisdiction over the Stadium Development District from the HCDA to the SA, without expanding regulatory exemptions or otherwise eliminating regulatory processes important to the

protection of Native Hawaiian interests in the disposition and development of land. However, a “housekeeping” proposal made by DAGS during the bill’s final standing committee hearing resulted in a significant expansion of the HCDA’s leasing authority, which would have allowed it to lease other lands under its jurisdiction – including “ceded” lands in the He’eia and Kaka’ako Community Development Districts – for up to 99 years. This amendment raised significant concerns, given OHA’s longstanding opposition to the sale or alienation of “ceded” lands, pending the resolution of Native Hawaiian claims; the nature of 99 year leases of “ceded” lands as an effective alienation of Native Hawaiian claims to such lands; and the sense of entitlement on the part of lessees that can lead and has led to the eventual loss of “ceded” lands from the state’s inventory. OHA staff attempted to reach out to the HCDA executive director and the Finance Committee Chair to apprise them of these concerns; however, the bill crossed over to the Senate without any further amendment during its final reading on the House floor. OHA staff accordingly recommended and subsequently submitted letters to Senate leaders apprising them of the bill’s changes to the HCDA’s leasing authority, and noting the OHA Administration’s opposition the bill as a result. OHA’s letters also noted the likely unconstitutional nature of the bill, as its contents, which included an expansion of HCDA’s authority over all development districts except for the Stadium Development District, was no longer encompassed by the subject in its title, “Relating to the Stadium Development District.”

After hearing OHA’s concerns, Senate leaders could not agree to the House amendments and the bill died as a result.

Senate Bill 3104 SD1 (Died in committee)

Measure
Title: RELATING TO LAND DEVELOPMENT

Report
Title: Affordable Housing; HHFDC; Lease of State Lands; Boundary Amendments; SHPD; Historic Preservation; Counties; Condominiums; Rental Housing Revolving Fund; Appropriation (\$)

Description: Establishes a residential leasehold program within the Hawaii 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 Hawaii Housing Finance and Development Corporation, for the primary purposes of developing affordable housing. Requires the Hawaii 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 Hawaii 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. Appropriates \$500,000 for 3 full-time equivalent (3.0 FTE) project manager positions. Authorizes a person to petition the appropriate county land use decision-making authority, rather than the Land Use Commission, for a change in the boundary of a district involving land areas between 15 acres and 25 acres

where the majority of the development will be for affordable housing. Authorizes the State Historic Preservation Division to delegate the responsibility of historic preservation project reviews to the impacted county. Establishes the Office of the Housing Advocate. Removes the existing statutory cap on the amount of conveyance tax revenues that are deposited into the rental housing revolving fund each fiscal year. (SD2)

Companion: HB2542

Package: None

Current
Referral: HSG/FIN

Introducer(s): KOUCHI, BAKER, ENGLISH, FEVELLA, GABBARD, IHARA, INOUE, K. KAHELE, KANUHA, KEITH-AGARAN, J.KEOHOKALOLE, KIM, MORIWAKI, NISHIHARA, K. RHOADS, RIVIERE, RUDERMAN, SHIMABUKURO, TANIGUCHI, L. THIELEN, WAKAI

Status: Senate Bill 3104 SD1 died after not receiving a hearing in the House.

OHA's position: COMMENTS

This measure was introduced as an omnibus housing measure put forward by the leadership of both the House and Senate. OHA opposed the original draft of this measure, based on concerns that 1) it would have authorized 99 year leases of public and "ceded" lands, leading to the potential alienation of lands to which Native Hawaiians maintain unrelinquished claims; 2) it would have removed the Land Use Commission's oversight over district boundary amendments involving up to 25 acres of land, eliminating a key mechanism by which Native Hawaiians have been able to assert and ensure the continuation of their traditional and customary practices in land use decisionmaking; and 3) it would have facilitated the development of our limited land base, including "ceded" lands, for housing units that did not reflect resident and Native Hawaiian housing demand. OHA testimony did offer suggested amendments to address these concerns, including language that would have provided preference to projects that more closely met the housing needs of state residents and Native Hawaiians, and that would have provided for rulemaking to ensure that some percentage of developed units be reserved for transfer to OHA or the Department of Hawaiian Home Lands. These suggestions were adopted into the SD1 draft of this measure, and OHA accordingly changed its position from Oppose to Comment.

SB3104 SD1 failed to receive a hearing in the House and died as a result.

House Bill 1821 (Died in committee)

Measure Title: RELATING TO DECLARATORY JUDGEMENTS.

Report
Title: Declaratory Judgments; Standing; Courts; Personal Stake; Injury-In-Fact

Description: Prohibits declaratory judgments when there is a cause of action and in other certain instances. Requires a plaintiff to show a personal stake in the actual controversy beyond a general disagreement or complaint by requiring a showing of an injury-in-fact.

Companion: SB2810

Package: None

Current

Referral: JUD

Introducer(s): SAIKI, BELATTI, C. LEE, MORIKAWA, NAKASHIMA

Status: House Bill 1821 died after being deferred by the Senate Judiciary Committee.

OHA's position: OPPOSE

This measure sought to significantly narrow the situations in which declaratory judgements may be used, substantially limiting an important avenue for judicial relief long relied upon by public interest attorneys, including those representing OHA beneficiaries. This measure would have allowed for declaratory judgements to be sought only after a demonstration that there is an actual injury claimed by the plaintiff, no other relief could be sought, and that the plaintiff has a personal stake beyond a "generally available grievance," among other requirements. OHA Board Counsel also reviewed this measure and agreed that its limitations would limit access to justice for minority and vulnerable communities, including Native Hawaiians, who have relied upon declaratory relief actions to vindicate their rights and interests. OHA joined numerous other organizations, including Earthjustice and Native Hawaiian Legal Corporation, in opposing this measure, which was deferred indefinitely and killed by the Senate Judiciary Committee.

House Bill 2035 HD1 SD2 (Died after House disagreement)

Measure
Title: RELATING TO NON-AGRICULTURAL PARK LANDS.

Report
Title: Non-agricultural Park Lands; DLNR; HDOA; Transfer Pilot Project; Deadline; Report; Agricultural Activities

Description: Requires the Department of Land and Natural Resources to transfer to the Department of Agriculture certain non-agricultural park lands by a specified date. Requires lessees, permittees, and other occupants to develop and implement a watershed partnership plan and dedicate 50% of meat production for local consumption by 12/31/2023. Requires the Department of Agriculture to report on the percentage of local meat production marketed within the State and on implementation of the watershed partnership plan. Amends the definition of "agricultural activities" used in chapter 166E, Hawaii Revised Statutes. Section 3, subsections (a), (b), and (c) sunset 6/30/2021. (SD2)

Companion: SB2415

Package: None

Current
Referral: WTL/AEN, WAM

Introducer(s): YAMANE, AQUINO, CULLEN, HOLT, MORIKAWA, NAKAMURA, NAKASHIMA, ONISHI, QUINLAN, TODD, TOKIOKA, YAMASHITA

Status: House Bill 2035 HD1 SD2 died after the House disagreed with the Senate amendments.

OHA's position: OPPOSE

This was the last surviving measure of several bills (House Bill 2577, Senate Bill 2415, Senate Bill 2735, Senate Bill 2812) that sought to transfer tens of thousands of acres of “pasture” lands from the DLNR’s inventory to the Department of Agriculture (“DOA”). Ranchers occupying these lands under leases or revocable permits lobbied heavily for these measures to pass, citing a 2003 law that contemplated the transfer of pasture lands from the DLNR to the DOA. Notably, a transfer of these lands to the DOA would allow ranchers to receive long-term leases through direct negotiation rather than through public auction, and would authorize the DOA to exempt agricultural developments from a broad range of land use and construction laws and standards.

The DLNR opposed these measures, as did OHA. The DLNR maintained that it had already transferred over 18,000 acres of its pasture lands to the DOA, consistent with the 2003 law. The DLNR argued that it had excluded other parcels from transfer so that it could maintain oversight over their high natural and cultural resource values: these parcels were often comprised of remnant native forests untouched by industrial agriculture, hosted important natural and cultural resources and sites as well as trails used by hunters and cultural practitioners and were adjacent to important watershed areas.

OHA, voicing similar concerns, also noted in oral testimony that the DOA had little institutional memory, expertise or staff capacity to manage lands for their natural and cultural values and pointed legislators to “compromise” measures put forward by the DLNR, to try to meet ranchers’ interests.

The Senate, in response to concerns raised by OHA, the DLNR, and others, amended HB2035 to reduce the number of acres of “pasture” lands to be transferred to the DOA (from approximately 100,000 acres to 45,000 acres), impose watershed management plans requirements for pasture leases, and mandate that 50% of livestock raised on pasture lands be sold to local markets. The House did not agree with the Senate’s amendments and this final pasture land measure died.

House Bill 2191 HD1 (Died in committee)

Measure Title:	RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.
Report Title:	BLNR; Public Lands; Lease Extension; Development Agreement
Description:	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. Sunsets on 6/30/2025. (HD1)
Companion:	SB2807
Package:	None
Current Referral:	WTL, JDC/WAM
Introducer(s):	TODD

Status: House Bill 2191 HD1 died after its Senate Water and Land Committee hearing was cancelled due to the pandemic, and never rescheduled.

OHA's position: OPPOSE

This measure sought to allow the Board of Land and Natural Resources to extend public land leases for commercial, industrial, resort, or government (except for the University of Hawai'i) uses for up to forty years. Such authority would have effectively enabled the continuous leasing of a broad range of public lands, including "ceded" and public land trust lands, for a century or longer (current public land leases by the BLNR are limited to 55 years, or 65 years in some situations). OHA opposed this and similar measures based on the potential for such long-term leases to lead to violations of the BLNR's fiduciary obligations under the public trust and public land trust, and to the potential alienation of public and "ceded" lands.

Although the measure was scheduled for a hearing by the Senate Water and Land Committee in mid-March, the hearing was cancelled due to the COVID-19 pandemic, and was never rescheduled after the legislature reconvened.

House Bill 2297 HD1 (Died in committee)

Measure Title: RELATING TO PUBLIC LANDS.

Report Title: Public Lands; Governor; Set Aside Lands; HHFDC; DLNR

Description: 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)

Companion: SB2853

Package: Governor

Current Referral: WTL/HOU, WAM

Introducer(s): SAIKI (Introduced by request of another party)

Status: House Bill 2297 HD1 died after being deferred by the Senate Water and Land and Housing Committees

OHA's position: OPPOSE

This measure sought to exempt lands set aside or leased to the Hawai'i Housing Finance and Development Corporation ("HHFDC") from the provisions of HRS Chapter 171, except for the legislative approval requirement for the sale of public lands described in HRS § 171-64.7. As discussed at the last BAE Committee hearing before the COVID-19 pandemic shut down non-essential government functions, this was one of several measures contemplating extremely long-term, 99-year leases of public lands, including "ceded" lands, without recognizing or accounting

for Native Hawaiian claims to the “ceded” lands corpus. OHA had previously only commented on this measure, as the measure did not explicitly provide the HHFDC with 99-year leasing authority; however, after additional research into HHFDC’s own authorities, greater awareness that 99-year leases are being specifically contemplated for public lands set aside to the HHFDC, and discussion with the BAE at its last March 4 meeting, OHA’s position was changed, to oppose this and all other measures that contemplated extremely long-term public land leases that may effectively preclude Native Hawaiian claims to “ceded” lands, without any recognition of such claims.

Based on OHA’s opposition and stated concerns, and lacking broader agreement on OHA’s prior suggestions on how to account for Native Hawaiian claims in long-term leases of public and “ceded” lands, the Senate Water and Land and Housing Committees chose to defer the measure.

House Bill 2386 (Died in committee)

Measure Title:	RELATING TO PROPERTY ACCESS
Report Title:	Gathering Rights; Landowner; Landlord; Easement; Rights of Way; Circuit Court
Description:	Extends the application of gathering rights to lands owned in fee simple and to landlords and landowners. Authorizes an action for easement by necessity for landlocked parcels not previously under a unity of title with the prospective subservient estate.
Companion:	SB2097
Package:	None
Current Referral:	WLH, JUD, FIN
Introducer(s):	SAIKI

Status: House Bill 2386 died after it was deferred by the House Water, Land, & Hawaiian Affairs Committee.

OHA’s position: OPPOSE

This measure sought to extend “kuleana rights” to “landlords,” and not just the owners of kuleana parcels set aside specifically for native tenants under the Kuleana Act of 1850; in addition, it sought to establish a broad “easement by necessity” for landlocked non-kuleana parcels, commensurate with that ensured to kuleana owners. By extending kuleana rights to non-kuleana landowners, this measure would have provided such land owners with an additional mechanism to force the development of roads and utility easements across surrounding kuleana parcels. Notably, many kuleana are still used for kalo cultivation and other traditional agricultural activities, and are the basis upon which many Native Hawaiians have been able to maintain a living connection to their ancestral lands. By extending “kuleana rights” and establishing broad easement rights to non-kuleana landowners, including real estate speculators, this bill would have facilitated the development of roads and utility easements across and to the

detriment of kuleana parcels and their owners, in direct contravention of the purpose and intent of the 1850 Kuleana Act. OHA joined concerned and potentially affected community groups from Wai‘anae, O‘ahu and Wai‘oli, Kaua‘i along with legal experts to oppose this measure, which was heard and eventually deferred by the House Water, Land & Hawaiian Affairs Committee.

2020 OHA Legislative Package Matrix

Attachment A

OHA NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS
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.	DEAD
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)	DEAD
OHA 2	HB1782 HD1 SD1	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. (SD1)	DEAD
OHA 2	SB2193 HD2	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 seven years and misdemeanor convictions that occurred in the most recent five years. (HD2)	ACT 51 (2020)

2020 OHA Legislative Package Matrix

Attachment A

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.	DEAD
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.	DEAD
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.	DEAD
OHA 4	SCR3 SD1		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES THAT BETTER PROTECT HISTORIC RESOURCES AND TO CREATE A TASK FORCE.	DEAD
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.	DEAD

2020 OHA Legislative Package Matrix

Attachment A

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)	DEAD
OHA 6	HB1780 HD1	RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWA, OAHU.	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 Wahiawa, Oahu surrounding the Kukaniloko Birthing Stones site. Effective 7/1/2050. (HD1)	DEAD
OHA 6	SB2191 HD1	RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWA, OAHU.	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 Wahiawa, Oahu surrounding the Kukaniloko Birthing Stones site. Effective 7/1/2050. (HD1)	DEAD

OHA Legislative Packages 2003-2020

Attachment B

Year	Package Measures	Enacted	Percent Enacted	Descriptions/Notes
2020	6	1	17%	SB2193 Employee Discrimination
2019	5	2	40%	HB172 OHA Budget SB192 Unsecured Bail
2018	8	0	0%	N/A
2017	3	1	33%	HB335 OHA Budget
2016	5	1	20%	HCR188 Urging the Convening of a Public Land Trust Revenues Negotiating Committee
2015	7	4 (+1)	57% (71%)	HB209 OHA Budget HB207 Native Hawaiian Law Training Course SB434 Traditional Hawaiian Farming HB206 Hawaiian Plants in Landscaping (SB913 Incarcerated Parent Data)
2014	7 (+1)	2	28% (25%)	HB1616 Social Determinants of Health HB1618 Board of Land and Natural Resources (Kakaako Residential (not enacted))
2013	11 (+2)	6 (+2)	54% (61%)	SB403 OHA Bond Authority SB407 Island Burial Council SB409 'Ōlelo Hawai'i Month HB218 Native Hawaiian Justice Task Force HB222 OHA Budget HCR6 20 th Anniversary of Apology Resolution (HB868 TANF Asset Limits) (HB1133 PLDC Repeal)
2012	12 (+1)	0 (+1)	0% (8%)	(SB2783 \$200 Million Kaka'ako Settlement)
2011	10	3	30%	HB397 Act 176 Resolutions HB400 OHA Budget SB986 Criminal Justice Task Force
2010	14	0	0%	N/A
2009	19	4	21%	HB899 Bond Authority HB900 OHA Budget HB1005 Publicity Rights HCR27 Criminal Justice Study
2008	29	1	3%	SB2739 Child Placement Preference
2007	28	1	4%	HB1200 OHA Budget
2006	33	1	3%	SB2424 OHA Strategic Plan
2005	21	2	10%	HB450 OHA Budget HB447 Authority Over Disbursements
2004	6	0	0%	N/A
2003	10	6	60%	HB1300 OHA Budget HB1302 Monetary Grants HB1303 EUTF HB1307 Transfer Funds to Public Land Trust SB1154 Hui Imi Advisory Council SB1156 Hawaiian Registry

Review of All 2020 Packages

Attachment C

		BILLS			RESOLUTIONS			TOTAL MEASURES (BILLS+RESOS)		
RANK	PACKAGE	#BILLS	BILLS PASSED	PERCENT PASSED	#RESOS	RESOS ADOPTED	PERCENT ADOPTED	MEASURES	MEASURES PASSED	PERCENT PASSED
1	County of Hawai'i	2	1	50%	0	0	0%	2	1	50%
2	Filipino Caucus	3	1	33%	0	0	0%	3	1	33%
3	Senate Native Hawaiian Caucus	5	1	20%	0	0	0%	5	1	20%
4	Office of Hawaiian Affairs	<u>5</u>	<u>1</u>	<u>20%</u>	- <u>1</u>	<u>0</u>	<u>0%</u>	- <u>6</u>	<u>1</u>	<u>17%</u>
5	State Fire Council	9	1	12%	0	0	0%	9	1	12%
6	Honolulu Prosecuting Attorney	12	1	9%	0	0	0%	12	1	9%
7	Governor	105	9	8.6%	13	1	7.7%	118	10	8.5%
8	Keiki Caucus	10	1	10%	5	0	30%	15	1	7%
-	State Ethics Commission	6	0	0%	0	0	0%	6	0	0%
-	Kupuna Caucus	11	0	0%	0	0	0%	11	0	0%
-	Deaf and Blind Task Force	6	0	0%	2	0	0%	8	0	0%
-	Judiciary	5	0	0%	0	0	0%	5	0	0%
-	Campaign Spending Commission	7	0	0%	0	0	0%	7	0	0%
-	Women's Legislative Caucus	7	0	0%	0	0	0%	7	0	0%
-	Legislative Native Hawaiian Affairs Caucus	10	0	0%	2	0	0%	12	0	0%
-	Office of Elections	3	0	0%	0	0	0%	3	0	0%
-	Hawai'i State Assoc. of Counties	8	0	0%	0	0	0%	8	0	0%
-	Auditor	0	0	0%	0	0	0%	0	0	0%
-	County of Maui	2	0	0%	0	0	0%	2	0	0%
-	HI Council of Mayors	8	0	0%	1	0	0%	9	0	0%
-	C&C of Honolulu	2	0	0%	0	0	0%	2	0	0%

