

STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
(VIRTUAL MEETING - VIA ZOOM WEBINAR)

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES

April 14, 2021 1:30 p.m.

ATTENDANCE:

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

BAE STAFF:

Brandon Mitsuda
Mark Watanabe

ADMINISTRATION STAFF:

Hussey, Sylvia, Ka Pouhana / CEO
Brown, Casey / COO
Hinck, Ramona / CFO
Wong, Sterling / Chief Advocate
Tanaka, Wayne / Public Policy Manager
Gushiken, Raina, Senior Legal Counsel
Ohta, Everett, Assistant Legal Counsel
Chak, Kevin, IT

EXCUSED: NONE

I. CALL TO ORDER

Chair **Akaka** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, April 14, 2021 to order at **1:32 p.m.**

Chair **Akaka** notes for the record that PRESENT are:

| MEMBERS | | | AT CALL TO ORDER (1:32 p.m.) | TIME ARRIVED |
|------------|--------------------|-------------|---------------------------------|--------------|
| CHAIR | KALEIHIKINA | AKAKA | PRESENT | |
| VICE-CHAIR | KEOLA | LINDSEY | PRESENT | |
| TRUSTEE | LEINA'ALA | AHU ISA | PRESENT | |
| TRUSTEE | DAN | AHUNA | PRESENT | |
| TRUSTEE | KELI'I | AKINA | PRESENT | |
| TRUSTEE | LUANA | ALAPA | PRESENT | |
| TRUSTEE | BRENDON KALEI'AINA | LEE | PRESENT | |
| TRUSTEE | CARMEN HULU | LINDSEY | PRESENT | |
| TRUSTEE | JOHN | WAIHE'E, IV | PRESENT | |

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

II. PUBLIC TESTIMONY on Items Listed on the Agenda*

None

III. APPROVAL OF MINUTES

A. March 10, 2021

Chair Akaka: I will entertain a motion to approve the March 10, 2021 minutes.

Trustee Ahu Isa: I so move, Chair.

Board Chair Hulu Lindsey: Second

Chair Akaka: It has been moved by Trustee Ahu Isa and seconded by our Board Chair Trustee Hulu Lindsey.

Chair Akaka recognizes Trustee Lee.

Trustee Lee: So the vote on the minutes is incorrect. I did not vote yes to approve the minutes of February 3rd, I voted kanalua.

Chair Akaka: Alright, so noted.

Trustee Lee: And the reason I voted kanalua, Chair was I asked that day if we're voting to approve the minutes and the response was yes, which is why I voted kanalua. So are the corrections that I made to the February 3rd minutes not going to be reflected? That's why I voted kanalua because that's the incorrect vote if the minutes needed to be approved as amended.

Chair Akaka: So just to make sure I have this correct, so you voted kanalua for February 3rd, for those minutes.

Trustee Lee: Because it was stated that we're voting to approve the minutes not as amended, that's why I voted kanalua. So my question is, the corrections that were supposed to be made to the February 3rd minutes are they not going to be made? Because the Board voted to approve the minutes, which means they approve the minutes as they were submitted, not as they were amended, not with the changes that needed to be made.

Chair Akaka: Mark, can you please provide clarification on that one.

Mark - BAE Staff: Yes, I believe would it be administration to clarify the wording for that. If we are actually allowed to make those changes, if the language was said that was not correct.

Ka Pouhana Hussey: May I respond to that? I don't think that's administrations, or I'm sorry, Trustee Lee, were you going to clarify that?

Trustee Lee: Well it sounded like Mark said that the changes were made. Is that correct Mark? There were two changes that I pointed out that needed to be made for the February 3rd minutes.

Mark - BAE Staff: Correct

Trustee Lee: So are you saying those changes were made?

Mark - BAE Staff: Yes

Trustee Lee: Okay, the reason I asked was because we did not vote to approve the minutes as amended. So that still needs to happen. What we approved were the minutes that had no changes in them. That is what the Board approved.

Chair Akaka recognizes Board Chair Hulu Lindsey.