Review of All 2020 Packages

Attachment C

		BILLS			RESOLUTIONS			TOTAL MEASURES (BILLS+RESOS)		
RANK	PACKAGE	#BILLS	BILLS PASSED	PERCENT PASSED	#RESOS	RESOS ADOPTED	PERCENT ADOPTED	MEASURES	MEASURES PASSED	PERCENT PASSED
-	Maui County Council	14	0	0%	0	0	0%	4	0	0%
-	County of Kaua'i	3	0	0%	0	0	0%	3	0	0%
-	Senate Majority Package	0	0	0%	0	0	0%	0	0	0%
-	House Minority Caucus	10	0	0%	0	0	0%	10	0	0%
-	Future Caucus	0	0	0%	0	0	0%	0	0	0%
-	Honolulu Police Dept.	7	0	0%	0	0	0%	7	0	0%
-	Honolulu Rapid Transit Division	0	0	0%	0	0	0%	0	0	0%
-	House Majority Package	0	0	0%	0	0	0%	0	0	0%
-	House Small Business Caucus	7	0	0%	0	0	0%	7	0	0%
-	Housing and Homeless Legislative Package	0	0	0%	0	0	0%	0	0	0%
-	Kaua'i County Council	3	0	0%	0	0	0%	3	0	0%
-	LRB	0	0	0%	0	0	0%	0	0	0%
-	Mental Health Legislative Package	0	0	0%	0	0	0%	0	0	0%
-	Senate Minority Caucus	0	0	0%	0	0	0%	0	0	0%
-	Small Business Work Group	0	0	0%	0	0	0%	0	0	0%
-	Office of the Ombudsman	1	0	0%	0	0	0%	1	0	0%
Total		271	16	6%	24	1	4.2%	285	17	6%

Thirtieth State Legislature, 2020

Attachment D

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
New Administrative/Recommended Positions						
1	HB2725	RELATING TO CAPITAL IMPROVEMENT PROJECTS.	Appropriates funds for supplemental capital improvement projects for fiscal biennium 2019–2021.	ACT 006	WAM	MONITOR
2	HCR43		URGING THE DEPARTMENT OF PUBLIC SAFETY TO ALLOW PRISONERS TO ESTABLISH FAITH PODS IN ALL CORRECTIONAL FACILITIES IN THE STATE.	DEAD	PVM, FIN	COMMENT
3	HCR47		REQUESTING THE CRIMINAL JUSTICE RESEARCH INSTITUTE TO CONDUCT A STUDY ON THE EFFECTS OF FELONY DISENFRANCHISEMENT, PARTICULARLY THE EFFECTS ON MINORITY GROUPS.	DEAD	PVM, JUD	MONITOR
4	HCR67		REQUESTING THE BOARD OF EDUCATION TO REQUIRE VOTER REGISTRATION IN THE STATE AND REGISTRATION IN THE UNITED STATES SELECTIVE SERVICE SYSTEM AS A CONDITION FOR RECEIVING A PUBLIC HIGH SCHOOL DIPLOMA IN THE STATE.	DEAD	LHE, JUD	MONITOR
5	HCR71		REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO DEVELOP A PLAN TO RECOGNIZE, HONOR, AND MEMORIALIZE THE LEGACY OF MARY KAWENA PUKU'I IN PERPETUATING THE HAWAIIAN CULTURE.	DEAD	TIA/WLH, FIN	MONITOR
6	HCR75		REQUESTING THE OFFICE OF THE CLERK OF EACH COUNTY TO DESIGNATE AND ESTABLISH ADDITIONAL VOTER SERVICE CENTERS AT APPROPRIATE LOCATIONS FOR THE 2020 ELECTIONS.	DEAD	JUD, FIN	MONITOR
7	HCR101		URGING THE DEPARTMENT OF EDUCATION TO INCREASE FAMILY ENGAGEMENT IN MICRONESIAN COMMUNITIES.	DEAD	LHE, FIN	COMMENT
8	HCR119		REQUESTING THE UNITED STATES MARINE CORPS TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT FOR THE SHORELINE STABILIZATION PROJECT AT THE PUULOLO RANGE TRAINING FACILITY AND URGING THE MARINE CORPS TO CONSIDER ALTERNATIVE APPROACHES TO COASTLINE MANAGEMENT.	DEAD	EED/WLH, FIN	MONITOR
9	HCR121		REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A PILOT PROGRAM THAT ELIMINATES SCHOOL SUSPENSIONS AT THE ELEMENTARY SCHOOL LEVEL AND CAPS ALL TYPES OF SUSPENSIONS AT TEN AGGREGATE DAYS PER STUDENT AT THE MIDDLE, INTERMEDIATE, AND HIGH SCHOOL LEVELS.	DEAD	LHE, JUD, FIN	SUPPORT

Thirtieth State Legislature, 2020

Attachment D

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
10	HCR122		REQUESTING THE DEPARTMENT OF EDUCATION TO PILOT A NEW PROCESS FOR SUSPENSIONS FOR THE 2020-2021 SCHOOL YEAR.	DEAD	LHE, JUD, FIN	SUPPORT
11	HCR138		URGING THE STATE OF HAWAI'I AND CITY AND COUNTY OF HONOLULU TO EXAMINE THE POSSIBILITY OF ESTABLISHING AN AIEA COMMUNITY CENTER AS EFFORTS CONTINUE TOWARD THE RELOCATION AND CONSTRUCTION OF O'AHU COMMUNITY CORRECTIONAL CENTER IN AIEA.	DEAD	WLH, FIN	MONITOR
12	HCR139		REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FACTORS ATTRIBUTABLE TO LOW VOTER TURNOUT IN ELECTIONS IN THE STATE.	DEAD	JUD, FIN	MONITOR
13	HCR142		REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE REPORTING, PROSECUTION, AND CONVICTION RATE OF HATE CRIMES IN THE STATE.	DEAD	JUD	MONITOR
14	HCR145		REQUESTING THE COLLECTION OF SEXUAL ORIENTATION AND GENDER IDENTITY INFORMATION BY THE DEPARTMENT OF HEALTH VIA THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM, AND BY THE DEPARTMENT OF EDUCATION VIA THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM.	DEAD	HLT, FIN	COMMENT
15	HCR147		URGING THE BOARD OF LAND AND NATURAL RESOURCES TO DISPOSE OF THE LONG-TERM WATER RIGHTS LEASES FOR HAWAIIAN ELECTRIC'S NON-CONSUMPTIVE WATER USE ALONG THE WAILUKU RIVER BY DIRECT NEGOTIATION AND PROVIDE GUIDANCE ON DETERMINING THE VALUE OF THE ANNUAL WATER LEASE RENT.	DEAD	WLH	MONITOR
16	HCR153		URGING THE COUNTIES TO OPEN ADDITIONAL VOTER SERVICE CENTERS FOR THE 2020 ELECTIONS TO PROVIDE AMPLE ELECTION SERVICES TO VOTERS IN THEIR RESPECTIVE JURISDICTIONS.	DEAD	JUD, FIN	SUPPORT
17	HCR154		REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO COLLECT AND PUBLISH CERTAIN CRIMINAL CASE DATA FROM ALL COUNTY PROSECUTING ATTORNEY AGENCIES THAT RECEIVE STATE FUNDS.	DEAD	JUD, FIN	COMMENT

Thirtieth State Legislature, 2020

Attachment D

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
18	HCR157		REQUESTING THE HAWAI'I STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO CONDUCT A STUDY ON MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS AND TO SUBMIT A REPORT ON THE STUDY TO THE LEGISLATURE.	DEAD	WLH, JUD	SUPPORT
19	HCR167		RECOGNIZING THE UNIQUE LANGUAGE AND CONTRIBUTIONS TO HAWAIIAN CULTURE OF THE NIIHAU COMMUNITY.	DEAD	WLH, FIN	SUPPORT
20	HCR182		REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ESTABLISH A MAKUA VALLEY TASK FORCE TO PREPARE FOR THE TRANSFER OF MANAGEMENT OF THE MAKUA MILITARY RESERVATION TO THE STATE FROM THE UNITED STATES ARMY UPON EXPIRATION OF GENERAL LEASE NO. S-3848.	DEAD	WLH, FIN	SUPPORT
21	HCR183		URGING THE COUNTIES TO FREEZE PROPERTY TAXES AT THEIR CURRENT LEVELS FOR HOMEOWNERS WHO CURRENTLY, AND HAVE CONTINUOUSLY, RESIDED ON THEIR PROPERTY FOR THE LAST FIVE YEARS.	DEAD	FIN	COMMENT
22	HCR198		PROMOTING A "GREEN CHRISTMAS" BY ENCOURAGING THE PUBLIC TO SELECT PLANTABLE NATIVE TREES FOR HOLIDAY CELEBRATIONS TO HELP ADDRESS THE CLIMATE CRISIS.	DEAD	EEP, FIN	SUPPORT
23	HCR199		REQUESTING THE COUNTIES TO ENFORCE THE CONDITIONS OF PERMITS ISSUED FOR CONSTRUCTION TO MINIMIZE SOIL EROSION AND SEDIMENT RUN-OFF THAT MAY DAMAGE THE STATE'S REEFS AND NEARSHORE WATERS.	DEAD	WLH/EEP, FIN	MONITOR
24	HCR200		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF AGRICULTURE, AND HAWAI'I CATTLEMEN'S COUNCIL, INC., TO FORM A STATE PASTURE AND FOREST LANDS TASK FORCE AND TO INCLUDE ANY ADDITIONAL STAKEHOLDERS IN THEIR DISCUSSIONS.	DEAD	AGR/WLH, FIN	SUPPORT WITH AMENDMENTS
25	SCR36		REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ALLOW FAITH PODS BASED ON KAPU ALOHA TO BE ESTABLISHED WITHIN EACH CORRECTIONAL CENTER.	DEAD	PSM	COMMENT

Thirtieth State Legislature, 2020

Attachment D

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
26	SCR49		REQUESTING THE HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY TO UPDATE AND REPORT ON TRANSIT-ORIENTED DEVELOPMENT PLANNING AND IMPLEMENTATION FOR THE KAKAOKO COMMUNITY DEVELOPMENT DISTRICT.	DEAD	EET/WTL	MONITOR
27	SCR52		URGING THE DEPARTMENT OF PUBLIC SAFETY, DEPARTMENT OF HAWAIIAN HOME LANDS AND UNIVERSITY OF HAWAI'I COMMUNITY COLLEGES TO COLLABORATE ON BUILDING NEW HOMES ON HAWAIIAN HOME LANDS USING PRISONERS TO CONSTRUCT THE HOMES.	DEAD	PSM/HWN/H RE	MONITOR
28	SCR54		STRONGLY URGING VARIOUS GOVERNMENT AGENCIES TO TAKE APPROPRIATE ACTIONS TO PROTECT THE WAHI PANA OF WAIMAKAOHI'IAKA AND PRESERVE THE TRADITIONAL AND CUSTOMARY PRACTICE OF MAKING SALT BEDS AND GATHERING PA'AKAI (SALT) IN HANAPEPE, KAUA'I.	DEAD	FIN	SUPPORT
29	SCR55		DESIGNATING SEPTEMBER AS HAWAIIAN HISTORY MONTH.	DEAD	HWN/LCA	SUPPORT
30	SCR56		URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO NOT COMBINE THE WAIMEA AND ANAEHOOMALU AQUIFER SYSTEM AREAS.	DEAD	WTL, JDC	SUPPORT
31	SCR57		URGING THE STATE OF HAWAI'I TO PROVIDE NATIVE HAWAIIANS WITH THEIR FAIR SHARE OF THE PUBLIC LAND TRUST REVENUE.	DEAD	HWN, WAM	SUPPORT
32	SCR60		SUPPORTING THE HAWAIIAN HOME LANDS TRUST BENEFICIARIES BY AFFIRMING THEIR RIGHT TO REQUIRE THE DEPARTMENT OF HAWAIIAN HOME LANDS, DEPARTMENT OF LAND AND NATURAL RESOURCES, AND DEPARTMENT OF TRANSPORTATION TO COME TO A RESOLUTION AND FAIR COMPENSATION FOR PAST, PRESENT, AND FUTURE USE OF THE LAND BENEATH THE MAUNA KEA ACCESS ROAD AND OTHER DEPARTMENT OF HAWAIIAN HOME LANDS PARCELS IN THE SURROUNDING AREA.	DEAD	HWN/WTL, JDC/WAM	COMMENT
33	SCR70		REQUESTING THE HAWAI'I STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO CONDUCT A STUDY ON MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS AND TO SUBMIT A REPORT ON THE STUDY TO THE LEGISLATURE.	DEAD	HMS/HWN, JDC	SUPPORT

Thirtieth State Legislature, 2020

Attachment D

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
34	SCR100		REQUESTING THE COLLECTION OF SEXUAL ORIENTATION AND GENDER IDENTITY INFORMATION BY THE DEPARTMENT OF HEALTH VIA THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM, AND BY THE DEPARTMENT OF EDUCATION VIA THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM.	DEAD	CPH/EDU, JDC	SUPPORT
35	SCR104		REQUESTING THE BOARD OF EDUCATION TO REQUIRE VOTER REGISTRATION IN THE STATE AND REGISTRATION IN THE UNITED STATES SELECTIVE SERVICE SYSTEM AS A CONDITION FOR RECEIVING A PUBLIC HIGH SCHOOL DIPLOMA IN THE STATE.	DEAD	EDU, JDC	MONITOR
36	SCR106		REQUESTING THE DEPARTMENT OF EDUCATION TO PILOT A LIMITATION ON SUSPENSIONS IN ONE OR MORE COMPLEX AREAS FOR THE 2020-2021 SCHOOL YEAR.	DEAD	EDU, JDC	SUPPORT
37	SCR107		REQUESTING THE DEPARTMENT OF EDUCATION TO PILOT A NEW PROCESS FOR SUSPENSIONS FOR THE 2020-2021 SCHOOL YEAR.	DEAD	EDU, JDC	SUPPORT
38	SCR116		REQUESTING THE UNITED STATES MARINE CORPS TO COMPLETE AN ENVIRONMENTAL IMPACT STATEMENT FOR THE SHORELINE STABILIZATION PROJECT AT THE PUULOLO RANGE TRAINING FACILITY.	DEAD	PSM/WTL	MONITOR
39	SCR154		REQUESTING THE ATTORNEY GENERAL TO SUBMIT REPORTS ON THE REPORTING, INVESTIGATION, AND PROSECUTION OF HATE CRIMES IN THE STATE.	DEAD	FIN	MONITOR
40	SCR161		REQUESTING ANNUAL REPORTS ON THE SEGREGATION AND SOLITARY CONFINEMENT OF INDIVIDUALS IN CORRECTIONAL FACILITIES AND A PLAN TO CEASE THE IMPOSITION OF SOLITARY CONFINEMENT ON MEMBERS OF VULNERABLE POPULATIONS.	DEAD	PSM, JDC	COMMENT
41	SCR173		REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO DEVELOP A PLAN TO RECOGNIZE, HONOR, AND MEMORIALIZE THE LEGACY OF MARY KAWENA PUKU'I IN PERPETUATING THE HAWAIIAN CULTURE.	DEAD	LCA	MONITOR
42	SCR178		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES TO STREAMLINE THE PROCESS FOR ALLOWING TRADITIONAL HAWAIIAN FARMING SYSTEMS ON CONSERVATION LANDS.	DEAD	WTL/HWN	SUPPORT

Thirtieth State Legislature, 2020

Attachment D

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
43	SCR208		REQUESTING THE OFFICE OF THE CLERK OF EACH COUNTY TO DESIGNATE AND ESTABLISH ADDITIONAL VOTER SERVICE CENTERS AT APPROPRIATE LOCATIONS FOR THE 2020 ELECTIONS.	DEAD	JDC	SUPPORT
44	SCR209		REQUESTING THE STATE OFFICE OF ENTERPRISE TECHNOLOGY SERVICES AND THE LEGISLATIVE REFERENCE BUREAU TO COLLABORATE TO PROVIDE VIDEOCONFERENCE ACCESS FOR NEIGHBOR ISLAND RESIDENTS TO BE ABLE TO PARTICIPATE IN LEGISLATIVE HEARINGS AND SESSIONS.	DEAD	TEC	SUPPORT
45	SCR217		REQUESTING THE HAWAII DEPARTMENT OF EDUCATION TO CREATE A WORKING GROUP TO DISCUSS AND IMPLEMENT INSTITUTIONAL CHANGES IN SUSPENSION POLICY AT THE SCHOOL-LEVEL.	DEAD	EDU	SUPPORT
46	SCR230		URGING THE BOARD OF LAND AND NATURAL RESOURCES TO DISPOSE OF THE LONG-TERM WATER RIGHTS LEASES FOR HAWAIIAN ELECTRIC'S NON-CONSUMPTIVE WATER USE ALONG THE WAILUKU RIVER BY DIRECT NEGOTIATION AND PROVIDE GUIDANCE ON DETERMINING THE VALUE OF THE ANNUAL WATER LEASE RENT.	DEAD	WTL	MONITOR
47	HR58		REQUESTING THE OFFICE OF THE CLERK OF EACH COUNTY TO DESIGNATE AND ESTABLISH ADDITIONAL VOTER SERVICE CENTERS AT APPROPRIATE LOCATIONS FOR THE 2020 ELECTIONS.	DEAD	JUD, FIN	SUPPORT
48	HR82		URGING THE DEPARTMENT OF EDUCATION TO INCREASE FAMILY ENGAGEMENT IN MICRONESIAN COMMUNITIES.	DEAD	LHE, FIN	COMMENT
49	HR100		REQUESTING THE UNITED STATES MARINE CORPS TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT FOR THE SHORELINE STABILIZATION PROJECT AT THE PUULOLO RANGE TRAINING FACILITY AND URGING THE MARINE CORPS TO CONSIDER ALTERNATIVE APPROACHES TO COASTLINE MANAGEMENT.	DEAD	EED/WLH, FIN	MONITOR
50	HR122		REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FACTORS ATTRIBUTABLE TO LOW VOTER TURNOUT IN ELECTIONS IN THE STATE.	DEAD	JUD, FIN	MONITOR