Board Chair Hulu Lindsey: I'd like to make that motion to approve the minutes of February 3rd as amended by Trustee Lee.

Chair Akaka: Mahalo, is there a second?

Trustee Ahu Isa: Second

Chair Akaka: Alright, it has been moved by our Board Chair Hulu Lindsey and seconded by our Board Vice Chair Ahu Isa. Is there any other further discussion on this members? Yes, Trustee Lee.

Trustee Lee: No, that's fine Madam Chair.

Chair Akaka: Okay mahalo, Brandon can I please have a roll call vote.

Assistant Legal Counsel Ohta: Excuse me, Chair Akaka. I'm sorry, we'd have to agendize that for an upcoming meeting of the BAE. So to comply with Sunshine Law we would need to agendize approval of the amended minutes.

Chair Akaka: Thank you for that clarification.

Trustee Lee: Thanks Everett, that's what I was going to ask.

Chair Akaka: Okay, that sounds great. So then we will do so and we will then move on with the agenda to unfinished business.

Trustee Lee: Point of order, Madam Chair.

Chair Akaka: Yes, Trustee Lee

Trustee Lee: We have a motion on the floor, so I move to amend the motion that we defer the minutes for March 10th until the next agendized meeting of the BAE.

Board Chair Hulu Lindsey: Isn't it for February 3rd?

Trustee Lee: No Trustee Hulu Lindsey, the minutes that we are currently voting on is March 10th. The motion you made was for the February 3rd one. But like Everett said, we can't take that motion up because it has to be agendized. But we currently have a motion to approve the March 10th. So I'm amending that motion to defer that matter until the next agendized meeting.

Trustee Ahuna: Second

Chair Akaka: Alright, it has been moved by Trustee Lee and seconded by Trustee Ahuna. Is there any other further discussion members?

Trustee Lee: Point of clarification, Madam Chair.

Chair Akaka: Yes

Trustee Lee: We're only voting on my amendment. That's all we're voting on.

Trustee Ahu Isa: Chair, I see the amendment, it's within the minutes of the March. The 3rd is within this.

Chair Akaka: Yes, it is getting a little confusing here. So for clarification then, we are then looking at the February 3rd minutes, but we will move forward with the March 10th approval of minutes. Everett, can you please provide that clarification.

Trustee Lee: I'm sorry Madam Chair, I thought I just clarified that. I apologize if it wasn't clear. The motion that is currently before the Board is to approve the minutes of March 10th. We cannot take up the matter for February 3rd, that needs to be agendized. So the current motion before the Board is to approve the minutes of March 10th. Which we cannot do because we have to fix the thing about February 3rd. So I made a motion to amend the motion to approve the March 10th to defer the matter until the next agendized meeting of the BAE.

Chair Akaka: Okay, sounds good. So we are not approving any minutes then today.

Trustee Lee: We are only voting on my amendment. If my amendment passes then the matter will be closed because we have moved to amend, and that first motion of Trustee Hulu Lindsey will be set aside.

Chair Akaka: Okay, thank you.

Trustee Lee: What's important for Mark them to note is that motion has already been made. So there will not need to be a new motion later down the line. Because that motion has already been made. They need to make note that Trustee Hulu Lindsey made the motion to approve the minutes of March 10th and that Trustee Lei Ahu Isa seconded that. There will be no other motion about that later in a later date.

Chair Akaka: Okay, mahalo. Alright then and I just want to make sure I have this correct. So then we will move past this and carry on with our unfinished business.

Trustee Lee: Should my motion pass, my amendment pass. It has not been voted on.

Chair Akaka: Mahalo, so Brandon can you please call the **roll call** for this.

| | | | | | | | 1:44 p.m. |
|-------------------------|----------------|----------|----------|------------------|-------------------|--------------------------|----------------|
| TRUSTEE | | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
| LEINA'ALA | AHU ISA | | | X | | | |
| DAN | AHUNA | | 2 | X | | | |
| KELI'I | AKINA | | | X | | | |
| LUANA | ALAPA | | | X | | | |
| BRENDON KALEI'ĀINA | LEE | 1 | | X | | | |
| CARMEN HULU | LINDSEY | | | X | | | |
| VICE CHAIR KEOLA | LINDSEY | | | X | | | |
| JOHN | WAIHE`E | | | X | | | |
| CHAIR KALEIHIKINA | AKAKA | | | X | | | |
| TOTAL VOTE COUNT | | | | 9 | 0 | 0 | 0 |

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

IV. UNFINISHED BUSINESS

A. 2021 OHA Legislative Package Updates - Matrix 1**

Chair Akaka yields the floor to Ka Pouhana Sylvia Hussey.

Ka Pouhana Hussey: Thank you, Chair Akaka, and we'll do a quick lateral over to Chief Advocate Sterling Wong who will walk us through Matrix 1.

Chief Advocate Wong: So just to start us off I'll go through our legislative calendar, just to give us a sense of where we are. Today is the 14th right here. We're on our recessed day. Second decking was last week, so all bills had to go out of their last committee passed second decking so they can make the second crossover deadline. Most of the bills received their 3rd reading yesterday and therefore are slated to make this second crossover and when I talk about our budget bill this agree disagree is really important because that's going to be determining where our budget bill goes after crossover. As I've mentioned throughout session, this session is shortened a little bit. They took a week off of session and they took it out of conference committee so there's way less time during conference and so I think as I've said before, if bills don't get, if they have defective dates or if they have big differences between the two chambers on drafts, the chances of them making that bill, making it out of conference is kind of unlikely so I think we should see maybe less action generally during conference this year but maybe some specific bills get a lot of action during conference and the one bill that was disagreed too early was the state budget so the state budget will be going through a conference committee. But that disagree agree, tomorrow is going to be big and I was trying to explain that as we go through our budget.

So OHA-1 obviously our budget bill had a lot of action last week. HB204, this is our vehicle as you recall when we discussed at BAE last week WAM Chair Dela Cruz had explained that he was cutting out all the admin operation general funds from our budget. He had some things and you know a lot of stuff happened, but ultimately what happened was and much a lot of credit I think all the credit actually goes to our Chair Hulu Lindsey on this for opening up a dialogue with WAM Chair Dela Cruz and negotiating a reconsideration of our budget bill, which is really, really a rare act for a committee to do, especially that late in session, so as I think most of you know on Friday WAM reconsidered our bill with a bunch of changes to it, and I actually wanna go through those changes, if I can. So these are the changes we're looking at. So as you know generally what we're looking at is an ask of about \$3,000,000.00. That's generally what we consider our base where we ask every year and you can generally say it's half proviso, half admin, half operations. So the SD2 that passed out and it passed out of it passed it made crossover yesterday. So SD2 is going back to the house now. So what we know about the SD2. There's zero, all the admin operation personnel costs are out, so that's about I would say 1415, Mona can jump in and correct me, but generally that's about what's out. What they threw in with the SD2. The SD2 would have an extra \$500,000.00 per fiscal year proviso for occupancy ready housing needs. That's the exact language, so as most of you will recall our budget generally has three historic provisos social services, education legal services, every so often we get an extra proviso thrown in. For this year, this is an extra proviso for next biennium \$500,000.00 for each of the next. Each year in the next biennium. We also have an extra \$200,000.00 in there for a CLA review follow up. That's a general funds for us to fund that so that's nice. And then I think the big key at the end, that I mean, all credit to Chair Hulu Lindsey for negotiating this. I had given up hope on us getting any of this FY21 money from Act 37 as all of you will know that money was conditioned based off the completion of Les Kondo's audit, which was never done and we sued and you know Speaker Saiki's working group had a very favorable report for us that was released. And it took a lot of work, but we were able to figure out an amendment to get this \$3,000,000.00 and a housekeeping amendment which was really key to make sure it doesn't lapse. So all together for everybody, the SD2 what we're getting in general funds for each year in the next coming biennium is \$2,254,000.00, all for provisos basically nothing for

admin or operations or overhead or anything like that, and you know, I would like to say I mean, obviously all credit goes to the Chair for the magic she created on Friday but I also really want to mahalo Everett and Wayne, who I really don't think we had about an hour, an hour and a half to do this and I don't think I could have found two more people and done this within that time, so a really big mahalo to Everett and Wayne for pulling this off. Chair Akaka I will pause here in case anybody wants to have any further discussion about this was kind of a big deal.