Thirtieth State Legislature, 2020

Attachment D

ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
51	HR125		REQUESTING THE COLLECTION OF SEXUAL ORIENTATION AND GENDER IDENTITY INFORMATION BY THE DEPARTMENT OF HEALTH VIA THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM, AND BY THE DEPARTMENT OF EDUCATION VIA THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM.	DEAD	HLT, FIN	COMMENT
52	HR127		URGING THE BOARD OF LAND AND NATURAL RESOURCES TO DISPOSE OF THE LONG-TERM WATER RIGHTS LEASES FOR HAWAIIAN ELECTRIC'S NON-CONSUMPTIVE WATER USE ALONG THE WAILUKU RIVER BY DIRECT NEGOTIATION AND PROVIDE GUIDANCE ON DETERMINING THE VALUE OF THE ANNUAL WATER LEASE RENT.	DEAD	WLH, FIN	MONITOR
53	HR132		URGING THE COUNTIES TO OPEN ADDITIONAL VOTER SERVICE CENTERS FOR THE 2020 ELECTIONS TO PROVIDE AMPLE ELECTION SERVICES TO VOTERS IN THEIR RESPECTIVE JURISDICTIONS.	DEAD	JUD, FIN	SUPPORT
54	HR136		REQUESTING THE HAWAI'I STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO CONDUCT A STUDY ON MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS AND TO SUBMIT A REPORT ON THE STUDY TO THE LEGISLATURE.	DEAD	WLH, JUD	SUPPORT
55	HR146		RECOGNIZING THE UNIQUE LANGUAGE AND CONTRIBUTIONS TO HAWAIIAN CULTURE OF THE NIIHAU COMMUNITY.	DEAD	WLH, FIN	SUPPORT
56	HR161		REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ESTABLISH A MAKUA VALLEY TASK FORCE TO PREPARE FOR THE TRANSFER OF MANAGEMENT OF THE MAKUA MILITARY RESERVATION TO THE STATE FROM THE UNITED STATES ARMY UPON EXPIRATION OF GENERAL LEASE NO. S-3848.	DEAD	WLH, FIN	SUPPORT
57	HR162		URGING THE COUNTIES TO FREEZE PROPERTY TAXES AT THEIR CURRENT LEVELS FOR HOMEOWNERS WHO CURRENTLY, AND HAVE CONTINUOUSLY, RESIDED ON THEIR PROPERTY FOR THE LAST FIVE YEARS.	DEAD	FIN	COMMENT
58	HR179		PROMOTING A "GREEN CHRISTMAS" BY ENCOURAGING THE PUBLIC TO SELECT PLANTABLE NATIVE TREES FOR HOLIDAY CELEBRATIONS TO HELP ADDRESS THE CLIMATE CRISIS.	DEAD	EED, FIN	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
59	HR180		REQUESTING THE COUNTIES TO ENFORCE THE CONDITIONS OF PERMITS ISSUED FOR CONSTRUCTION TO MINIMIZE SOIL EROSION AND SEDIMENT RUN-OFF THAT MAY DAMAGE THE STATE'S REEFS AND NEARSHORE WATERS.	DEAD	WLH/EEP, FIN	MONITOR
60	HR181		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF AGRICULTURE, AND HAWAI'I CATTLEMEN'S COUNCIL, INC., TO FORM A STATE PASTURE AND FOREST LANDS TASK FORCE AND TO INCLUDE ANY ADDITIONAL STAKEHOLDERS IN THEIR DISCUSSIONS.	DEAD	AGR/WLH, FIN	SUPPORT WITH AMENDMENTS
61	SR20		REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ALLOW FAITH PODS BASED ON KAPU ALOHA TO BE ESTABLISHED WITHIN EACH CORRECTIONAL CENTER.	DEAD	PSM	COMMENT
62	SR28		REQUESTING THE HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY TO UPDATE AND REPORT ON TRANSIT-ORIENTED DEVELOPMENT PLANNING AND IMPLEMENTATION FOR THE KAKAOKO COMMUNITY DEVELOPMENT DISTRICT.	DEAD	EET/WTL	MONITOR
63	SR37		REQUESTING THE HAWAI'I STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO CONDUCT A STUDY ON MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS AND TO SUBMIT A REPORT ON THE STUDY TO THE LEGISLATURE.	DEAD	HMS/HWN, JDC	SUPPORT
64	SR64		REQUESTING THE COLLECTION OF SEXUAL ORIENTATION AND GENDER IDENTITY INFORMATION BY THE DEPARTMENT OF HEALTH VIA THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM, AND BY THE DEPARTMENT OF EDUCATION VIA THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM.	DEAD	CPH/EDU, JDC	COMMENT
65	SR113		REQUESTING ANNUAL REPORTS ON THE SEGREGATION AND SOLITARY CONFINEMENT OF INDIVIDUALS IN CORRECTIONAL FACILITIES AND A PLAN TO CEASE THE IMPOSITION OF SOLITARY CONFINEMENT ON MEMBERS OF VULNERABLE POPULATIONS.	DEAD	PSM, JDC	COMMENT
66	SR126		REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO DEVELOP A PLAN TO RECOGNIZE, HONOR, AND MEMORIALIZE THE LEGACY OF MARY KAWENA PUKU'I IN PERPETUATING THE HAWAIIAN CULTURE.	DEAD	LCA	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
67	SR127		REQUESTING THAT THE COUNTIES, IN COORDINATION WITH THE OFFICE OF ELECTIONS, CREATE AND IMPLEMENT A TRANSITION PLAN FOR THE STATE'S CONVERSION TO AN ELECTION BY MAIL SYSTEM.	DEAD	JDC	SUPPORT
68	SR131		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES TO STREAMLINE THE PROCESS FOR ALLOWING TRADITIONAL HAWAIIAN FARMING SYSTEMS ON CONSERVATION LANDS.	DEAD	WTL/HWN	SUPPORT
69	SR151		REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE HAWAI'I TOURISM AUTHORITY, TO DEVELOP A TRAVEL RESTRICTION NOTIFICATION PROCEDURE FOR ADOPTION BY ANY PASSENGER AIRLINE OPERATING IN THE STATE.	ADOPTED	EDU	SUPPORT
70	SR175		REQUESTING THE OFFICE OF THE CLERK OF EACH COUNTY TO DESIGNATE AND ESTABLISH ADDITIONAL VOTER SERVICE CENTERS AT APPROPRIATE LOCATIONS FOR THE 2020 ELECTIONS.	DEAD	JDC	SUPPORT
71	SR176		REQUESTING THE STATE OFFICE OF ENTERPRISE TECHNOLOGY SERVICES AND THE LEGISLATIVE REFERENCE BUREAU TO COLLABORATE TO PROVIDE VIDEOCONFERENCE ACCESS FOR NEIGHBOR ISLAND RESIDENTS TO BE ABLE TO PARTICIPATE IN LEGISLATIVE HEARINGS AND SESSIONS.	DEAD	TEC	SUPPORT
72	SR190		URGING THE BOARD OF LAND AND NATURAL RESOURCES TO EXPEDITE THE DISPOSITION OF THE LONG-TERM WATER RIGHTS LEASES FOR HAWAIIAN ELECTRIC'S NON-CONSUMPTIVE WATER USE ALONG THE WAILUKU RIVER.	ADOPTED	WTL	MONITOR
73	GM583		Submitting for consideration and confirmation to the Board of Land and Natural Resources, Gubernatorial Nominee, CHRISTOPHER YUEN, for a term to expire 06-30-2022.	CONFIRMED	WTL	COMMENT
74	GM584		Submitting for consideration and confirmation to the Board of Land and Natural Resources, Gubernatorial Nominee, WESLEY YOON, for a term to expire 06-30-2022.	CONFIRMED	WTL	MONITOR
75	GM585		Submitting for consideration and confirmation to the Board of Land and Natural Resources, Gubernatorial Nominee, VERNON CHAR, for a term to expire 06-30-2021.	CONFIRMED	WTL	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
76	GM586		Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, MICHAEL BUCK, for a term to expire 06-30-2023.	CONFIRMED	WTL	SUPPORT
77	GM670		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, JONATHAN SCHEUER, for a term to expire 06-30-2024.	CONFIRMED	WTL	SUPPORT
78	GM706		Submitting for consideration and confirmation to the Board of Education, Gubernatorial Nominee, CHRISTINE NAMAUU, for a term to expire 06-30-2023.	CONFIRMED	EDU	SUPPORT
79	GM708		Submitting for consideration and confirmation to the Board of Education, Gubernatorial Nominee, SHANTY ASHER, for a term to expire 06-30-2023.	CONFIRMED	EDU	MONITOR
80	GM750		Submitting for consideration and confirmation to the Civil Rights Commission, Gubernatorial Nominee, LIANN EBESUGAWA, for a term to expire 06-30-2024.	CONFIRMED	JDC	MONITOR
81	GM752		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, ANTHONY PACHECO, for a term to expire 06-30-2020.	WITHDRAWN	WTL	MONITOR
82	GM753		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, ANTHONY PACHECO, for a term to expire 06-30-2024.	WITHDRAWN	WTL	MONITOR
83	GM754		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, CHARLES YOUNG, for a term to expire 06-30-2020.	WITHDRAWN	WTL	MONITOR
84	GM755		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, CHARLES YOUNG, for a term to expire 06-30-2024.	WITHDRAWN	WTL	MONITOR
85	GM756		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, FRANCES KALUHIWA, for a term to expire 06-30-2020.	WITHDRAWN	WTL	MONITOR
86	GM757		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, FRANCES KALUHIWA, for a term to expire 06-30-2024.	WITHDRAWN	WTL	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
87	GM758		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, GODFREY AKAKA, for a term to expire 06-30-2020.	WITHDRAWN	WTL	COMMENT
88	GM759		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, GODFREY AKAKA, for a term to expire 06-30-2024.	WITHDRAWN	WTL	COMMENT
89	GM768		Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, NEIL HANNAHS, for a term to expire 06-30-2024.	CONFIRMED	WTL	SUPPORT
90	GM769		Submitting for consideration and confirmation to the Endangered Species Recovery Committee, Gubernatorial Nominee, KAWIKA WINTER, for a term to expire 06-30-2023.	CONFIRMED	AEN	SUPPORT
91	GM773		Submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, Gubernatorial Nominee, CARMEN LINDSEY, for a term to expire 06-30-2023.	CONFIRMED	WTL	SUPPORT
92	GM776		Submitting for consideration and confirmation to the Kāne'ohe Bay Regional Council, Gubernatorial Nominee, CEDRIC BERTELMANN, for a term to expire 06-30-2020.	CONFIRMED	WTL	MONITOR
93	GM777		Submitting for consideration and confirmation to the Kāne'ohe Bay Regional Council, Gubernatorial Nominee, CEDRIC BERTELMANN, for a term to expire 06-30-2024.	CONFIRMED	WTL	MONITOR
94	GM778		Submitting for consideration and confirmation to the Kāne'ohe Bay Regional Council, Gubernatorial Nominee, FREDERICK REPPUN, for a term to expire 06-30-2023.	CONFIRMED	WTL	MONITOR
95	GM780		Submitting for consideration and confirmation to the Natural Area Reserves System Commission, Gubernatorial Nominee, ANGELA HIILEI KAWELO, for a term to expire 06-30-2024.	CONFIRMED	WTL	SUPPORT
96	GM812		Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, KAU'I BURGESS, for a term to expire 06-30-2024.	CONFIRMED	EET	SUPPORT
97	GM830		Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, PUANANIONAONA THOENE, for a term to expire 06-30-2024.	CONFIRMED	AEN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
98	GM836		Submitting for consideration and confirmation to the Kāneʻohe Bay Regional Council, Gubernatorial Nominee, JEFFREY KALUHIWA, for a term to expire 06-30-2024.	CONFIRMED	WTL	MONITOR
Amended Administrative/Recommended Position Changes						
99	HB1901	RELATING TO PUBLIC SAFETY.	Includes any count department of the prosecuting attorney in the definition of "law enforcement officer". Requires the law enforcement standards board to review and recommend policies regarding the use of force and receive and investigate complaints of a law enforcement officer's actions or omissions that may result in denial, suspension, or revocation of the officer's certification. Requires the board to adopt rules that establish criteria for denial, suspension, or revocation of a law enforcement officer's certification upon a finding that the officer violated written departmental policy or used unjustified force. (SD1)	DEAD	PSM, JDC	SUPPORT ---> COMMENT
100	SB2940	RELATING TO THE STADIUM DEVELOPMENT DISTRICT.	Establishes the stadium development special fund. Defines "stadium development district" and "district". Establishes general development guidance policies for the stadium authority's actions in the stadium development district. Requires the stadium authority to submit annual comprehensive status reports to the legislature. Broadens the powers and duties of the stadium authority that includes authorizing the stadium authority to acquire and hold title to real property. Exempts land to which the stadium authority holds title from the definition of "public lands". Transfers authority to issue leases of lands within the stadium development district from the Hawai'i community development authority to the stadium authority, including expenditure of general funds and issuance of revenue and general revenue bonds proceeds provided by Act 268, SLH 2019.	DEAD	LAB, FIN	MONITOR ---> OPPOSE
101	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. (HD2)	TRANSMITTED TO GOVERNOR	LHE, FIN	OPPOSE ---> COMMENT
Previously Approved Positions						

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
102	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)	DEAD	CPH, WAM	MONITOR
103	HB39	RELATING TO HEALTH.	Requires the Department of Health to establish and convene a working group to conduct a study on whether establishing a new category of professional licensure for assistant physicians would help address the physician shortage in the State. Effective 7/1/2050. (HD1)	DEAD	HLT/IAC, CPC, FIN	MONITOR
104	HB125	RELATING TO NON-GENERAL FUNDS.	Abolishes various non-general funds and accounts of the Department of Land and Natural Resources and transfers the unencumbered balances to the general fund. Takes effect 12/1/2050. (SD1)	DEAD	WTL, WAM	MONITOR
105	HB159	RELATING TO CRIME.	Increases criminal penalties for anyone who knowingly keeps or maintains any structure or place for the purpose of using controlled substances or which is used for keeping or selling them in violation of controlled substance laws. Increases certain criminal penalties for those who knowingly profit from or advance gambling. Effective 1/28/2081. (SD1)	DEAD	PSM, JDC	MONITOR
106	HB218	RELATING TO MINORS.	Grants a circuit court, when sentencing a minor for a nonviolent criminal offense, the discretion to: (1) impose a sentence that includes a period of incarceration that is as much as fifty per cent shorter than any mandatory minimum; and (2) in certain cases, decline to impose a mandatory enhanced sentence. Takes effect 1/1/2059. (SD2)	DEAD	HSH, JUD, FIN	SUPPORT
107	HB272	RELATING TO TELECOMMUNICATIONS.	Caps annual utility rate increases without PUC approval for counties with a population of less than 500,000. Provides telecommunications service providers with flexibility from certain regulatory oversight requirements, including issuance of securities and other evidences of indebtedness, and sales or disposition of property or equipment, if the utility is providing fully competitive retail services and specific conditions are met. Specifies other requirements related to flexibility for telecommunications service providers. (SD1)	DEAD	CPH	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
108	HB295	RELATING TO DOMESTIC ABUSE.	Amends the definition of domestic abuse under Hawai'i's insurance laws and domestic abuse protective order statutes to include emotional abuse between family or household members. Defines emotional abuse. Effective 7/1/2050. (SD1)	DEAD	JDC	MONITOR
109	HB402	RELATING TO INCREASING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF PUBLIC LAND TRUST FUNDS.	Requires that all grants and contracts awarded by the Office of Hawaiian Affairs shall be subject to be individually approved by the board of trustees. Reduces the University of Hawai'i's portion of receipts from the use, sale, lease, or other disposition of lands within the public land trust to be collected during each fiscal year to the amount equal to the University of Hawai'i's receipts derived from tuition and special funds utilized for Native Hawaiian programs. Establishes a public land trust revenues negotiating committee to determine the increase to the annual amount of the income and proceeds from the public land trust that the Office of Hawaiian Affairs shall receive annually under the state constitution and other state law. Requires the Department of Budget and Finance to conduct a financial review of the amounts of revenue generated from the public land trust. Requires the Auditor to report to the Legislature on a comprehensive review of programs administered by the State that serve Hawaiians. Appropriates funds. Prohibits any increases proposed by the public land trust revenues negotiating committee that are not already approved for use by or appropriated to the Office of Hawaiian Affairs until the fiscal and comprehensive reviews required by this measure are completed and submitted to the Legislature. Effective 7/1/2050. (SD2)	DEAD	HWN/HRE, WAM	SUPPORT WITH AMENDMENTS

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
110	HB419	RELATING TO TRANSIENT ACCOMMODATIONS.	Authorizes transient accommodations in the State, subject to certain conditions. Requires all operators and plan managers and their respective properties to be listed on a registry created, published, and updated by each county, except in any county that does not regulate the number or location of transient accommodations within that county. Requires hosting platforms to collect and remit to the State all applicable TAT and GET, as agents of operators and plan managers, and to regularly disclose to the State information on transient accommodations listings in the State. Prohibits hosting platforms from collecting fees or completing any booking transactions for properties not listed on the registry, if applicable in that county.	DEAD	EET/PSM, WAM	SUPPORT
111	HB439	RELATING TO LAND USE.	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 DLNR 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. Takes effect 7/1/2050. (SD1)	DEAD	WTL/HOU, WAM	COMMENT
112	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)	DEAD	WLH, FIN	MONITOR
113	HB460	RELATING TO THE COUNTIES.	Provides the counties with authority to: regulate hosting platforms; require owners or operators to list certain property information on any hosting advertisement or post on a hosting platform; establish short-term rental registries to prohibit hosting platforms from completing booking transactions unless the rental is listed in the registry; prohibit hosting platforms from collecting fees through an agent or intermediary for shortterm rental ancillary services; subpoena records from hosting platforms. Requires persons arriving in any county to declare their place of stay for short-term rental enforcement purposes. (SD1)	DEAD	PSM, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
114	HB917	RELATING TO PUBLIC SCHOOL LANDS.	Requires the attorney general of the State of Hawai'i, on behalf of the Department of Education, to institute proceedings to acquire certain land owned by the Mililani Town Association by voluntary action or condemnation. Effective upon approval. (SD1)	DEAD	EDU, WAM	MONITOR
115	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)	DEAD	CPH/JDC, WAM	MONITOR
116	HB1025	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. Sunsets on 6/30/2024. (SD2)	DEAD	WTL, WAM	OPPOSE
117	HB1042	RELATING TO TAX REPORTING.	Revises the manner in which persons authorized to collect rent provide information to the Department of Taxation and requires (as opposed to permits) them to report the total amount of rent collected under sections 237-30.5 and 237D-8.5, Hawai'i Revised Statutes. (SD1)	DEAD	WAM	MONITOR
118	HB1075	RELATING TO BAG LIMITS.	Repeals the statutory prohibition on taking or killing female spiny lobsters, Kona crabs, and Samoan crabs. Effective 7/1/2050. (HD1)	DEAD	WLH, JUD	MONITOR
119	HB1116	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Amends ballot requirements to display candidates for the Board of Trustees of the Office of Hawaiian Affairs by residency and non-residency requirements. Requires the names of the candidates in each group to be randomized on individual ballots and on ballots across precincts by the feasible method that provides the greatest degree of randomization. Effective 1/28/2081. (SD1)	DEAD	JUD, FIN	MONITOR
120	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)	DEAD	WTL, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
121	HB1132	RELATING TO PUBLIC MEETINGS.	Requires legislative bodies subject to sunshine laws to publish notice of the substantive content of any measure being heard or decided on. Changes the time to file a suit to void a final action taken in violation of sunshine laws from within ninety days to within one hundred eighty days of the action.	DEAD	LMG, JUD, FIN	MONITOR
122	HB1219	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 DLNR to issue a rent reduction or waiver for certain lessee's expenses for demolition or provision of basic infrastructure. Effective 7/1/2050. (SD2)	DEAD	WTL, WAM	COMMENT
123	HB1402	RELATING TO THE COMMUNITY-BASED ECONOMIC DEVELOPMENT PROGRAM.	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, and homestead association community development corporations. Appropriates funds. Takes effect on 7/1/2050. (SD1)	DEAD	HWN, WAM	MONITOR
124	HB1405	RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES BUDGET.	Adjusts the operating budget for the fiscal biennium 2019-2021 for certain Department of Land and Natural Resources programs. Effective 7/1/2050. (SD2)	DEAD	WTL, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
125	HB1416	RELATING TO HEALTH.	Establishes a Suicide Prevention Commission to develop a strategic plan to reduce suicides within Hawai'i's correctional system. Appropriates moneys to the Department of Health to develop a centralized assessment and treatment program. (SD1)	DEAD	CPH/PSM, WAM	MONITOR
126	HB1468	RELATING TO THE WAI'ANAE COAST COMPREHENSIVE HEALTH CENTER.	Appropriates moneys to the Department of Health to provide the Wai'anae Coast Comprehensive Health Center with funding for an advanced practice registered nurse position and various infrastructure improvements for its school-based health center at Nanakuli High and Intermediate School. Takes effect 7/1/2050. (SD1)	DEAD	CPH, WAM	MONITOR
127	HB1487	RELATING TO CLIMATE CHANGE.	Establishes the Honolulu shoreline climate protection pilot project to develop a plan to protect urban Honolulu from the impacts of sea level rise, floodwater, storms, and other impacts of a rapidly changing climate. Appropriates funds to the Department of Land and Natural Resources for the development of the Honolulu shoreline climate protection pilot project. Appropriates funds to the Office of Planning to conduct a comprehensive study of a statewide carbon tax. Effective 7/1/2050. (SD2)	DEAD	AEN/WTL, WAM	MONITOR
128	HB1582	RELATING TO CONCESSIONS ON PUBLIC PROPERTY.	Increases the maximum length of concession contracts from 15 years to 20 years. Replaces requirements that certain concessions shall be operated by nonprofit corporations in order to be exempt from the sealed bid requirements of section 102-2(a), Hawai'i Revised Statutes, with a requirement that state and county agencies give preference to nonprofit corporations pursuant to rules. Takes effect 7/1/2050. (SD2)	DEAD	LCA, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
129	HB1611	RELATING TO SHORELINES.	<p>Authorizes the Board of Land and Natural Resources to provide shoreline encroachment easements that do not exceed 10 years to landowners having structures that encroach on the shoreline.</p> <p>Requires the Board of Land and Natural Resources to adopt rules that establish a policy and procedure for the granting or renewal of shoreline encroachment easements. Requires the adopted policy to consider the impact of expected sea level rise on the encroaching structures. Prohibits the granting of any new shoreline encroachment easements until the new policy is adopted.</p>	DEAD	EEP/WLH, FIN	SUPPORT WITH AMENDMENTS
130	HB1616	RELATING TO PAROLE OFFICERS.	<p>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.</p>	DEAD	PVM, JUD	MONITOR
131	HB1619	RELATING TO PENAL RESPONSIBILITY.	<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. Requires either one psychiatrist or one psychologist to be appointed in felony cases requiring three examiners. Requires an examination for penal responsibility to be conducted within fifteen days after a finding of fitness to proceed. Effective 7/1/2050. (HD1)</p>	DEAD	HLT, JUD	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
132	HB1620	RELATING TO THE ADMINISTRATION OF JUSTICE.	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. 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. Removes the time requirement for the ordering of the penal responsibility evaluation. Requires the judiciary, in consultation with county prosecutors, to report to the Legislature on the effectiveness of the Act in 2021, 2022, and 2023. (SD2)	TRANSMITTED TO GOVERNOR	CPH, JDC	MONITOR
133	HB1681	RELATING TO SENTENCING.	Enhances the term of imprisonment for habitual violent felons. Defines "habitual violent felon."	DEAD	JUD, FIN	MONITOR
134	HB1688	RELATING TO THE ALA WAI BOAT HARBOR.	Requires the Board of Land and Natural Resources to offer to sell leasehold condominium boat slips at the Ala Wai boat harbor to certain tenants of the harbor and allocate the proceeds of these sales for deferred maintenance of the harbor. Allows for the establishment of a condominium association at Ala Wai boat harbor to serve as the landlord of all boat slips at the harbor. Exempts owners of leasehold condominium boat slips at the Ala Wai boat harbor from moorage fees.	DEAD	WLH, CPC, FIN	MONITOR
135	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 upon its approval. (SD1)	DEAD	LCA, WAM	MONITOR
136	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. (SD2)	DEAD	LCA, JDC	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
137	HB1716	RELATING TO HOUSING DEVELOPMENT.	Provides to each county legislative body the ability to review and approve land use district boundary amendments for affordable housing projects on 15 acres or less.	DEAD	HSG/WLH/FIN	MONITOR
138	HB1717	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.	Amends the allocation of transient accommodations tax revenues based upon the recommendations of the State-County Functions Working Group established by Act 174, Session Laws of Hawai'i 2014, to consider the distribution of duties and responsibilities for public services between the State and the counties and to recommend a model for the allocation of transient accommodations tax revenues.	DEAD	TIA, FIN	MONITOR
139	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.	DEAD	JUD	MONITOR
140	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)	DEAD	AEN, JDC	MONITOR
141	HB1750	RELATING TO EYEWITNESS IDENTIFICATIONS.	Repeals Act 281, Session Laws of Hawai'i 2019, which codifies law enforcement investigation procedures for eyewitness identifications.	DEAD	JUD, FIN	MONITOR
142	HB1751	RELATING TO ELECTIONS.	Authorizes election officials to establish additional voter service centers.	DEAD	JUD, FIN	SUPPORT
143	HB1752	RELATING TO ELECTIONS.	Reinstates the definition of "precinct" and amends the definition of "district" to facilitate the administration of elections.	DEAD	JUD, FIN	MONITOR
144	HB1763	RELATING TO THE STATE ETHICS CODE.	Prohibits certain former State employees from representing any person or business in a legislative or administrative action before the State for twelve months after the termination of their employment.	DEAD	LAB, JUD	MONITOR
145	HB1769	RELATING TO HOUSING.	Extends to an unspecified number of days a legislative body's deadline to approve, approve with modification, or disapprove an affordable housing project. Effective 7/1/2025. (HD1)	DEAD	HSG, JUD, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
146	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."	DEAD	TIA, JUD, FIN	MONITOR
147	HB1778	RELATING TO HISTORIC PRESERVATION.	Authorizes the counties to employ qualified archaeologists to perform necessary reviews under Chapter 6E, Hawai'i Revised Statutes. Provides for automatic approval of a project if the necessary archaeological review was not completed within 30 days.	DEAD	HSG/WLH/FIN	OPPOSE
148	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)	DEAD	PSM, WAM	MONITOR
149	HB1820	RELATING TO THE HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY.	Amends the nominating authority of the representatives of the He'eia community development district, Kalaeloa community development district, and Kaka'ako community development district that serve 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, Session Laws of Hawai'i 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 Act 268, Session Laws of Hawai'i 2019. (SD1)	DEAD	EET, WAM	MONITOR
150	HB1821	RELATING TO DECLARATORY JUDGMENTS.	Prohibits declaratory judgments when there is a cause of action and in other certain instances. Requires a plaintiff to show a personal stake in the actual controversy beyond a general disagreement or complaint by requiring a showing of an injury-in-fact.	DEAD	JUD	OPPOSE
151	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.	DEAD	HSH/HLT, JUD, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
152	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)	DEAD	WTL, JDC	MONITOR
153	HB1848	RELATING TO THE ENVIRONMENT.	Requires new developments to plan for the impacts of projected sea level rise and restricts development in areas significantly affected by projected sea level rise. Amends policies and objectives related to coastal zone management to reduce residential exposure to coastal hazards and protect state beaches and public shoreline access. Defines "beach" and "coastal hazards." Increases the minimum shoreline setback. Takes effect on 7/1/2050. (HD1)	DEAD	EEP, WLH, FIN	MONITOR
154	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)	DEAD	WTL/AEN, WAM	MONITOR
155	HB1860	RELATING TO WATER POLLUTION.	Adds the chemicals homosalate, octocrylene, and octisalate to the sale and distribution sunscreen ban beginning on 1/1/2021. Allows the Department of Health to adopt rules to add additional harmful chemicals to the sale and distribution ban. Effective 7/1/2050. (HD2)	DEAD	EEP, CPC, FIN	MONITOR
156	HB1862	RELATING TO ENVIRONMENTAL PROTECTION.	Prohibits DLNR from establishing or implementing bag limits for game mammals in public hunting areas. Effective 7/1/2050. (HD1)	DEAD	EEP/WLH, JUD	MONITOR
157	HB1875	RELATING TO NATIVE HAWAIIAN AFFAIRS.	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. Effective July 1, 2050. (HD1)	DEAD	WLH, FIN	SUPPORT
158	HB1876	RELATING TO AQUATIC BIOSECURITY.	Requires DLNR to take specified actions to combat invasive and alien aquatic organisms. Appropriates funds for staffing and operating expenditures for aquatic biosecurity.	DEAD	WLH/EEP, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
159	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)	DEAD	WTL/CPH, JDC/WAM	MONITOR
160	HB1880	RELATING TO THE KAHO'OLAWA 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. Appropriates funds to the Kaho'olawe island reserve commission for fire recovery efforts. Effective 7/1/2050. (SD1)	DEAD	WTL, WAM	MONITOR
161	HB1890	RELATING TO AGRICULTURE.	Expands the permitted activities and uses within the state land use agricultural district to include livestock production.	DEAD	AGR, JUD	MONITOR
162	HB1906	RELATING TO WIND POWER.	Establishes a two-year moratorium on the issuance of new permits or approvals for wind turbines capable of producing one megawatt or more of energy. Creates a task force to make recommendations on wind energy policies and permitting. Makes an appropriation. Repeals 6/30/2022.	DEAD	EED/WLH, FIN	MONITOR
163	HB1908	RELATING TO WATER AND SEWER INFRASTRUCTURE.	Establishes a state water and sewer surcharge for all water utility customers. Requires the Commission on Water Resource Management to establish the surcharge rate. Requires the Hawai'i Community Development Authority to expend the revenues of the surcharge to award grants to the counties to assist in funding repair, maintenance, and construction of water and sewer infrastructure.	DEAD	WLH, FIN	MONITOR
164	HB1918	RELATING TO THE HAWAI'I 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. (HD1)	DEAD	PVM, FIN	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
165	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)	DEAD	WTL, JDC	OPPOSE
166	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)	DEAD	AEN/WTL, WAM	MONITOR
167	HB1925	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Requires the Auditor to conduct a financial and performance audit of the Department of Hawaiian Home Lands.	DEAD	WLH, FIN	MONITOR
168	HB1928	RELATING TO DEVELOPMENT DISTRICTS.	Establishes the Pulehunui 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 Pulehunui 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. Prohibits a county ordinance or county rule from requiring a developer of any development having more than 5 residential units to obtain the approval of any state agency, unless required under state law. (SD2)	DEAD	WTL, WAM	MONITOR
169	HB1932	RELATING TO HOUSING.	Authorizes the counties to reclassify lands 15 to 100 acres in certain rural, urban, and agricultural districts in which at least 50 percent of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below 140 percent of the area median income.	DEAD	HSG/WLH, FIN	OPPOSE
170	HB1935	RELATING TO THE MILITARY.	Establishes a task force to evaluate the economic impact of the military's presence in Hawai'i.	DEAD	PVM, WLH, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
171	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)	DEAD	EET, WAM	MONITOR
172	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 and the Hawai'i Lodging and Tourism Association to consult with the Hawai'i Interagency Council on Homelessness prior to awarding funds for projects addressing homelessness. Requires HTA to report to the 2021 legislature. Effective 7/1/2099. (SD1)	DEAD	EET/HMS, WAM	MONITOR
173	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)	DEAD	EET/PSM, WAM	MONITOR
174	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)	DEAD	HSG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
175	HB1952	RELATING TO WILDLIFE PRESERVATION.	Designates all currently undeveloped watercourses and lands unsuitable for development as wildlife reserve sanctuaries for which development is prohibited so that those lands may serve as a permanent refuge to wildlife. Establishes procedures to obtain a variance to construct a structure within a wildlife reserve sanctuary. Prohibits the construction of wind turbines on mountain slopes or hillsides if the location of the wind turbine is within 1,000 feet of the center of a wildlife reserve sanctuary.	DEAD	EED/WLH, FIN	MONITOR
176	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.	DEAD	JUD, FIN	MONITOR
177	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)	DEAD	PSM, WAM	SUPPORT
178	HB2011	RELATING TO THE GOVERNOR'S COORDINATOR ON NATIVE HAWAIIAN ADVANCEMENT.	Establishes the governor's coordinator on Native Hawaiian advancement, who shall be appointed by the governor with the advice and consent of the senate. Makes an appropriation.	DEAD	WLH, FIN	COMMENT
179	HB2013	RELATING TO NATIVE HAWAIIAN ART.	Requires that a certain percentage of the works of art acquired using the works of art special fund include native Hawaiian subject matter.	DEAD	TIA/WLH, FIN	MONITOR
180	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.	DEAD	HSG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
181	HB2015	RELATING TO INVASIVE SPECIES.	Establishes a pilot program within the Aina 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)	DEAD	HWN, WAM	MONITOR
182	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.	DEAD	JUD, FIN	MONITOR
183	HB2018	RELATING TO TRAINING.	Mandates OHA training for additional public officials, including certain state and county officials, state judges, and state legislators on native Hawaiian history, culture, and rights. Sets 12-month deadline for completion of training from time of enactment, or time of hire or appointment.	DEAD	WLH, JUD, FIN	SUPPORT WITH AMENDMENTS
184	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.	DEAD	LHE/HSG, FIN	SUPPORT
185	HB2028	RELATING TO THE CONVEYANCE TAX.	Adjusts conveyance tax rates for non-residents who are not active military members.	DEAD	CPC, FIN	MONITOR
186	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.	DEAD	EEP/WLH, LMG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
187	HB2035	RELATING TO NON-AGRICULTURAL PARK LANDS.	Requires the Department of Land and Natural Resources to transfer to the Department of Agriculture certain non-agricultural park lands by a specified date. Requires lessees, permittees, and other occupants to develop and implement a watershed partnership plan and dedicate 50% of meat production for local consumption by 12/31/2023. Requires the Department of Agriculture to report on the percentage of local meat production marketed within the State and on implementation of the watershed partnership plan. Amends the definition of "agricultural activities" used in chapter 166E, Hawai'i Revised Statutes. Section 3, subsections (a), (b), and (c) sunset 6/30/2021. (SD2)	DEAD	WTL/AEN, WAM	OPPOSE
188	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)	DEAD	WTL, WAM	MONITOR
189	HB2037	RELATING TO THE HAWAI'I STATE LGBTQP COMMISSION.	Establishes the Hawai'i state lesbian, gay, bisexual, transgender, queer, plus commission. Appropriates funds. Effective 12/31/2059. (SD1)	DEAD	HMS/JDC, WAM	COMMENT
190	HB2042	RELATING TO BAG LIMITS.	Prohibits the Department of Land and Natural Resources from imposing bag limits on deer, goats, and pigs.	DEAD	WLH, JUD, FIN	MONITOR
191	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)	DEAD	HMS, JDC/WAM	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
192	HB2069	RELATING TO PROPERTY FORFEITURE.	Restricts asset forfeiture to cases involving the commission of a covered criminal misdemeanor or felony offense. Requires seized property to be forfeited only when the property owner has been convicted of an underlying covered criminal misdemeanor or felony offense. Changes the standard of proof that the State must meet in order for property to be forfeited from "preponderance of the evidence" to "beyond a reasonable doubt". Requires the State to prove that owners consented to or possessed knowledge of the crime that led to the seizure of their property. Requires that the agency seizing the property pay for safe and secure storage of the seized property until the completion of the forfeiture proceeding or final disposition of the property. Directs any proceeds from a civil forfeiture to the general revenue fund for public education purposes. Repeals administrative forfeiture proceedings. (SD1)	DEAD	JDC, WAM	COMMENT
193	HB2081	RELATING TO PUBLIC WORKS ON HAWAIIAN HOME LANDS.	Exempts DHHL projects from the Davis Bacon Act.	DEAD	LAB, WLH, FIN	MONITOR
194	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.	DEAD	JUD, FIN	MONITOR
195	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. (SD1)	DEAD	HRE, JDC	MONITOR
196	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)	DEAD	HMS, JDC	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
197	HB2109	RELATING TO CRIMINAL PENALTIES.	Increases certain penalties for the crimes of assault, burglary, criminal property damage, and theft by one grade.	DEAD	JUD	COMMENT
198	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. Effective 12/31/2059. (HD1)	DEAD	HSH/PVM, FIN	COMMENT
199	HB2112	RELATING TO HOMELESSNESS.	Requires the office of the lieutenant governor to convene a working group to examine the feasibility of establishing and implementing a kauhale pilot program based on specified criteria to provide shelter and other services to homeless individuals in the State and to submit a report of the working group's findings and recommendations, including any proposed legislation, to the legislature prior to the regular session of 2021. Takes effect on December 31, 2059. (HD1)	DEAD	HSH/HSG, FIN	MONITOR
200	HB2119	RELATING TO VOTING.	Requires that any person who is eligible to vote and applies for a motor vehicle driver's license or identification card to be automatically registered to vote unless the applicant affirmatively declines. 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 online voter registration system. Effective 7/1/2050. (HD2)	DEAD	TRN, JUD, FIN	SUPPORT
201	HB2121	RELATING TO RANKED CHOICE VOTING.	Establishes ranked choice voting for special federal elections and special elections of vacant county council seats.	DEAD	JUD, FIN	MONITOR
202	HB2124	RELATING TO THE CODE OF ETHICS.	Prohibits certain former State employees from representing certain interests in a legislative or administrative action before the State for twelve months after the termination of their employment. Effective 1/1/2021. (SD2)	TRANSMITTED TO GOVERNOR	GVO, JDC	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
203	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. (SD1)	TRANSMITTED TO GOVERNOR	JDC	MONITOR
204	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.	DEAD	JUD, FIN	MONITOR
205	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)	DEAD	JDC, WAM	MONITOR
206	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.	DEAD	AGR/WLH, CPC	MONITOR
207	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. (SD1)	DEAD	AEN, WAM	MONITOR
208	HB2154	RELATING TO ENVIRONMENTAL PROTECTION.	Prohibits all harvesting of aquatic life for commercial aquarium purposes, regardless of the method of collection.	DEAD	EEN/WLH, JUD, FIN	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
209	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)	DEAD	TRS, JDC	MONITOR
210	HB2182	RELATING TO AFFORDABLE HOUSING.	Allows the HHFDC to enter into public private partnerships with private sector entities to build affordable housing and reserves a portion of the housing units for the exclusive use of the employees of the private sector entity partner.	DEAD	HSG, FIN	MONITOR
211	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. (SD2)	TRANSMITTED TO GOVERNOR	HOU, WAM	MONITOR
212	HB2184	RELATING TO HISTORIC PRESERVATION.	Amends the threshold for when a building, structure, object, district, area, or site, including heiau and underwater site, is considered historic property from over fifty years old to seventy-five years or older.	DEAD	WLH, FIN	MONITOR
213	HB2190	RELATING TO AGRICULTURAL ENTERPRISES.	Authorizes the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure or improvements on any lands under the jurisdiction of the department, to support and promote agriculture. Establishes the agricultural enterprise program. Establishes the Agricultural Enterprise Special Fund. Makes an appropriation. Effective 7/1/2150. (HD1)	DEAD	AGR, JUD, FIN	MONITOR
214	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)	DEAD	WTL, JDC/WAM	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
215	HB2194	RELATING TO COASTAL ZONE MANAGEMENT.	Defines "coastal hazards" and "beaches" and includes specific references to "coastal dunes" to clarify CZM policies in chapter 205A, HRS, including special management areas, shoreline setbacks, and variances.	DEAD	EED/WLH, FIN	MONITOR
216	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)	DEAD	HRE/AEN, WAM	MONITOR
217	HB2198	RELATING TO AGRICULTURAL LANDS.	Allows bed and breakfast accommodations on class C, D, E, or U agricultural lands in a county with an area greater than 4,000 square miles.	DEAD	AGR/WLH/TIA, FIN	COMMENT
218	HB2199	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.	DEAD	TRN, JUD, FIN	MONITOR
219	HB2200	RELATING TO THE STATE BUDGET.	Adjusts and makes additional appropriations for fiscal biennium 2019-2021 to fund the operations of executive branch agencies and programs. (SD1)	ACT 007	WAM	MONITOR
220	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)	DEAD	EDU, JDC	SUPPORT
221	HB2207	RELATING TO LAND USE.	Requires 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. Takes effect on 7/1/2050. (SD1)	DEAD	WTL, WAM	MONITOR
222	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.	DEAD	HWN/WTL, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
223	HB2211	RELATING TO 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. (SD1)	DEAD	WTL, WAM	MONITOR
224	HB2212	RELATING TO SUSTAINABILITY.	Requires the Department of Land and Natural Resources to: (1) recognize that game mammals and game birds are a sustainable food source and that the State's unique relationship with the ocean provides the opportunity to integrate the local fish and game industry into the State's food security profile; and (2) establish and maintain fish propagating facilities. 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 Legislature.	DEAD	WLH, FIN	OPPOSE
225	HB2216	RELATING TO HAWAIIAN HOME LANDS.	Requires at least 5 Hawaiian Homes Commission members to be Native Hawaiian or current Hawaiian homestead lessees; and at least 2 of those 5 to be on the waitlist for Hawaiian home lands. Authorizes commission members to elect a chairperson and vice chairperson. Creates the position of Director of Hawaiian Home Lands and separates the Director's responsibilities from those of the Chairperson of the Commission. Effective July 1, 2050. (HD2)	DEAD	WLH, JUD, FIN	MONITOR
226	HB2241	RELATING TO GENERAL EXCISE TAX EXEMPTIONS.	Exempts certain foods, medical services, and feminine hygiene products from the general excise tax.	DEAD	HSH/HLT, FIN	MONITOR
227	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.	DEAD	HSH, FIN	SUPPORT
228	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.	DEAD	LHE/HSG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
229	HB2260	RELATING TO AFFORDABLE HOUSING.	Exempts certain low-density affordable housing projects from the State's land use district boundary amendment requirements.	DEAD	HSG/WLH, FIN	OPPOSE
230	HB2265	RELATING TO INVASIVE SPECIES.	Establishes the invasive species rapid response special fund. Establishes procedures for emergency declarations and expenditures. Appropriates funds. Effective 7/1/2050. (HD1)	DEAD	EED, FIN	MONITOR
231	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.	DEAD	EED/WLH, FIN	MONITOR
232	HB2274	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.	DEAD	AGR/EDB/WLH, JUD, FIN	MONITOR
233	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.	DEAD	HSG, FIN	MONITOR
234	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)	DEAD	WTL/HOU, WAM	OPPOSE
235	HB2335	RELATING TO OFFICE OF YOUTH SERVICES.	Establishes the Office of Youth Services Revolving Fund. 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. Effective 12/31/2059. (HD1)	DEAD	HSH, FIN	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
236	HB2353	RELATING TO STATE BOATING FACILITIES.	Authorizes the Board of Land and Natural Resources to lease any existing state boating facility in part or in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation. Clarifies that legislative approval is not required to award a lease. Repeals fast lands and submerged lands lease authorization for Ala Wai Boat Harbor under section 200-2.6, Hawai'i Revised Statutes.	DEAD	WLH, JUD, FIN	MONITOR
237	HB2357	RELATING TO DISPOSITION OF WATER LICENSES BY THE BLNR.	Clarifies the conditions and manner in which the Board of Land and Natural Resources may dispose water by license.	DEAD	WLH, JUD, FIN	COMMENT
238	HB2358	RELATING TO AUTHORIZING THE DLNR TO LEASE PASTURE LANDS ON TERMS THAT PROMOTE COLLABORATIVE BENEFICIAL USE.	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)	DEAD	WTL/AEN, WAM	OPPOSE
239	HB2362	RELATING TO PUBLIC SAFETY.	Appropriates funds to purchase the Honolulu Federal Detention Center. Takes effect on 7/1/2050. (HD2)	DEAD	PSM, WAM	MONITOR
240	HB2382	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 acceptance of the statement or the determination of a finding of no significant impact, if the proposed action is not completed.	DEAD	EED, JUD, FIN	MONITOR
241	HB2386	RELATING TO PROPERTY ACCESS.	Extends the application of gathering rights to lands owned in fee simple and to landlords and landowners. Authorizes an action for easement by necessity for landlocked parcels not previously under a unity of title with the prospective subservient estate.	DEAD	WLH, JUD, FIN	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
242	HB2390	RELATING TO THE ESTABLISHMENT OF AN ECOSYSTEM RESTORATION COMMISSION.	Establishes an ecosystem restoration commission to identify lands for environmental remediation and return ownership and control of those lands to the State, a county, or other entity.	DEAD	EEP/WLH, FIN	MONITOR
243	HB2391	RELATING TO REDUCING PLASTIC PACKAGING WASTE.	Requires all retail food establishments using any food service ware for any food prepared or packaged on premises to use biodegradable, compostable, recyclable, or reusable food service ware.	DEAD	EEP/WLH, CPC, FIN	MONITOR
244	HB2393	RELATING TO PUBLIC LANDS.	Prohibits the board of land and natural resources from approving the disposition of public land to the United States military that would allow for or facilitate any military training.	DEAD	PVM/WLH, LMG, FIN	MONITOR
245	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.	DEAD	LAB, FIN	MONITOR
246	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.	DEAD	LAB, FIN	MONITOR