Board Chair Hulu Lindsey: Sterling, I just want to thank our staff. You guys did magic that morning. I can't believe how fast you folks got the language together to make things happen with Senator Dela Cruz and his WAM people, so mahalo, mahalo, mahalo. It's not all about one person but it's about us working together as a team, so I thank you very, very much from Sylvia down to Wayne and our legal core, mahalo nui.

Chair Akaka recognizes Trustee Waihe'e.

Trustee Waihe'e: Thank you, Madam Chair, also thank you, Chair Hulu for your work and staff and you know you should be very proud of the work you've done on this. So where is this in terms of the process, like is everything approved and it's safe or is there still steps where in I don't know like stuff could happen?

Chief Advocate Wong: Madam Chair, I can answer that and my mistake for not finishing up on this discussion. So this is where we are, that's a great question Trustee Waihe'e. So our bill has passed crossover so it's here right now basically. The key with our bill is it has an effective date, which means if the House just agrees to it we don't have to go to conference, and we have a bill and then it would have to get signed by the Governor. We actually checked the dates, deadline for the Governor to sign the bill would be July 6 with all the other bills, but I'm assuming you know with the because it's a budget bill and it starts with the fiscal year. It would probably get signed a little bit early, but we are looking Trustee Waihe'e to your question at this date. If tomorrow the House agrees to it, we got a bill and we're all good. If the House disagrees, we're gonna have a you know a week and a half more of holding our breath and anything can happen in conference so you know how that works.

Trustee Waihe'e: Thank you, Sterling. With that news I'll save any questions I have about this till we're in a safer place, thank you.

Chief Advocate Wong: Yeah, and just to you know, maybe share a little bit about what else is happening. The state budget bill is going to conference and then judiciary budget is mirroring our budget. It has an effective date. So, technically our budget and judiciary's budget if they just agree to it no conference for us and we go straight to the Governor, but we will certainly keep the Trustees updated about that and we'll be holding our breath with everybody else. With that excitement if there's no more questions about our budget bill as you know, OHA-2 the CIP died, OHA-3 is dead, OHA-4 our data governance resolution SCR5, the Senate vehicle super exciting has a hearing this afternoon. If it passes this afternoon 's hearing we have a reso. and that's super excited and then we'll be calling the Governor to convene that working group as soon as possible Madam Chair, that would conclude unless there are other questions. My update for this agenda item, mahalo nui.

B. 2021 OHA Legislative Package Updates - Matrix 2**

Chair Akaka yields the floor to Ka Pouhana Sylvia Hussey.

Ka Pouhana Hussey: Thank you, Chair and we'll do a quick lateral over to Wayne.

Public Policy Manger Tanaka: Good afternoon Trustees. So as Sterling said we are two weeks and a wake up left before sine die. All bill hearings at this point or bill hearings at this point are pau except for conference committee hearings and the committees won't take testimony. So what will happen for Conference is we will be writing letters to the committee members once they're appointed reiterating our support or opposition mainly just for the high profile bills. We will be sure this send copies to BAE leadership, similar to what we've been doing for testimonies this session. So for today there's no changes in the in the matrices but we do have two table changes for things that happened since the last print out last Wednesday, but first before that, I'll give a quick update on the OHA named bills and then I'll go over the two table changes and then we'll jump to the big matrix and I'll just give updates on high profile measures.

In terms of PLT Kaka'ako related measures, HCR129. This is the House concurrent resolution to set up a working group for Kaka'ako Makai future development. It still hasn't had a hearing scheduled. It has some time. So it's still alive. I think to the 19th to get heard. We did you know ask the committee chairs to not have a hearing on this resolution so hopefully they don't.