247	HB2414	RELATING TO SHARK PROTECTION.	Prohibits and establishes fines and penalties for knowingly capturing, taking, possessing, abusing, harassing, entangling, or killing any shark within state marine waters. Provides certain exemptions. Exempts nationally qualified educational institutions from the requirement to obtain a special activity permit to conduct scientific and educational research activities on sharks. (HD1)	DEAD	WLH, JUD	SUPPORT
248	HB2416	RELATING TO KĀNE'OHE BAY.	Appropriates funds to create a full-time internship coordinator and cultural resource specialist positions with the Hawai'i institute of marine biology at the He'eia estuarine research reserve.	DEAD	LHE, FIN	MONITOR
249	HB2418	RELATING TO LEGISLATIVE TESTIMONY.	Requires the house and senate to permit remote testimony, via telephone, at public hearings.	DEAD	LMG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
250	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 Hawai'i Tourism Authority to monitor compliance with this Act.	DEAD	TIA/LAB, FIN	SUPPORT
251	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)	DEAD	EDU/CPH, WAM	MONITOR
252	HB2436	RELATING TO TAXATION.	Requires a certain percentage of the transient accommodations tax to be allocated to provide funding for the Bishop Museum and 'Iolani Palace.	DEAD	TIA/WLH, FIN	MONITOR
253	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)	DEAD	AEN/HRE, WAM	MONITOR
254	HB2440	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 develop an ALOHA homes demonstration project by July 1, 2025.	DEAD	HSG/TRN/WLH, JUD, FIN	COMMENT
255	HB2442	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.	DEAD	WLH/EEP, FIN	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
256	HB2443	RELATING TO HISTORIC PRESERVATION.	Makes it a civil and administrative violation for any person to engage in certain archaeological activities, or use explosives during land development or land alteration activities subject to historic preservation review, without obtaining the required permission or approval from the department of land and natural resources. Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	SUPPORT
257	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)	DEAD	LCA/HOU, WAM	MONITOR
258	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 7/1/2050. (SD1)	DEAD	HOU, WAM	MONITOR
259	HB2454	RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE.	Establishes the offense of criminal trespass on critical electrical infrastructure. Takes effect on 7/1/2050. (SD1)	DEAD	CPH, JDC	MONITOR
260	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.	DEAD	WLH, FIN	COMMENT
261	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.	DEAD	LAB, JUD	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
262	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 7/1/2050. (SD1)	DEAD	HOU, WAM	MONITOR
263	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.	DEAD	TIA/WLH, FIN	MONITOR
264	HB2475	RELATING TO CARGO CARRIERS.	Authorizes the Public Utilities Commission to address any situation where the condition of a regulated water carrier of cargo may result in the disruption, reduction, or cessation of essential services. Amends the bases upon which the Public Utilities Commission may issue a certificate of public convenience and necessity to an applicant seeking authority to serve as a regulated water carrier. Authorizes the Department of Transportation to enter into contracts to provide subsidies to a regulated water carrier provided the carrier meets certain conditions. (SD1)	DEAD	TRS, WAM	MONITOR
265	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)	DEAD	EDU, WAM	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
266	HB2512	RELATING TO HISTORIC PRESERVATION.	Authorizes DLNR to delegate to qualified archaeologists employed by the counties the authority to perform reviews of proposed projects under the historic preservation program, under certain conditions. Provides that proposed projects under the program are deemed automatically approved if the archaeological review is not completed within 30 calendar days. Provides that challenges to an archaeological review are subject to an expedited hearing before the supreme court. Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	OPPOSE
267	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.	DEAD	HSG/WLH, FIN	MONITOR
268	HB2518	RELATING TO THE COUNTY OF MAUI.	Authorizes the Director of Finance to issue general obligation bonds to the County of Maui for the upgrade of that county's R-1 water delivery systems and the Department of Land and Natural Resources for the upgrade of certain water reservoirs located in the forest watershed areas on Maui.	DEAD	WLH, FIN	MONITOR
269	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.	DEAD	LAB, FIN	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
270	HB2542	RELATING TO LAND DEVELOPMENT.	<p>Authorizes the Hawai'i Housing Finance and Development Corporation to lease real property for a period not to exceed 99 years for the development of certain projects that include 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.</p> <p>Authorizes the issuance of \$200,000,000 in general obligation bonds, with the proceeds used for the establishment of infrastructure to support the development of housing on lands near the University of Hawai'i West O'ahu campus. Authorizes the issuance of \$75,000,000 in general obligation bonds, with the proceeds used for affordable housing infrastructure in counties with a resident population of 500,000 or less.</p>	DEAD	HSG/FIN	OPPOSE
271	HB2544	RELATING TO A SCHOOL FACILITIES AGENCY.	<p>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.</p> <p>Appropriates funds.</p>	DEAD	LHE/FIN	OPPOSE
272	HB2547	RELATING TO HOUSING.	<p>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 7/1/2050. (SD1)</p>	DEAD	HOU, WAM	MONITOR
273	HB2555	RELATING TO THE NĀ WAI 'EHĀ WATERSHED.	<p>Appropriates money out of the land conservation fund for the acquisition of 11,020 acres of the Na Wai 'Ehā watershed in Wailuku, Maui. Takes effect on 7/1/2050. (HD1)</p>	DEAD	WLH, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
274	HB2557	RELATING TO COUNTIES.	Makes explicit the counties' authority to regulate hosting platforms providing booking services for short-term rentals. Includes swapping, bartering, or exchange of a residential dwelling, or portion thereof, in definition of "short-term rental" for this purpose.	DEAD	TIA, JUD, FIN	MONITOR
275	HB2577	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.	DEAD	AGR/WLH, FIN	OPPOSE
276	HB2578	RELATING TO PUBLIC LANDS.	<p>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 Waiākea peninsula on the island of Hawai'i as the Waiākea 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.</p> <p>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)</p>	DEAD	WTL/EET, WAM	COMMENT
277	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.	DEAD	JUD, FIN	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
278	HB2585	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Requires all grants or contracts awarded by the Office of Hawaiian Affairs to be approved by its board of trustees. Establishes a public land trust revenues negotiating committee to determine the increase to the annual amount of the income and proceeds from the public land trust that the Office of Hawaiian Affairs shall receive annually under the state constitution and other state law. Requires the Department of Budget and Finance to conduct an annual financial review of the amounts of revenue generated from the public land trust. Requires the Office of Planning to assist in the financial review by liaising with affected departments and agencies. Appropriates funds. Effective 7/1/2050. (HD1)	DEAD	WLH, JUD, FIN	SUPPORT WITH AMENDMENTS
279	HB2586	RELATING TO HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY.	Authorizes the Office of Hawaiian Affairs to seek residential development of lands in Kaka'ako Community Development District owned by the Office of Hawaiian Affairs. Requires a public hearing prior to submission by the Office of Hawaiian Affairs to the Hawai'i Community Development Authority of any plan or proposal for any residential development.	DEAD	WLH/HSG, FIN	SUPPORT
280	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.	DEAD	WLH, FIN	COMMENT
281	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)	DEAD	HWN, JDC/WAM	MONITOR
282	HB2602	RELATING TO AGRICULTURAL LANDS.	Amends the definition of "farm dwelling" that applies to allowed uses in the agricultural district. 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. Takes effect on 7/1/2050. (HD1)	DEAD	WLH, CPC, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
283	HB2606	RELATING TO AFFORDABLE HOUSING.	Requires a county agency having jurisdiction over planning and permitting, in any county with a population of 500,000 or more, to determine whether certain affordable housing development projects shall be exempt from the State's environmental impact statement laws pursuant to chapter 11-200.1, subchapter 8, Hawai'i Administrative Rules.	DEAD	EEP/WLH/HSG, JUD, FIN	OPPOSE
284	HB2619	RELATING TO AGRICULTURAL VILLAGES.	Authorizes applicable county planning commissions to issue special permits for agricultural villages in the agricultural district, without the approval of the LUC.	DEAD	AGR/WLH, FIN	MONITOR
285	HB2620	RELATING TO AGRICULTURAL LAND.	Subject to certain restrictions, allows second dwellings on agricultural lands in a county with an area greater than 4,000 square miles. Takes effect 01/01/2021.	DEAD	AGR/WLH, FIN	MONITOR
286	HB2629	RELATING TO HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.	Requires the Hawai'i Housing Finance and Development Corporation to award funds no later than an unspecified number of days after the deadline to file a consolidated application or no later than an unspecified number of days after the filing of a duly submitted consolidated application if no deadline has been established by the corporation. Takes effect on 7/1/2025. (HD1)	DEAD	HSG, FIN	MONITOR
287	HB2646	RELATING TO WATER.	Specifies in the state water code that fire safety use is a beneficial use of water. Requires the board of land and natural resources to work with the county governments, Hawai'i emergency management agency, and owners to use reservoir water for fire safety. Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	OPPOSE
288	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.	DEAD	HSG/WLH, JUD, FIN	MONITOR
289	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.	DEAD	TIA, JUD, FIN	MONITOR
290	HB2663	RELATING TO HISTORIC PRESERVATION.	Authorizes the counties to employ qualified archaeologists to perform necessary reviews under chapter 6E, Hawai'i Revised Statutes.	DEAD	HSG/FIN	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
291	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.	DEAD	WLH, JUD	COMMENT
292	HB2677	RELATING TO WATER RIGHTS.	Adds direct negotiation as a means of disposition of water rights made by lease. Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	OPPOSE
293	HB2683	RELATING TO THE OFFICE OF MAUNAKEA MANAGEMENT.	Appropriates funds to add 7 full-time equivalent positions to the Office of Maunakea Management.	DEAD	WLH/LAB, JUD, FIN	MONITOR
294	HB2688	RELATING TO LAND USE.	Prohibits the commercial operation of a landfill on or within 15 miles of any tract leased pursuant to the Hawaiian Homes Commission Act.	DEAD	WLH, JUD, FIN	MONITOR
295	HB2720	RELATING TO GENDER EQUITY.	Requires publicly held domestic and foreign corporations to include certain numbers of females among their boards of directors. Authorizes administrative fines for noncompliance. Takes effect on January 1, 2050. (HD1)	DEAD	LAB, CPC, FIN	MONITOR
296	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.	DEAD	WLH/HSG, FIN	MONITOR
297	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.	DEAD	HSG/WLH, FIN	MONITOR
298	HB2747	PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 2, OF THE HAWAII 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)	DEAD	JDC, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
299	HB2748	RELATING TO GOVERNMENT.	Authorizes forfeiture of certain employees' retirement system benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony. Effective 1/1/2050. (HD1)	DEAD	LAB, JUD, FIN	MONITOR
300	HB2749	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. Takes effect on 7/1/2050. (HD1)	DEAD	JUD, FIN	COMMENT
301	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. Applies to monetary assessments incurred on or after November 1, 2020. (SD2)	TRANSMITTED TO GOVERNOR	TRS, JDC	COMMENT
302	SB4	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 16 years of age. Effective 7/1/2050. (SD1)	DEAD	JUD, FIN	MONITOR
303	SB35	RELATING TO EDUCATION.	Appropriates funds to establish a pilot safe space program for alternative learning center program students in the department of education. Effective 7/1/2051. (HD1)	DEAD	LHE, FIN	MONITOR
304	SB42	RELATING TO HAWAIIAN AFFAIRS.	Prohibits the attorney general from any investigation in connection with and under circumstances during a period of time in which it is clear that the Attorney General's goals are conflicted with native Hawaiian rights protected by article XII, section 7, of the Hawai'i State Constitution and individuals are exercising rights by nonviolent civil disobedience that are protected and granted under the Constitution or state constitution. (SD2)	DEAD	HWN, JDC/WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
305	SB43	RELATING TO HAWAIIAN AFFAIRS.	Creates a statewide supplementary certification board for the practitioners of traditional native Hawaiian healing arts, where practitioners may be certified to practice. (SD1)	DEAD	HWN/CPH	MONITOR
306	SB70	RELATING TO THE ENVIRONMENT.	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, including the hiring of positions. Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	MONITOR
307	SB75	RELATING TO APPROPRIATIONS.	Appropriates funds designated for the State by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to the counties of Hawai'i, Maui, and Kaua'i; the departments of Defense, Labor and Industrial Relations, and Human Services; and the Office of the Governor for the public health response to the coronavirus disease 2019, or COVID-19, outbreak. Transfers remaining CARES Act funding to the emergency and budget reserve fund. Authorizes the issuance of instruments of indebtedness for the purpose of municipal liquidity facility under section 13(3) of the Federal Reserve Act. Appropriates funds designated for the State by the Paycheck Protection Program and Health Care Enhancement Act to the departments of Transportation and Health for testing, contact tracing, thermal screening, and other efforts. Effective 5/1/2020; provided that the authorization for the issuance of instruments of indebtedness is effective 7/1/2020. (SB75 HD1)	ACT 008	FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
308	SB126	RELATING TO THE STATE BUDGET.	Amends the Supplemental Appropriations Act of 2020, Supplemental Improvements Act of 2020, Judiciary Supplemental Appropriations Act of 2020, and other measures affecting the fiscal biennium beginning 7/1/2019, and ending 6/30/2021. Appropriates funds designated for the State by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to: provide assistance to renters and homeowners; purchase and distribute personal protective equipment to hospitals, childcare facilities, elderly care facilities, businesses, non-profits, and schools; improve airport screening and health assurance security initiatives; support retraining and workforce development programs; provide grants to support the development of a supply chain for cleaning supplies and personal protective equipment; provide food assistance to families in need; support the commercial fishing industry; support public high school seniors who were adversely affected by school closures; and provide additional weekly unemployment benefits to eligible recipients; and other eligible programs as determined by the Governor. Transfers funds from the emergency and budget reserve fund into the general fund. Provides the Governor the option of using funds available in the Hawai'i hurricane relief fund. (SB126 CD1)	ACT 009	FIN	MONITOR
309	SB130	RELATING TO CIVIL LEGAL SERVICES.	Appropriates funds for the judiciary to purchase civil legal services for low-income and moderate-income persons. (SB130 HD1)	DEAD	JUD, FIN	MONITOR
310	SB223	RELATING TO IRRIGATION.	Transfers operational authority over portions of the East Kaua'i Irrigation System operated and maintained by the East Kaua'i Water Users' Cooperative as of July 1, 2019, to the Department of Agriculture. 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. (SB223 HD1)	DEAD	AGR, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
311	SB313	MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAI'I.	Makes an appropriation for 2 full-time equivalent positions for the wayfinding education program – 'Imiloa Astronomy Center. (SB313 HD1)	DEAD	LHE, FIN	MONITOR
312	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)	DEAD	TRN, JUD	SUPPORT
313	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. (HD1)	DEAD	LHE, FIN	MONITOR
314	SB737	RELATING TO RESTORATIVE JUSTICE.	Requires the Judiciary to establish a task force for restorative justice, which dissolves on 6/30/2021. Requires the judiciary to report to the legislature on its findings. (SD1)	DEAD	JDC, WAM	SUPPORT
315	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.	DEAD	WLH, JUD, FIN	SUPPORT
316	SB856	RELATING TO THE DEPARTMENT OF EDUCATION.	Requires the Auditor to perform an operational audit of the academic and financial plans of the Department of Education. Requires the Department of Education to contract with a third-party consultant that specializes in school finance to study the adequacy of education funding in Hawai'i. Appropriates funds. (SB856 HD3)	DEAD	LHE, LMG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
317	SB898	RELATING TO LAND RECORDATION.	Requires submission of a map and description of the relevant land prepared by a licensed surveyor along with an application for the voluntary deregistration of land from the Land Court and recordation of title in the Bureau of Conveyances. Exempts transactions that involve time shares, condominiums, planned communities, or deregistration of an undivided interest in registered land. (SB898 HD1)	DEAD	WLH, JUD, FIN	MONITOR
318	SB908	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. (SB908 HD1)	DEAD	EEP, FIN	MONITOR
319	SB983	RELATING TO EDUCATION.	Renames the teacher national board certification incentive program the national certification incentive program. Expands program eligibility to include school psychologists. Clarifies requirements and incentives of the program. Clarifies that teacher incentives, bonuses, and compensation beyond regular wages are excluded from the per-pupil request and included as separate line items in the budget for public charter schools. Appropriates funds. (SB983 HD1)	DEAD	LHE, FIN	SUPPORT
320	SB1020	RELATING TO RENTAL ASSISTANCE.	Appropriates funds to the Hawai'i Public Housing Authority for its Rent Supplement Program to assist families at imminent risk of homelessness due to domestic violence with obtaining and maintaining permanent housing. (SB1020 HD1)	DEAD	HSH, FIN	MONITOR
321	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)	DEAD	HLT, FIN	MONITOR
322	SB1150	RELATING TO THE DEPARTMENT OF AGRICULTURE.	Appropriates funds to the Department of Agriculture for feral pig control. (SB1150 HD1)	DEAD	AGR, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
323	SB1167	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. Establishes the Agricultural Enterprise Special Fund. Makes an appropriation. (SB1167 HD1)	DEAD	AGR, FIN	MONITOR
324	SB1190	RELATING TO LEASEHOLD CONDOMINIUMS ON LANDS CONTROLLED BY THE STATE.	Authorizes HHFDC to enter into 99-year leases for residential condominium units developed on state lands. Exempts certain land from the definition of public land. Subjects certain land to the legislative approval requirement for the sale or gift of the lands. (SB1190 HD2)	DEAD	HSG, CPC/JUD, FIN	COMMENT
325	SB1227	RELATING TO POVERTY.	Requires the Department of Human Services to use an integrated and multigenerational approach to delivering human services to reduce the incidence of intergenerational poverty and dependence on public benefits. (SB1227 HD1)	DEAD	HSH, FIN	SUPPORT
326	SB1242	RELATING TO SOLID WASTE DISPOSAL GOALS.	Amends DOH's solid waste management goals by repealing outdated goals, reducing solid waste stream prior to disposal by seventy per cent by January 1, 2030, and establishing a goal of source reduction of fifty per cent by 2030. (SB1242 HD1)	DEAD	EEP, JUD	SUPPORT
327	SB1256	RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4.	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. 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)	DEAD	WLH, JUD, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
328	SB1257	RELATING TO USE PERMITS FOR SMALL BOAT HARBOR FACILITIES.	Amends the various fees the Department of Land and Natural Resources may charge for the usage of state small boat harbors. Amends the manner in which those fees are applied. (SB1257 HD2)	DEAD	WLH, FIN	MONITOR
329	SB1310	RELATING TO INDIVIDUAL HOUSING ACCOUNTS.	Establishes the individual housing accounts savings program, board, and administrative fund. Imposes a ten per cent penalty on certain distributions. Allows individual housing accounts for dependent children. Expands authorized uses of individual housing accounts. Appropriates funds. (SB1310 HD1)	DEAD	HSG, JUD, FIN	MONITOR
330	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)	DEAD	WLH, FIN	SUPPORT WITH AMENDMENTS
331	SB1371	RELATING TO LAY NETS.	Prohibits the abandonment of lay nets used for fishing. Authorizes DLNR to issue permits for the use and possession of lay nets. Requires DLNR to establish a comprehensive, statewide lay net education and enforcement program. (SB1371 HD1)	DEAD	WLH, JUD	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
332	SB1515	RELATING TO EDUCATION.	Establishes the Hawai'i three to six out-of-school program for grades kindergarten through twelve. Authorizes the department of education to contract with private providers to furnish out-of-school programs for grades kindergarten through twelve, conducted during after-school hours, on weekends, and during inter-sessions on the premises of the private providers. Specifies that the Hawai'i three to six out-of-school program special fund is to be administered by the department of education. Makes appropriations. (SB1515 HD1)	DEAD	LHE, FIN	MONITOR
333	SB1526	RELATING TO CONSERVATION ENFORCEMENT.	Appropriates funds for one DLNRTip app administrator position, software upgrades, and app enhancements to improve the DLNRTip app. (SB1526 HD1)	DEAD	WLH, FIN	MONITOR
334	SB1539	RELATED TO BAIL HEARINGS.	Codifies the right to a prompt bail hearing upon formal charge and detention. Establishes right to counsel at the bail hearing. (SB1539 HD1)	DEAD	PVM, JUD, FIN	SUPPORT
335	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 7/1/2050. (HD1)	DEAD	TRN, JUD, FIN	SUPPORT
336	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)	DEAD	JUD, FIN	MONITOR
337	SB2017	RELATING TO HAWAIIAN AFFAIRS.	Short form bill.	DEAD	HWN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
338	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.	DEAD	TRS, JDC/WAM	MONITOR
339	SB2029	PROPOSING AN AMENDMENT TO THE HAWAI'I 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.	DEAD	JDC, WAM	MONITOR
340	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.	DEAD	JDC, WAM	MONITOR
341	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)	DEAD	HSG, JUD, FIN	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
342	SB2033	RELATING TO THE ADMINISTRATION OF JUSTICE.	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)	DEAD	JUD, FIN	MONITOR
343	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. Applies to the urban areas of state or county land located within a one-half mile radius of a mass transit station. (SD1)	DEAD	GVO/HOU, JDC	MONITOR
344	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)	DEAD	WLH/HSG, JUD, FIN	OPPOSE
345	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)	DEAD	HSG, JUD, FIN	MONITOR
346	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.	DEAD	WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
347	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.	DEAD	EET/JDC, WAM	SUPPORT
348	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. (SD1)	DEAD	HOU, WAM	MONITOR
349	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)	DEAD	HSG, JUD, FIN	COMMENT
350	SB2046	PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE HAWAI'I 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 subject to standards and criteria as provided by law. (SD1)	DEAD	HOU, JDC/WAM	MONITOR
351	SB2047	RELATING TO THE PENAL CODE.	Requires the Judicial Council to conduct a comprehensive review of the Hawai'i 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. (HD1)	DEAD	JUD, FIN	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
352	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)	DEAD	PSM, JDC	MONITOR
353	SB2052	RELATING TO LOAN FORGIVENESS FOR EARLY CHILDHOOD EDUCATION PROFESSIONALS.	Adds early childhood education teachers, including public charter school 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 7/2/2050. (HD1)	DEAD	LHE, FIN	MONITOR
354	SB2053	RELATING TO HOUSING.	Requires a county to approve, approve with modification, or disapprove an application for a discretionary permit necessary for a housing development project that uses moneys from the rental housing revolving fund. Provides for automatic permit approval if a county does not make a timely decision on an application. Sunsets on 6/30/2027. (SD1)	DEAD	PSM/HOU, WAM	OPPOSE
355	SB2055	RELATING TO GOVERNMENT.	Establishes a state government realignment commission to periodically review the state executive branch's departments, divisions, and agencies, including functions and services, and submit its findings and recommendations to the legislature.	DEAD	GVO, JDC	MONITOR
356	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)	DEAD	CPC, FIN	MONITOR
357	SB2060	RELATING TO COASTAL ZONE MANAGEMENT.	Amends coastal zone management laws to further protect against impacts of sea level rise and coastal erosion. (HD2)	TRANSMITTED TO GOVERNOR	EEO/WLH, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
358	SB2073	RELATING TO EDUCATION.	Requires the Department of Education, in collaboration with the Department of Business, Economic Development, and Tourism, the Department of Labor and Industrial Relations, and the University of Hawai'i, to develop and implement a K-12 curriculum-to-career-pipeline initiative to ensure that the State's public school students are adequately trained and prepared to enter the State's workforce upon graduation from high school. Appropriates funds for the development and implementation of the program, including for (1.0) FTE Educational Specialist II staff position.	DEAD	LCA/EDU/HRE /EET, WAM	MONITOR
359	SB2075	RELATING TO THE STATE BUDGET.	To adjust and request appropriations for Fiscal Biennium 201921 funding requirements for operations and capital improvement projects of Executive Branch agencies and programs and to include appropriations from other departmental budget acts deemed necessary for program operations and capital improvements.	DEAD	WAM	MONITOR
360	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)	DEAD	WLH, FIN	COMMENT
361	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.	DEAD	WAM	SUPPORT WITH AMENDMENTS
362	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)	DEAD	JUD	MONITOR
363	SB2097	RELATING TO PROPERTY ACCESS.	Extends the application of gathering rights to lands owned in fee simple and to landlords and landowners. Authorizes an action for easement by necessity for landlocked parcels not previously under a unity of title with the prospective subservient estate.	DEAD	HWN/WTL, JDC	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
364	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 7/1/2150. (HD1)	DEAD	AGR, LAB, FIN	MONITOR
365	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. (HD1)	DEAD	TRN, FIN	MONITOR
366	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)	DEAD	WLH, JUD	SUPPORT
367	SB2113	RELATING TO HAWAIIAN HOME LANDS.	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 for 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. Prohibits the department from establishing additional criteria to enter into a general lease with an applicant, under certain conditions. Specifies that the department may grant a license or enter into a general lease, under certain conditions. 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.	DEAD	HWN, JDC/WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
368	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. (SD1)	DEAD	GVO, JDC	MONITOR
369	SB2137	RELATING TO ELECTIONS.	Authorizes election officials to establish additional voter service centers. (SD2)	DEAD	JUD, FIN	SUPPORT
370	SB2141	RELATING TO INVASIVE SPECIES.	Appropriates funds to the Department of Land and Natural Resources for the management of the axis deer population in the county of Maui.	DEAD	AEN/WTL, WAM	MONITOR
371	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.	DEAD	JUD, FIN	MONITOR
372	SB2160	RELATING TO HOUSING.	Extends to ninety days a legislative body's deadline to approve, approve with modification, or disapprove an affordable housing project.	DEAD	HOU/WTL, JDC	MONITOR
373	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."	DEAD	EET, JDC	MONITOR
374	SB2169	RELATING TO HISTORIC PRESERVATION.	Authorizes the counties to employ qualified archaeologists to perform necessary reviews under Chapter 6E, Hawai'i Revised Statutes. Provides for automatic approval of a project if the necessary archaeological review was not completed within 30 days.	DEAD	LCA/PSM, WAM	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
375	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)	DEAD	TRN/HSG, WLH, FIN	MONITOR
376	SB2206	RELATING TO HOMELESSNESS.	Authorizes the Board of Land and Natural Resources to issue revocable month-to-month temporary permits for the temporary emergency sheltering of and facilities for homeless persons on state lands, under certain conditions. Repeals 90 days after the last day of the disaster emergency relief period specified in the Governor's final Supplementary Proclamation relating to the COVID-19 emergency, irrespective of any separate proclamation terminating the disaster emergency relief period in the Governor's final Supplementary Proclamation relating to the COVID-19 emergency. (HD2)	TRANSMITTED TO GOVERNOR	HSG, FIN	MONITOR
377	SB2207	PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 6, OF THE HAWAI'I STATE CONSTITUTION, TO REQUIRE THE STATE AND ITS POLITICAL SUBDIVISIONS TO PLAN TO PRODUCE ENOUGH HOUSING.	Amends the constitution to require the State to plan to provide enough housing to meet demand in its management of population growth.	DEAD	JDC, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
378	SB2210	RELATING TO THE HAWAI'I 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, excluding Hawai'i Public Housing Authority and Department of Hawaiian Home Land lands, that are within a one-half mile radius of a rail transit station provided there is a transfer of any property interest, including a leasehold interest, of state lands that are within a one-half mile radius of a rail transit station. (SD1)	DEAD	HOU/WTL, WAM	MONITOR
379	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)	DEAD	WLH/HSG, FIN	OPPOSE
380	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)	DEAD	HSG, FIN	MONITOR
381	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)	DEAD	HSG, JUD, FIN	MONITOR
382	SB2217	RELATING TO LAND USE.	Authorizes county land use decision-making authorities to amend district boundaries involving lands greater than fifteen but no more than one hundred acres if a proposed project consists of housing units where 50 per cent of the housing units are priced at or below 140 per cent of the area median income and are occupied by the owner at all times.	DEAD	HOU/AEN, WAM	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
383	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.	DEAD	HOU/CPH, WAM/JDC	COMMENT
384	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.	DEAD	HMS, WAM	SUPPORT
385	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.	DEAD	HOU/CPH, JDC	MONITOR
386	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.	DEAD	PSM/JDC, WAM	COMMENT
387	SB2243	RELATING TO LEGISLATIVE TESTIMONY.	Requires the house and senate to permit remote testimony, via telephone, at public hearings.	DEAD	TEC, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
388	SB2249	RELATING TO HISTORIC PRESERVATION.	Makes it a civil and administrative violation for any person to knowingly and intentionally engage in certain archaeological activities without obtaining the required permission or approval from the department of land and natural resources, use explosives in land development or alteration activities subject to historic review, and violate or fail to carry out any agreed upon mitigation condition or commitment. Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	SUPPORT
389	SB2253	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. (SD1)	DEAD	LCA, JDC	MONITOR
390	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)	DEAD	HSG/LHE, FIN	MONITOR
391	SB2258	RELATING TO CRIMINAL DEFENSE.	Prohibits defendants from claiming that discovery, knowledge, or disclosure of a victim's gender, gender identity, gender expression, or sexual orientation resulted in extreme mental or emotional disturbance sufficient to reduce a charge of murder to a charge of manslaughter unless the other circumstances of a defendant's explanation exist and are sufficient to reasonably find extreme mental or emotional disturbance.	DEAD	JDC	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
392	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 Department of Hawaiian Home Lands 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 Department of Hawaiian Home Lands to enter into a memorandum of agreement with the Department of Business, Economic Development, and Tourism to implement the program. Appropriates funds. Effective 7/1/2051. (HD1)	DEAD	WLH, FIN	MONITOR
393	SB2287	RELATING TO CONSERVATION FUNDING.	Amends the distribution of revenues collected from the transient accommodations tax to allocate a greater portion to the special land and development fund.	DEAD	EET/WTL, WAM	MONITOR
394	SB2297	RELATING TO LAND USE.	Establishes neighborhood revitalization boards, administered by the counties, to develop, advocate for, and implement neighborhood revitalization plans. Requires the counties to provide a percentage of matching funds for any revitalization plan or project for which the State provides funds.	DEAD	PSM, WAM/JDC	MONITOR
395	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.	DEAD	GVO/WTL, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
396	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)	DEAD	HSH, JUD, FIN	COMMENT
397	SB2309	RELATING TO TAXATION.	Makes the state earned income tax credit refundable and permanent. Effective 7/1/2050. (SD1)	DEAD	FIN	SUPPORT
398	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. (HD2)	DEAD	LAB, JUD, FIN	MONITOR
399	SB2321	RELATING TO CIVIL RIGHTS.	Requires every employer to post and keep posted a notice, to be prepared and prescribed by the civil rights commission, of state fair employment laws.	DEAD	LCA, JDC	MONITOR
400	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.	DEAD	TRS/PSM, JDC/WAM	MONITOR
401	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)	DEAD	PVM, JUD, FIN	SUPPORT
402	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.	DEAD	WTL, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
403	SB2358	RELATING TO SUICIDE PREVENTION TRAINING.	Requires two hours of annual in-service training in suicide prevention for all teachers, principals, and school counselors.	DEAD	EDU, WAM	MONITOR
404	SB2368	RELATING TO HAWAIIAN LANGUAGE.	Clarifies that native Hawaiians, as the indigenous people of Hawai'i, have the right to revitalize, use, develop, and transmit to future generations their histories, language, oral traditions, philosophies, writing systems, and literatures, and to designate and retain their own names for communities, places, and persons. (SD1)	DEAD	HWN/GVO, WAM	MONITOR
405	SB2370	RELATING TO KALAUPAPA MONTH.	Designates January as "Kalaupapa Month." Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	MONITOR
406	SB2373	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.	DEAD	WTL, JDC	OPPOSE
407	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 around residences, schools, and hospitals for the construction, modification, or expansion of a waste or disposal facility. Specifies that "waste or disposal facility" excludes individual, state certified, non-industrial redemption centers. (HD2)	TRANSMITTED TO GOVERNOR	WLH/EEP, FIN	SUPPORT
408	SB2387	RELATING TO HAWAIIAN HOME LANDS.	Appropriates funds for the Department of Hawaiian Home Lands and Office of Hawaiian Affairs as mandated by the Constitution of the State of Hawai'i and Hawai'i law. (SD1)	DEAD	HWN, WAM	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
409	SB2388	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Changes the maximum amount of public funds available to each candidate running for the Office of State Senator, State Representative, County Council, and the Board of Trustees of the Office of Hawaiian Affairs to an unspecified per cent of the expenditure limit established for each election. Amends the amount each Office of Hawaiian Affairs candidate must raise in order to qualify for public funds. (SD1)	DEAD	HWN, JDC/WAM	COMMENT
410	SB2393	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Requires that majority of the member of the Hawaiian homes commission be beneficiaries. Authorizes the Governor to establish an inter-agency council. Allows the Hawaiian Homes Commission to retain separate counsel from the Attorney General to provide service to the Commission and beneficiaries. Requires the Legislative Reference Bureau to conduct a study on the implications of creating a position for the Director of the Department of Hawaiian Homelands that is separate from the Chairperson of the Hawaiian Homes Commission. (SD1)	DEAD	HWN/GVO, JDC/WAM	MONITOR
411	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. (SD1)	DEAD	EET/HOU, WAM	SUPPORT
412	SB2400	RELATING TO AFFORDABLE HOUSING.	Appropriates funds into and out of the rental housing revolving fund and dwelling unit revolving fund.	DEAD	HOU, WAM	MONITOR
413	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.	DEAD	HOU/CPH, JDC	MONITOR
414	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)	DEAD	WLH/HLT, CPC	SUPPORT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
415	SB2409	RELATING TO DOWN PAYMENTS.	Establishes within the Hawai'i Housing Finance and Development Corporation a current and returning resident down payment program to provide matching funds for the down payment on a primary residence. Appropriates funds. Effective July 1, 2050. (SD3)	DEAD	HSG, FIN	MONITOR
416	SB2410	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF THE PUBLIC TRUST LAND.	Requires the Department of Land and Natural Resources to use certain reporting and accountability procedures in implementing the public land trust reporting requirements of Act 178, Session Laws of Hawai'i 2006. Requires the Department of Land and Natural Resources to consult with the Office of Hawaiian Affairs to ensure that the accounting and reporting is accurate and inclusive.	DEAD	WTL/HWN/HRE, WAM	SUPPORT
417	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)	DEAD	JUD, FIN	MONITOR
418	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.	DEAD	WTL/AEN, JDC	OPPOSE
419	SB2416	RELATING TO CONCESSIONS.	Provides state and county governments more flexibility and discretion to address substantial hardship situations that impact concession contracts.	DEAD	GVO/PSM, WAM	MONITOR
420	SB2417	RELATING TO SUSTAINABILITY.	Requires the department of land and natural resources to recognize that game mammals and game birds provide a food source and play a role in native Hawaiian traditional and customary practices and that striking the right balance between the management of game mammal and game bird populations and sustainability of their natural habitats to reduce negative impacts to important watershed areas is a priority and that the State's unique relationship with the ocean requires careful consideration and management of land and ocean activities that prioritize the public trust responsibilities of the State. Effective 7/1/2051. (HD1)	DEAD	WLH, FIN	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
421	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.	DEAD	WTL, JDC	COMMENT
422	SB2442	RELATING TO HOMELESSNESS.	Establishes the kauhale pilot program to provide shelter and certain services to homeless individuals. Appropriates funds for the kauhale pilot program. Appropriates funds for two FTE employees for the Hawai'i Housing Finance and Development Corporation. (SD1)	DEAD	HOU/GVO, WAM	OPPOSE
423	SB2453	RELATING TO STATE BUILDINGS.	Requires the comptroller to cause any state building under its jurisdiction and with air conditioning to set the operating temperature at a temperature recommended by industry standards. Provides exemptions for specific facilities. (SD1)	DEAD	GVO, WAM	MONITOR
424	SB2463	RELATING TO PIGS.	Allows any person with a valid hunting license to take wild or feral pigs on Mauna Kea with no bag limitation and with dogs. Appropriates funds to the department of land and natural resources to install one-way pig gates on the fencing surrounding the watershed on Mauna Kea.	DEAD	WTL, WAM	MONITOR
425	SB2464	RELATING TO GAME BIRD HUNTING IN THE MAUNA KEA WATERSHED.	Prohibits the use of firearms other than single shot long guns and rifles for the hunting of game birds in the Mauna Kea watershed and nearby hunting area.	DEAD	WTL, JDC	MONITOR
426	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.	DEAD	EDU/PSM, JDC	SUPPORT
427	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)	DEAD	LAB, LMG, CPC, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
428	SB2520	RELATING TO CORRECTIONAL FACILITIES.	Establishes procedures for the use of administrative and disciplinary segregation in correctional facilities. (SD1)	DEAD	PVM/JUD, FIN	COMMENT
429	SB2523	RELATING TO PUBLIC SAFETY.	Requires the Department of Public Safety to expend certain appropriated funds during fiscal year 2020-2021 solely for the community-based work furlough program for female inmates. Effective retroactively to 6/30/2020. (HD2)	TRANSMITTED TO GOVERNOR	PVM, FIN	MONITOR
430	SB2524	RELATING TO SENTENCING.	Repeals mandatory minimum periods of imprisonment for certain offenses or under certain circumstances.	DEAD	PSM, JDC	MONITOR
431	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. Prohibits the department from establishing additional criteria to enter into a general lease with an applicant, under certain conditions. Specifies that the department may grant a license or enter into a general lease, under certain conditions. 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.	DEAD	HWN/WTL/JDC, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
432	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.	DEAD	HWN, JDC	MONITOR
433	SB2529	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 sixteen years of age.	DEAD	JDC, WAM	MONITOR
434	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.	DEAD	JDC	MONITOR
435	SB2536	RELATING TO LAY NETS.	Prohibits the abandonment of lay nets used for fishing. Authorizes DLNR to issue permits for the use and possession of lay nets. Requires DLNR to establish a comprehensive, statewide lay net education and enforcement program.	DEAD	WTL, JDC	MONITOR
436	SB2537	RELATING TO ACCESS TO PUBLIC PROPERTY.	Prohibits the obstruction of access to beaches and beach parks. Creates a \$100 penalty for the first conviction of obstructing access to public property. Effective 7/1/2050. (HD1)	DEAD	WLH, JUD, FIN	MONITOR
437	SB2550	RELATING TO AFFORDABLE HOUSING.	Allows the HHFDC to enter into public private partnerships with private sector entities to build affordable housing and reserves a portion of the housing units for the exclusive use of the employees of the private sector entity partner.	DEAD	HOU, WAM	MONITOR
438	SB2551	RELATING TO HUMAN TRAFFICKING.	Requires transient accommodations operators to provide training, signage, and reporting policies to employees regarding human trafficking awareness.	DEAD	EET, JDC	SUPPORT
439	SB2555	RELATING TO UNDERGROUND STORAGE TANKS.	Requires the fuel tank advisory committee to meet at least twice a year.	DEAD	AEN/PSM, CPH	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
440	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.	DEAD	GVO, WAM	MONITOR
441	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, for standing committee meetings, and webcast live by September 1, 2021, for all regular board of regents meetings. 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. Effective 7/1/2050. (HD1)	DEAD	LHE, JUD, FIN	MONITOR
442	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.	DEAD	EDU, JDC	SUPPORT
443	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.	DEAD	HOU, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
444	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.	DEAD	PSM, WAM	MONITOR
445	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)	DEAD	JUD, FIN	MONITOR
446	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)	DEAD	HSG/WLH, FIN	COMMENT
447	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)	DEAD	HSG, FIN	MONITOR
448	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)	DEAD	HSG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
449	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)	DEAD	TRN, JUD	COMMENT
450	SB2638	RELATING TO DOMESTIC VIOLENCE.	Part I: Establishes a petty misdemeanor offense of abuse of family or household members. Clarifies the penalties for violations. Allows a deferred acceptance of guilty plea for misdemeanor and petty misdemeanor abuse of family or household members offenses. Establishes a probationary period for abuse of family or household members. Part II: Makes consistent the types of documents accepted as proof of domestic or sexual violence victim status. Part III: Requires the judiciary to submit annual reports on the number and outcome of abuse cases. Part I sunsets 6/30/2026. Effective 1/1/2021. (HD3)	TRANSMITTED TO GOVERNOR	HSH, JUD, FIN	MONITOR
451	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.	DEAD	HOU/EET, WAM	MONITOR
452	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. Effective 12/31/33. (SD1)	DEAD	WTL/HOU, JDC	MONITOR
453	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)	DEAD	JUD, FIN	MONITOR
454	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.	DEAD	PSM, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
455	SB2645	RELATING TO ALOHA STADIUM.	Requires at least twenty thousand housing units be developed near the rail station nearest to the aloha stadium. Requires a minimum of eighty per cent of those housing units to be priced as affordable.	DEAD	EET/HOU, WAM	SUPPORT
456	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.	DEAD	CPH, JDC	MONITOR
457	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)	DEAD	CPC, FIN	MONITOR
458	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)	DEAD	HSG, JUD, FIN	OPPOSE
459	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.	DEAD	LCA/GVO, WAM	MONITOR
460	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.	DEAD	PSM/LCA, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
461	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)	DEAD	HSG, JUD, FIN	COMMENT
462	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.	DEAD	LCA, WAM	MONITOR
463	SB2658	RELATING TO HOUSING.	Creates the position of the state housing coordinator. Appropriates funds. Effective 7/1/2050. (SD2)	DEAD	LAB/HSG, FIN	MONITOR
464	SB2660	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, community development financial institutions and qualified nonprofit housing trusts for the development of affordable homeownership housing projects. Makes an appropriation into and out of the Affordable Homeownership Revolving Fund. Effective 1/1/2021.	DEAD	HOU, WAM	MONITOR
465	SB2662	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.	DEAD	PSM, JDC	MONITOR
466	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)	DEAD	EED, JUD, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
467	SB2667	RELATING TO PUBLIC ACCESS.	Provides that where public access is required as a condition of a subdivision, either the county must accept dedication of and maintain the access or identify an entity to own and maintain the access. Authorizes the county to require the subdivider to establish a stewardship fund for maintenance purposes.	DEAD	PSM/WTL, WAM	MONITOR
468	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.	DEAD	EET/PSM, WAM	MONITOR
469	SB2676	RELATING TO ELECTIONS.	Addresses various inconsistencies in existing elections law to clarify and improve the administration of elections by mail.	DEAD	JDC	MONITOR
470	SB2680	RELATING TO HISTORIC PRESERVATION.	Authorizes the counties to employ qualified archaeologists to perform necessary reviews under chapter 6E, Hawai'i Revised Statutes.	DEAD	LCA/PSM, JDC	OPPOSE
471	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.	DEAD	PSM/EET, JDC	MONITOR
472	SB2689	RELATING TO RURAL DISTRICTS.	Allows one dwelling per quarter-acre in rural districts.	DEAD	WTL/PSM, JDC	MONITOR
473	SB2692	RELATING TO THE NĀ WAI 'EHĀ WATERSHED.	Appropriates money out of the land conservation fund for the acquisition of a portion of the Na Wai 'Ehā 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 7/1/2051. (HD1)	DEAD	WLH, FIN	MONITOR
474	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 condominium property regime projects within the agricultural district are used for agricultural purposes. Effective 7/1/2050. (HD1)	DEAD	WLH, CPC, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
475	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. (HD1)	DEAD	EEP, JUD	SUPPORT
476	SB2734	RELATING TO THE HAWAI'I HOUSING FINANCE AND DEVELOPMENT CORPORATION.	Requires the Hawai'i Housing Finance and Development Corporation to amend certain administrative rules to reduce the income threshold for qualification for lower cost housing to 100 per cent of the area median housing and remove the "moderate income" income group.	DEAD	HOU, JDC	SUPPORT
477	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.	DEAD	WTL/AEN, WAM	OPPOSE
478	SB2745	RELATING TO COMMUNITY DEVELOPMENT.	Establishes the west O'ahu community development authority. Designates the Kalaeloa community development district under the west O'ahu community development authority, rather than the Hawai'i community development authority. Makes an appropriation.	DEAD	EET/PSM/WTL, WAM/JDC	MONITOR
479	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)	DEAD	WLH/AGR, FIN	MONITOR
480	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. (SD1)	DEAD	WTL/AEN, JDC	MONITOR
481	SB2774	RELATING TO UNDERGROUND STORAGE TANKS.	Prohibits, beginning 1/1/2028, a person to operate an underground storage system with a capacity of 100,000 gallons or more, mauka of the underground injection control line. (SD1)	DEAD	AEN, CPH	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
482	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.	DEAD	EEP/HLT, FIN	MONITOR
483	SB2779	RELATING TO THE ESTABLISHMENT OF AN ECOSYSTEM RESTORATION COMMISSION.	Establishes an ecosystem restoration commission to identify lands for environmental remediation and return ownership and control of those lands to the State, a county, or other entity.	DEAD	WTL/PSM, WAM	MONITOR
484	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.	DEAD	LCA, JDC	MONITOR
485	SB2788	RELATING TO DISASTER RELIEF.	Extends the lapse date of the appropriations made by Act 12, Session Laws of Hawai'i 2018, as amended by Act 35, Session Laws of Hawai'i 2019, to June 30, 2023, for flooding disaster relief for Kaua'i and other areas of the State. Effective 6/29/2020. (HD1)	DEAD	PVM, FIN	MONITOR
486	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)	DEAD	JUD, FIN	SUPPORT
487	SB2794	RELATING TO ELECTIONS.	Effective 1/1/21: Makes housekeeping amendments to Hawai'i's elections laws to clarify and improve the administration of elections by mail; prohibits agents of a candidate from providing voting assistance; changes the deadline to file nomination papers to the first Tuesday in May. Effective upon approval: Allows for the criminal referral of campaign finance law violations in addition to any administrative determination; increases the disqualification period for a person convicted of certain criminal election offenses from holding elective public office; repeals the exclusion of certain persons from criminal prosecution. (HD2)	DEAD	JUD, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
488	SB2798	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 will not be able to complete its review within 60 days.	DEAD	LCA/HOU, WAM	MONITOR
489	SB2799	RELATING TO AFFORDABLE HOUSING.	Requires a county agency having jurisdiction over planning and permitting, in any county with a population of 500,000 or more, to determine whether certain affordable housing development projects shall be exempt from the State's environmental impact statement laws pursuant to chapter 11-200.1, subchapter 8, Hawai'i Administrative Rules.	DEAD	PSM/HOU/AE N, WAM	OPPOSE
490	SB2801	RELATING TO ENERGY.	Requires the Public Utilities Commission to establish preferential electricity rates for residential properties located within a one-mile radius of a utility scale wind energy facility. Requires the Public Utilities Commission to review and adjust the preferential rate, if necessary. (SD1)	DEAD	EET, CPH	MONITOR
491	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.	DEAD	WTL/JDC, WAM	MONITOR
492	SB2807	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. Sunsets on 6/30/2025.	DEAD	WTL, JDC	OPPOSE
493	SB2810	RELATING TO DECLARATORY JUDGMENTS.	Prohibits declaratory judgments when there is a cause of action and in other certain instances. Requires a plaintiff to show a personal stake in the actual controversy beyond a general disagreement or complaint by requiring a showing of an injury-in-fact.	DEAD	JDC	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
494	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 DLNR to DOA. Requires DLNR to accept and return to its land inventory, any parcel or portion thereof, transferred pursuant to this Act that the DOA 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. 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. Appropriates funds. Effective 7/1/2051. (HD1)	DEAD	WLH, FIN	OPPOSE
495	SB2826	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	Requires DHHL to develop and implement a loan servicing manual. Effective 7/1/2050. (SD2)	DEAD	WLH, FIN	MONITOR
496	SB2828	RELATING TO WATER.	Specifies in the State Water Code that fire safety use is a beneficial use of fresh water. Requires the department of land and natural resources, in consultation with the Hawai'i emergency management agency, to cooperate with the counties and reservoir owners to develop protocols and agreements for the use of reservoir waters for fire safety purposes. Effective 7/1/2050. (HD1)	DEAD	WLH, FIN	OPPOSE
497	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.	DEAD	AEN, WAM/JDC	MONITOR
498	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. (HD1)	DEAD	JUD, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
499	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.	DEAD	WTL/HOU, WAM	MONITOR
500	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. Effective 7/1/2050. (HD1)	DEAD	HSH, FIN	SUPPORT
501	SB2909	RELATING TO STATE BOATING FACILITIES.	Authorizes the Board of Land and Natural Resources to lease any existing state boating facility in part or in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation. Clarifies that legislative approval is not required to award a lease. Repeals fast lands and submerged lands lease authorization for Ala Wai Boat Harbor under section 200-2.6, Hawai'i Revised Statutes.	DEAD	WTL, WAM	MONITOR
502	SB2913	RELATING TO DISPOSITION OF WATER LICENSES BY THE BLNR.	Clarifies the conditions and manner in which the Board of Land and Natural Resources may dispose water by license.	DEAD	WTL, WAM	COMMENT
503	SB2914	RELATING TO AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES 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 the Department of Land and Natural Resources is responsible for promoting.	DEAD	WTL/AEN, WAM	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
504	SB2918	RELATING TO PUBLIC SAFETY.	Appropriates funds to purchase the Honolulu Federal Detention Center.	DEAD	PSM, WAM	MONITOR
505	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.	DEAD	HRE, JDC	MONITOR
506	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)	DEAD	WLH, FIN	MONITOR
507	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)	DEAD	AGR, JUD	MONITOR
508	SB2942	RELATING TO HOMELESSNESS.	Allows the governor's coordinator on homelessness, in conjunction with the Hawai'i interagency council on homelessness, to develop plans for the city and county of Honolulu and the counties of Hawai'i, Kaua'i, and Maui to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of communities impacted by homelessness and the needs of the homeless population within each county. (HD1)	DEAD	HSH, FIN	MONITOR
509	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)	DEAD	HSG/TRN/WLH, JUD, FIN	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
510	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)	DEAD	HSG/HSB, FIN	MONITOR
511	SB2952	RELATING TO HOUSING.	Appropriates funds to the Hawai'i Public Housing Authority for the state rent supplement program. Effective 7/1/2050. (SD2)	DEAD	HSG, FIN	MONITOR
512	SB2953	RELATING TO VESSELS.	Makes clarifications regarding removal of unauthorized vessels on state property or in the waters of the State. 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. Effective 7/1/2050. (HD1)	DEAD	WLH, JUD, FIN	MONITOR
513	SB2954	RELATING TO REDUCING PLASTIC PACKAGING WASTE.	Requires all retail food establishments using any food service ware for any food prepared or packaged on premises to use biodegradable, compostable, recyclable, or reusable food service ware.	DEAD	AEN/CPH, JDC	MONITOR
514	SB2963	RELATING TO AFFORDABLE HOUSING.	Exempts certain low-density affordable housing projects from the State's land use district boundary amendment requirements.	DEAD	HOU/WTL/PSM, WAM	OPPOSE
515	SB2971	RELATING TO AFFORDABLE HOUSING.	Requires a county agency having jurisdiction over planning and permitting, in any county with a population of 500,000 or more, to determine whether certain affordable housing development projects shall be exempt from the State's environmental impact statement laws pursuant to chapter 11-200.1, subchapter 8, Hawai'i Administrative Rules.	DEAD	PSM/HOU, JDC	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
516	SB2972	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 will not be able to complete its review within 60 days.	DEAD	LCA/HOU, WAM	MONITOR
517	SB2976	RELATING TO AGRICULTURAL INSPECTIONS.	Requires the department of agriculture to conduct preclearance quarantine inspections prior to direct travel to or from the State. Appropriates funds to implement a preclearance quarantine inspection.	DEAD	AEN/TRS, WAM	MONITOR
518	SB3001	RELATING TO COUNTIES.	Makes explicit the counties' authority to regulate hosting platforms providing booking services for short-term rentals. Includes swapping, bartering, or exchange of a residential dwelling, or portion thereof, in definition of "short-term rental" for this purpose.	DEAD	PSM/EET, JDC	MONITOR
519	SB3003	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.	DEAD	PSM/EET, JDC	MONITOR
520	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.	DEAD	WLH, JUD, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
521	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.	DEAD	HWN/WTL, JDC	SUPPORT
522	SB3019	RELATING TO TRADITIONAL HAWAIIAN PRACTICES.	Requires the department of land and natural resources to develop administrative rules to allow for traditional Hawaiian farming systems and tiny homes in association with the farming systems on lands designated as conservation districts. (SD1)	DEAD	HWN/WTL, JDC	SUPPORT
523	SB3020	RELATING TO TRADITIONAL HAWAIIAN PRACTICES.	Protects native Hawaiian traditional and customary practices.	DEAD	HWN/WTL, JDC	COMMENT
524	SB3023	RELATING TO KĀNE'ŌHE BAY.	Appropriates funds to create a full-time internship coordinator and cultural resource specialist positions with the Hawai'i institute of marine biology at the He'eia estuarine research reserve.	DEAD	HRE, WAM	MONITOR
525	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)	DEAD	AGR, FIN	SUPPORT
526	SB3049	RELATING TO CONSERVATION.	Requires habitat conservation plans to identify available funding from the applicants in an amount sufficient to transport, treat, rehabilitate, and reintroduce into its original habitat any endangered, threatened, proposed, or candidate species injured as a result of an authorized incidental take.	DEAD	AEN/WTL, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
527	SB3050	RELATING TO CONSERVATION.	Establishes a habitat conservation program manager position. Requires the habitat conservation program manager to draft rules that implement and clarify the intent of chapter 195D, Hawai'i Revised Statutes, work with applicants for incidental take licenses, as part of a habitat conservation plan, to develop their projects to minimize and mitigate incidental take of threatened and endangered species to the maximum extent practicable, effectively track and monitor funds and expenditures related to habitat conservation plans, conduct follow-up monitoring for development projects, and implement and manage mitigation and other projects that benefit the recovery of threatened and endangered species. Appropriates funds. (SD1)	DEAD	AEN/WTL, WAM	MONITOR
528	SB3052	RELATING TO COMMERCIAL SHARK TOURS.	Prohibits commercial shark tour operations from operating without a permit. Requires the department of land and natural resources to adopt rules to regulate commercial shark tours, including adherence to a code of conduct. (SD1)	DEAD	AEN/WTL, JDC/WAM	MONITOR
529	SB3061	RELATING TO THE HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY.	Amends the nominating authority of the representatives of the He'eia 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)	DEAD	WLH, FIN	MONITOR
530	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)	DEAD	HSG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
531	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)	DEAD	HSG, JUD, FIN	MONITOR
532	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.	DEAD	WTL/HWN/HRE, JDC/WAM	MONITOR
533	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.	DEAD	JDC	MONITOR
534	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.	DEAD	JUD, FIN	MONITOR
535	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)	DEAD	JUD, FIN	MONITOR
536	SB3094	RELATING TO THE KAHOLAWE 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 on the Commission.	DEAD	WTL, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
537	SB3096	RELATING TO STATE HOLIDAYS.	Reestablishes La Ku'oko'a, Hawaiian Recognition Day, as an official state holiday. Effective 7/1/2051. (SD1)	DEAD	WLH, LAB, JUD, FIN	SUPPORT
538	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 an appropriation to the Department of Health to conduct a sea level rise mitigation review and report to the Legislature. Effective 7/1/2050. (HD1)	DEAD	EEP/WLH, CPC/JUD, FIN	SUPPORT WITH AMENDMENTS
539	SB3101	RELATING TO ACCESS TO LEARNING.	Transfers the Executive Office on Early Learning from the Department of Education to the Department of Human Services. Renames the Office as the Learning to Grow Agency. Focuses the jurisdiction of the agency to children who are 3 to 4 years old or will be eligible for kindergarten within 2 years. Establishes the goal of providing all children who are 3 to 4 years old or will be eligible for kindergarten within 2 years with access to learning through an early learning program by the year 2030. Appropriates funds.	DEAD	EDU, WAM	MONITOR
540	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. Appropriates \$500,000 for 3 full-time equivalent (3.0 FTE) project manager positions.	DEAD	HSG/FIN	OPPOSE