The OHA campaign bills SB238 and SB981. These bills would randomize OHA ballots and then provide increased public funding for OHA Trustee candidates. These bills are dead. They didn't make decking. \

The training course compliance bill SB1409 which we're supporting, it is going to conference. It's defective dated so it has to go to conference. So we'll be watching that measure since it's essentially a package measure from last year or two years ago, last year sorry.

I did want to highlight a couple other resolutions that have to do with SHPD, historic preservation. This is SR171 and HR113 which has a proposed HD1 that's getting heard now. So both the SR171 and the proposed HD1 for HR113 urge OHA to convene a working group to address and resolve you know the mismanagement of the State Historic Preservation Division 's burial sites program. The SR171 working group includes OHA as a chair. It would also include as members, the Island Burial Council Chairs, the SHPD Administrator, DOCARE Branch Chief which is the Division of Conservation and Resources Enforcement Branch Chief, a burial specialist from SHPD, two large landowner reps from the Governor, law school representative, a community member and a representative from Huliauapa'a or the Kali'uokapa'akai Collective. The (inaudible) resolution has already been adopted by the Senate. The companion HR113, which has a proposed HD1 that's being heard right now, it's similar, but there's slight differences. The Working Group composition doesn't include the SHPD Administrator. It doesn't include large land owner reps instead of the Island Burial Council Chairs. It just includes one rep. from each Island Burial Council selected by a vote of each council. So it also includes the Attorney General as a representative. It still includes the OHA representative, it still includes DOCARE and a law school representative. The Working Group tasks under HR113, the proposed HD1 are also slightly different from the SR, so rather than addressing allegations of mismanagement it more specifically asks the Working Group to focus on improving the implementation of the Island Burial Councils, reviewing rules and laws and their implementation and creating a database to document where burials are or may be. So we're continuing to support this reso. We you know, we generally support the idea of a working group on you know, we think that it's a good first step towards addressing some of these long standing issues and concerns. Our testimony does point out the differences in which you know could lead to some confusion or conflict or even duplication, but we also you know, we don't want to really, it's like there's a little bit of a competition between these two resos. and so we don't want to get you know, kind of stuck in deciding it in one committee or one chamber over the other so we just you know supporting generally the concept behind this one. Because SR171 was represented I think there may be some, we'll be meeting internally to talk about how we're going to set up the Working Group and on a timeline and so forth. There may be committee members coming either to the Board or to Administration to talk about their you know who they think should be included on the working group, so just a heads up on that.

Finally GM686, this would confirm Letani Peltier to the Kane'ohe Bay Regional Council that actually just had a hearing at 1:00 today and that's why Letani is not with us today and so he's actually the one running the

matrix. And that's it for OHA bill updates. I'll pause real quick to see if there's any questions or any other bills that Trustees want me to go over.

Board Chair Hulu Lindsey: Wayne, I was interested in the, I think it's Senate bill 862.

Public Policy Manger Tanaka: Uh House bill, yes that is a table change bill, so I'll talk about that right like right now.

Board Chair Hulu Lindsey: What bill?

Public Policy Manger Tanaka: HB862, this is the Hawaii Tourism Authority.

Board Chair Hulu Lindsey: Yes, please.

Public Policy Manger Tanaka: Yeah okay, so I'll just jump right over right into table changes. So there's only two measures that we're recommending a position to be taken on today. So the first is HB862. We're recommending a position of oppose. This bill was originally just, you know, all it did was establish a Pacific International Space Center for Exploration Systems or PISCES program UH, to kind of oversee and coordinate space related initiatives and activities. There was a proposed SD2 that was posted late last week and this SD2 included a new section to essentially remove the Hawai'i Tourism Authorities authority and ability to support olelo Hawai'i and to support cultural practitioners and also took away their ability to expend TAT monies to mitigate, you know, some of the environmental impacts of tourism and tourist traffic. We submitted administrative testimony in opposition to the SD2. You know, given the importance of these HD authorities to mitigate the impacts of tourism and exploitation of Hawaiian culture, as well as impacts of over tourism on the natural and cultural resources and sites. So the SD2 that passed still deleted these provisions. It kind of takes some of that language that was looted from the HTA and puts it in this Hawaii State Foundation for Culture and the Arts and also includes a \$3.7 million appropriation for the foundation to carry out those new responsibilities. We still have concerns, however, because the foundation, you know wouldn't really have the institutional memory or capacity even with \$3.7 million to fill the gap this would create when HTA's authority is disrupted as envisioned. So recommendation is that we continue opposing this.