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
541	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.	DEAD	HOU, WAM	MONITOR
542	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)	DEAD	WLH/HSG, JUD, FIN	MONITOR
543	SB3112	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.	Allocates funds from TAT revenue to the Hawai'i Tourism Authority, rather than 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.	DEAD	EET/WTL, WAM	MONITOR
544	SB3113	RELATING TO HOUSING.	Directs the Hawai'i Housing Finance and Development Corporation to take title to the 15.418-acre parcel of land identified as TMK No. (3) 4-5-010: 122 and be responsible for properly documenting any change in title. Requires the Hawai'i Housing Finance and Development Corporation to conduct a feasibility study to determine whether the parcel is suitable for residential development. Appropriates funds for the feasibility study. Effective 12/31/50. (SD1)	DEAD	WTL/HOU, WAM	MONITOR
545	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.	DEAD	WTL/EET, WAM	COMMENT

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
546	SB3126	RELATING TO PRISONS.	Establishes a working group within the department of public safety to study the feasibility of a pilot program to reduce recidivism, focusing on providing inmates with vocational training, in addition to business, entrepreneurial, and financial literacy education. Requires a report to the legislature. Effective 7/1/2050. (HD1)	DEAD	PVM, FIN	MONITOR
547	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)	DEAD	LAB/HSG, FIN	MONITOR
548	SB3139	RELATING TO THE STATE BUDGET.	Makes deposits into the emergency and budget reserve fund by replacing general fund appropriations with general obligation bond proceeds and transferring savings from the Supplemental Appropriations Act of 2020. Transfers excess funds from other sources into the emergency and budget reserve fund. Effective 5/27/2020; provided that the general obligation bond authorization is effective 7/1/2020. (SB3139 HD1)	VETOED	FIN	MONITOR
549	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)	DEAD	EEP/WLH, JUD, FIN	MONITOR
550	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.	DEAD	EDU, WAM	MONITOR
551	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.	DEAD	EDU, WAM	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
552	SB3164	RELATING TO THE STATE SURFING COMMISSION.	Establishes the State Commission on Surfing within the Hawai'i Tourism Authority. Effective 7/1/2050. (SD2)	DEAD	TIA, LAB, FIN	SUPPORT WITH AMENDMENTS
553	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.	DEAD	EET/WTL, WAM	OPPOSE
554	SB3178	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.	Specifies that the office of Hawaiian affairs board of trustees may remove the administrator by majority vote, rather than by two-thirds vote.	DEAD	HWN, JDC	COMMENT
555	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.	DEAD	WLH, JUD	SUPPORT
556	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.	DEAD	WLH, FIN	MONITOR
557	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.	DEAD	EEP, JUD	MONITOR
558	HCR12		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO ASSESS THE OUTSTANDING CLAIMS RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	DEAD	WLH, JUD	COMMENT
559	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.	DEAD	WLH, JUD	MONITOR
560	HCR21		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-613 INOAOLE STREET, WAIMĀNALO, HAWAI'I.	DEAD	HSG, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
561	HCR22		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-033 KUAHELANI AVENUE, NO. 133, MILILANI, HAWAI'I.	DEAD	HSG, FIN	MONITOR
562	HCR23		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-942 MEHEULA PARKWAY, NO. 244, MILILANI, HAWAI'I.	DEAD	HSG, FIN	MONITOR
563	HCR24		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KA'ALAWAI, HONOLULU, O'AHU, FOR THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WLH, FIN	MONITOR
564	HCR25		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMĀNALO, KO'OLAUPOKO, O'AHU, FOR THE EXISTING PIER, SEAWALL, AND STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WLH, FIN	MONITOR
565	HCR26		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KĀNE'OHE, KO'OLAUPOKO, O'AHU, FOR THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	ADOPTED	WLH	MONITOR
566	HCR27		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, O'AHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WLH, FIN	MONITOR
567	HCR28		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KĀNE'OHE, KO'OLAUPOKO, O'AHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WLH, FIN	MONITOR
568	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.	DEAD	WLH, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
569	HCR30		AUTHORIZING THE ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA, WAILUKU, MAUI, FOR THE EXISTING SEAWALL, AND FOR THE USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WLH, FIN	MONITOR
570	HCR31		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA HOMESTEADS, KIHEI, MAUI, FOR THE EXISTING SEAWALL, ROCK REVETMENT, AND CONCRETE STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WLH, FIN	MONITOR
571	HCR32		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA HOMESTEADS AND BEACH LOTS, KIHEI, MAUI, FOR THE EXISTING SEAWALL AND ROCK REVETMENT, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WLH, FIN	MONITOR
572	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 HAWAI'I, AND UNITED STATES OF AMERICA.	DEAD	WLH	MONITOR
573	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.	DEAD	WLH	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
574	SCR2		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL FUNDS FOR NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT AND IDENTIFY AND SECURE OTHER FORMS OF DIRECT ASSISTANCE TO ADDRESS THE AFFORDABLE HOUSING NEEDS OF THE NATIVE HAWAIIAN POPULATION AND URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ASSIST AND TRAIN INDIVIDUAL HAWAIIAN HOMESTEADS ON THE TECHNICAL ASPECTS AND PROCESSES INVOLVED IN EXPENDING AND UTILIZING NATIVE HAWAIIAN HOUSING BLOCK GRANTS.	DEAD	FIN	MONITOR
575	SCR3		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES THAT BETTER PROTECT HISTORIC RESOURCES AND TO CREATE A TASK FORCE.	DEAD	FIN	SUPPORT
576	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.	DEAD	EEP, JUD	MONITOR
577	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.	DEAD	WTL/HWN	SUPPORT
578	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.	DEAD	WTL/PSM, JDC	MONITOR
579	SCR24		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-613 INOAOLE STREET, WAIMĀNALO, HAWAI'I.	DEAD	WTL	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
580	SCR25		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-033 KUAHELANI AVENUE, NO. 133, MILILANI, HAWAI'I.	DEAD	WTL	MONITOR
581	SCR26		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-942 MEHEULA PARKWAY, NO. 244, MILILANI, HAWAI'I.	DEAD	WTL	MONITOR
582	SCR27		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KA'ALAWAI, HONOLULU, O'AHU, FOR THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL, JDC	MONITOR
583	SCR28		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMĀNALO, KO'OLAUPOKO, O'AHU, FOR THE EXISTING PIER, SEAWALL, AND STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL, JDC	MONITOR
584	SCR29		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KĀNE'OHE, KO'OLAUPOKO, O'AHU, FOR THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL	MONITOR
585	SCR30		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, O'AHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL	MONITOR
586	SCR31		AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KĀNE'OHE, KO'OLAUPOKO, O'AHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL	MONITOR
587	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.	DEAD	WTL	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
588	SCR33		AUTHORIZING THE ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA, WAILUKU, MAUI, FOR THE EXISTING SEAWALL, AND FOR THE USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL	MONITOR
589	SCR34		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA HOMESTEADS, KIHEI, MAUI, FOR THE EXISTING SEAWALL, ROCK REVETMENT, AND CONCRETE STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL	MONITOR
590	SCR35		AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA HOMESTEADS AND BEACH LOTS, KIHEI, MAUI, FOR THE EXISTING SEAWALL AND ROCK REVETMENT, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	DEAD	WTL	MONITOR
591	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 HAWAI'I, AND UNITED STATES OF AMERICA.	DEAD	HWN	MONITOR
592	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.	DEAD	EET/AEN	MONITOR
593	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.	DEAD	WLH, FIN	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
594	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.	DEAD	EEP, JUD	MONITOR
595	HR10		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO ASSESS THE OUTSTANDING CLAIMS RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.	DEAD	WLH, JUD	COMMENT
596	HR20		RECOGNIZING THE 15TH ANNIVERSARY OF THE LEGACY LAND CONSERVATION PROGRAM.	ADOPTED		SUPPORT
597	HR24		COMMENDING DUANE DESOTO AND MALIA KA'AIHUE FOR THEIR COMMITMENT AND OUTSTANDING INVOLVEMENT IN THE NATIVE HAWAIIAN COMMUNITY.	ADOPTED		MONITOR
598	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.	DEAD	TIA, FIN	MONITOR
599	SR2		STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL FUNDS FOR NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT AND IDENTIFY AND SECURE OTHER FORMS OF DIRECT ASSISTANCE TO ADDRESS THE AFFORDABLE HOUSING NEEDS OF THE NATIVE HAWAIIAN POPULATION AND URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ASSIST AND TRAIN INDIVIDUAL HAWAIIAN HOMESTEADS ON THE TECHNICAL ASPECTS AND PROCESSES INVOLVED IN EXPENDING AND UTILIZING NATIVE HAWAIIAN HOUSING BLOCK GRANTS.	ADOPTED	HWN/HOU	MONITOR
600	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.	ADOPTED	AEN/GVO	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
601	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).	CONFIRMED	HWN	MONITOR
602	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).	CONFIRMED	HWN	MONITOR
603	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.	FILED		MONITOR
604	GM548		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, DAN GIOVANNI, for a term to expire 06-30-2021.	CONFIRMED	WTL	MONITOR
605	GM550		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, DAWN CHANG, for a term to expire 06-30-2023.	CONFIRMED	WTL	MONITOR
606	GM671		Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, LEE OHIGASHI, for a term to expire 06-30-2024.	CONFIRMED	WTL	MONITOR
607	GM760		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, KEITH ROBINSON, for a term to expire 06-30-2020.	WITHDRAWN	WTL	MONITOR
608	GM761		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, KEITH ROBINSON, for a term to expire 06-30-2024.	WITHDRAWN	WTL	MONITOR
609	GM762		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, LEWELLYN KAOHELAULII, for a term to expire 06-30-2020.	WITHDRAWN	WTL	MONITOR

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ITEM #	BILL #	REPORT	DESCRIPTION	STATUS	REFERRALS	POSITION
610	GM763		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, LEWELLYN KAOHELAULII, for a term to expire 06-30-2024.	WITHDRAWN	WTL	MONITOR
611	GM764		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, MANUEL KULOLOIO, for a term to expire 06-30-2020.	WITHDRAWN	WTL	MONITOR
612	GM765		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, MANUEL KULOLOIO, for a term to expire 06-30-2024.	WITHDRAWN	WTL	MONITOR
613	GM766		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, ROBERT LUUWAI, for a term to expire 06-30-2020.	WITHDRAWN	WTL	MONITOR
614	GM767		Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, ROBERT LUUWAI, for a term to expire 06-30-2024.	WITHDRAWN	WTL	MONITOR



OFFICE OF HAWAIIAN AFFAIRS
Interoffice Memorandum

Lā: Mei 8, 2020

Iā: Sylvia M. Hussey, Ed.D., Ka Pouhana, Chief Executive Officer

I o: Lisa Watkins-Victorino, Ka Pou Nui Kūikawā, Interim Chief Operating Officer *LWV*
Keola Lindsey, Ka Poukihi Kū, Chief Advocate

Maiā: Wayne Tanaka, Pou Kāko‘o Kulekele Aupuni Kūikawā, Interim Public Policy Manager

Kumuhana: Legislative Advocacy Plan for the Reconvening of the 2020 Legislative Session

This memo requests approval of the below-described plan for the reconvening of the 2020 Regular Legislative Session, expected to commence on Monday, May 11. **Approval is requested by Monday, May 11.**


As background, on Thursday, May 7, the President of the Hawai‘i State Senate and the Speaker of the Hawai‘i State House of Representatives jointly announced their plans to reconvene the 2020 legislature (which has been adjourned since March 19 due to the SARS-CoV-2 pandemic) beginning on Monday, May 11 for a minimum of 6 working legislative days. According to the announcement, the planned reconvening will be limited to the following matters: 1) addressing the anticipated \$1 billion budget shortfall projected to result from the current pandemic and 2) advising and consenting to the numerous Governor’s nominations to various boards and commissions and other applicable positions (i.e. cabinet members, certain department deputies, etc.). While legislators will be convening in person, and meetings will be broadcast on public access television, there will be no opportunity for in-person or remote oral testimony; only written testimony will be accepted.

Given the limited scope of the legislature’s business, most of the bills and resolutions that OHA staff have been tracking are unlikely to be heard. However, there are a number of Governor’s nominations that are likely to be considered, a few of which may merit an OHA response. Notably, some of these latter nominations may not have been considered or position recommendations approved by the Board of Trustees (“BOT”) or its Beneficiary Advocacy and Empowerment Committee (“BAE”) prior to the shut-down order and the temporary cessation of legislative activity as well as regular BOT and BAE meetings.

In light of the above, Kulekele Aupuni offers the following recommended plan for your approval:

1. **GM Assignment.** Interim Public Policy manager and lead will review and assign unassigned Governor's messages for board and commission and other nominations ("GMs") to the relevant OHA staff member (including non-Public Policy staff) covering the applicable subject matter area. GMs (as well as other measures) that are assigned to OHA staff who are no longer with the agency will be redistributed to remaining staff.
2. **GM Preliminary Assessment.** For GMs that have not been voted on or considered by the BAE or BOT, assigned staff will be instructed to determine if any may merit the submission of written testimony in support, comment, or opposition. Staff will also be instructed to input their recommended positions (after consultation with the Interim Public Policy manager) in the tracker for future review by the BAE and BOT.
3. **GMs with BAE or BOT Position.** For GMs that do have a BAE or BOT position and have a hearing scheduled, staff will be instructed to prepare written testimony consistent with the BAE/BOT position.
4. **GM without BAE or BOT Position (Administrative Position/Testimony).** For GMs that do not have a BAE or BOT position, but that may merit the submission of written testimony by OHA, staff will be instructed to prepare bullets for administrative review/approval and to prepare written testimony consistent with any administration-approved positions.
5. **GM Legislative Tracker Monitoring.** Assigned staff will be notified to review and monitor their Legislative Tracker account for assigned GMs as well as hearing notices and updates.
6. **Testimony Review & Submission.** The Interim Public Policy manager and lead will review and submit all testimonies that are consistent with approved administration or BAE/BOT positions
7. **Legislative Tracker Monitoring.** Staff will also be instructed to monitor their tracker accounts for the remaining legislative session for any hearings that may be scheduled on bills and resolutions of concern (although the limited scope of the reconvened session suggests that this may be unlikely).

APPROVED/~~DENIED~~.



Sylvia M. Hussey, Ed.D.
Ka Pouhana, Chief Executive Officer

5/8/2020

Date