Board Chair Hulu Lindsey: Thank you

Public Policy Manger Tanaka: The next table change is a Governor's nomination, GM786. And so we already submitted. We're recommending a position of support. This would nominate Doctor Diane Palomo to the UH Board of Regents. Doctor Paloma you know she has substantial experience, particularly in the medical field, combining Hawaiian health and Hawaiian culture concepts in policies and programs and in the various institutions she's worked at. Which includes HMSA, the John A. Burns School of Medicine, she was the Director of Native Hawaiian Health at Queens. Currently the CEO of Lunalilo Homes Trust and so given her dedication and her ability to infuse Hawaiian culture concepts and values in policies, programs and institutions, we recommend supporting her nomination as it will hopefully she'll bring some of these skills and ideas to, UH. So we're recommending a support position.

Yeah, and then so now I'll just. I'll just give quick updates on the older bills that are not OHA named but are still significant. So first HB753. These are all DHHL bills. So HB753, this would exempt DHHL from housing school impact fees. It does have a three years sunset date and it has an effective date from Ways and Means, so we'll see if it, so it will make crossover. We'll see if the House agrees or disagrees. So that's exciting because it will really help DHHL kind of focus its funding and resources on developing homesteads.

SB1121, this would exempt DHHL from general excise tax. General excise taxes. This bill is dead. It didn't get a hearing from finance which isn't too surprising because it looked, it sounds like it seems like the Finance Committee really doesn't want to risk losing some of the federal funds that are coming in through ARPA, which

is the covid relief bill that the President just signed and there's some provisions in there about states cutting tax revenues, and you're not supposed to do that, and so because I think the exempting DHHL from the GET could be construed as validating ARPA, I think that's the reason why this bill died. And then, we'll see what happens next year. And sorry, I forgot to mention, because this is the first year of a biennium all bills that are dead that were that didn't make their committee hearings in time like this last bill, they can be resurrected in the next year, so good deals still get chance. Bad deals, we still gotta keep an eye on.

And then finally for DHHL, HCR76, this is the Act 14 reso. to kind of assess the status of act 14 which was supposed to address the uncompensated and an inappropriate use of DHHL lands by the state. This reso. is going to have a hearing tomorrow in Judiciary. So we'll be submitting support testimony.

In terms of ceded lands issues, good news is SB2, which is one of the bills that envision 99 year leases of ceded lands that was recommitted to Finance. There's actually a very interesting kind of last minute amendment that the Finance Committee made, I think to get out of committee, but essentially it would say that for any lands, any ceded lands that are proposed for 99 year leases that a preference be given to Department of Hawaiian Homelands waitlisters you know, and I think these are, it was a well intended amendment, but you know it didn't really provide much guarantee that any benefits would flow to Native Hawaiians who maintain claims to ceded lands, especially given HHFDC's kind of reticence to adopt any kind of preference or anything that might violate the Fair Housing Act, you know, I would envision to avoid some of the legal like challenges is that they're afraid of they would just issue like 98 year leases and not have to do any preference. And so I think well intended, but probably fell far short of what our main concerns are which is to ensure Native Hawaiian Claims to the ceded lands corpus are recognized and protected, but in any case that bill is recommitted, so it's dead.

HB902, which is its counterpart, which doesn't have that DHHL preference language it's just a straight, you know any land set aside or leased to HHFDC can be released for however long, including 99 years. That bill did make crossover. It does have a defective date though, so it's going to conference. So we have to keep an eye on that. And also too for SB2 again, because it's the first year of a biennium it was recommitted to Finance. It wasn't held or killed, so it could get resurrected next year so we'll just have to be ready for it possibly coming back to life, especially since it's so close.

And then finally HB499. This is a lease extension for any industrial commercial resort government including military lease for 40 years. This bill did make crossover. It also has a defective date, so it will be going to conference, so again will be, you know, trying to reach out to the conference committee members once their appointed, maybe our concerns are heard and hopefully addressed.

In terms of historic preservation HB497. Which would preclude the counties from requiring residential developers from consulting with OHA or SHPD or any other state agency, unless it's explicitly authorized under existing statutes. This bill we're opposing. Fortunately, it was never heard by its last committee, so referrals, so it's dead for now.

SB1128, this was the bill to help make the Kalaeloa's vocational training program self sustaining. This bill did not make decking. So that bill is also dead for now.

And then the last one is SB1384. This is the Aha Punana Leo measure. It was, it did make crossover, it was defective dated so it's going to conference, so we'll see what happens with that one. But we are supporting that measure.

And and yeah, that's all of the high profile bills I wanted to note for you folks, but happy to talk about any other measures of interest or concern or answer any questions Trustees may have.

Chair Akaka recognizes BAE Vice Chair Lindsey.

Vice Chair Lindsey: I apologize if this is a little delayed. Could I ask a follow up question to Wayne about one of the bills he went over?

Chair Akaka: Yes please

Vice Chair Lindsey: Wayne, if we can go back to HB756, the placement of the DHHL Chair on the Board of Agriculture. This would make the DHHL Chair a voting member on the Board of Agriculture? Is that correct?

Public Policy Manger Tanaka: Yes

Vice Chair Lindsey: I'm just curious, do you know off hand, would this be the first time the DHHL Chair would be on another State Board Member, or are they already on other boards or commissions?

Public Policy Manger Tanaka: I don't think so. They've been trying to get on the Water Commission for a long time. They tried to get on the HHFDC Board this year. Yeah, I don't think so. So it will be crossing over.

Vice Chair Lindsey: That just caught my attention that this would really be on of the first examples of DHHL having a broader decision making authority on non DHHL lands. Thank you, just wanted to note that. Thank you, Madam Chair.

Chair Akaka: Mahalo, is there any further discussion or questions members? Alright seeing none, may I have a motion to approve Administration's recommendations on new bills and positions.

Chair Akaka recognizes Trustee Lee.

Trustee Lee: I move **To approve Administration's recommendations on the following new legislative positions: GM786, as SUPPORT**

Trustee Lee: I'm aware that I left one off Madam Chair. I'm trying to save us the time of having to bifurcate.

Chair Akaka: Mahalo

Vice Chair Lindsey: I'll second Madam Chair.

Chair Akaka: Mahalo, BAE Vice Chair Lindsey. It has been moved by Trustee Lee and seconded by our Vice Chair for BAE. Is there any other further discussion members on this? Alright then could I please have a **roll call vote**.

| | | | | | | | 2:17 p.m. |
|--------------------|---------|---|---|-----------|------------|-------------------|-----------|
| TRUSTEE | | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
| LEINA'ALA | AHU ISA | | | X | | | |
| DAN | AHUNA | | | X | | | |
| KELI'I | AKINA | | | X | | | |
| LUANA | ALAPA | | | X | | | |
| BRENDON KALEI'ĀINA | LEE | 1 | | X | | | |

| | | | | | | | |
|-------------------------|---------|--|---|---|---|---|---|
| CARMEN HULU | LINDSEY | | | X | | | |
| VICE CHAIR KEOLA | LINDSEY | | 2 | X | | | |
| JOHN | WAIHE`E | | | X | | | |
| CHAIR KALEIHIKINA | AKAKA | | | X | | | |
| TOTAL VOTE COUNT | | | | 9 | 0 | 0 | 0 |

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

Chair Akaka: Trustee Lee, was there any other discussion you wanted regarding this.

Trustee Lee: I'll wait to disclose until that motion comes to the floor Madam Chair.

Chair Akaka: Alright, mahalo

Chair Akaka recognizes Board Chair Hulu Lindsey.

Board Chair Hulu Lindsey: I'd like to move that we **approve Administration's recommendations on the following new legislative positions: HB862, as OPPOSE**

Chair Akaka: It has been moved by our Board Chair Trustee Hulu Lindsey and seconded by our RM Chair Trustee Waihe'e.

Chair Akaka recognizes Trustee Lee.

Trustee Lee: So I have to disclose that because I'm a Board Member on the Moanalua Gardens Foundation. I have a direct conflict to this bill. So I will not be voting, I will be voting kanalua. So that was the reason for taking it separately. Thank you, Madam Chair.

Chair Akaka: Mahalo for providing that clarification Trustee Lee. Alright, is there any further discussion on this members? Seeing none, if I could please have a **roll call vote** Brandon.

| TRUSTEE | | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
|---------------------|---------|---|---|--------------|---------------|----------------------|---------|
| LEINA'ALA | AHU ISA | | | X | | | |
| DAN | AHUNA | | | X | | | |
| KELI'I | AKINA | | | X | | | |
| LUANA | ALAPA | | | X | | | |
| BRENDON KALEI'ĀINA | LEE | | | | | X | |
| CARMEN HULU | LINDSEY | 1 | | X | | | |
| VICE CHAIR KEOLA | LINDSEY | | | X | | | |

2:18 p.m.

| | | | | | | | |
|-------------------------|---------|--|---|---|---|---|---|
| JOHN | WAIHE`E | | 2 | X | | | |
| CHAIR KALEIHIKINA | AKAKA | | | X | | | |
| TOTAL VOTE COUNT | | | | 8 | 0 | 1 | 0 |

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

V. NEW BUSINESS

None

VI. ANNOUNCEMENTS

Chair Akaka: Members, are there any announcements at this time?

Board Chair Hulu Lindsey: I just want to remind everybody we have a BOT meeting tomorrow morning at 10:00. It's going to be kind of lengthy so maybe you can have a sandwich next to your desk.

Chair Akaka: Mahalo for the heads up Board Chair.

VII. ADJOURNMENT

Chair Akaka: Can I please have a motion to adjourn the meeting.

Board Chair Hulu Lindsey: So moved, Chair

Trustee Waihe'e: Second

Chair Akaka: I believe it was moved by Board Chair Hulu Lindsey and seconded by RM Chair Trustee Waihe'e. Can I please have a **roll call vote**.

| TRUSTEE | | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
|--------------------|---------|---|---|-----------|------------|-------------------|---------|
| LEINA'ALA | AHU ISA | | | X | | | |
| DAN | AHUNA | | | X | | | |
| KELI'I | AKINA | | | X | | | |
| LUANA | ALAPA | | | X | | | |
| BRENDON KALEI'ĀINA | LEE | | | X | | | |
| CARMEN HULU | LINDSEY | 1 | | X | | | |
| VICE CHAIR | LINDSEY | | | X | | | |

2:21 p.m.

| | | | | | | | |
|--------------------------|----------------|--|----------|----------|----------|----------|----------|
| KEOLA | | | | | | | |
| JOHN | WAIHE`E | | 2 | X | | | |
| <i>CHAIR</i> KALEIHIKINA | AKAKA | | | X | | | |
| TOTAL VOTE COUNT | | | | 9 | 0 | 0 | 0 |

MOTION: **UNANIMOUS** **PASSED** **DEFERRED** **FAILED**

Chair Akaka: The meeting is now adjourned, mahalo members, all in attendance, and to all live streaming. A hui hou kākou, mālama pono.

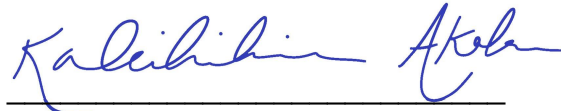
Chair Akaka adjourns the BAE meeting at **2:22 p.m.**

Respectfully submitted,

A handwritten signature in black ink that reads "Brandon R. Mitsuda". The signature is stylized with a large, looped "B" and a long horizontal stroke at the end.

Brandon Mitsuda Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment (BAE) on 08/18/21.

A handwritten signature in blue ink that reads "Kaleihikina Akaka". The signature is fluid and cursive.

Trustee Kaleihikina Akaka
Chair
Committee on Beneficiary Advocacy and Empowerment