

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

March 20, 2024 10:00 a.m.

ATTENDANCE:

Chairperson Kaleihikina Akaka
Trustee Keli'i Akina
Trustee Luana Alapa
Trustee Brickwood Galuteria
Trustee C. Hulu Lindsey
Trustee Keoni Souza
Trustee Mililani Trask
Trustee John Waihe'e, IV

EXCUSED:

Trustee Dan Ahuna

BAE STAFF:

Nathan Takeuchi
Mark Watanabe

ADMINISTRATION STAFF:

Ferreira, Stacy / CEO
Brown, Casey / COO
Hinck, Ramona / CFO
Ozawa, Nietzsche / Interim Senior Counsel
Ohta, Everett / Interim General Counsel
Reelitz, Ke'opū / Advocacy Division Director
Belay, Chantelle / Public Policy Manager
Santos, Dan / IT
Kozuki, Dave / IT



I. CALL TO ORDER

Chair **Akaka** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, March 20, 2024 to order at **10:00 a.m.**

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

MEMBERS			AT CALL TO ORDER (10:00 a.m.)	TIME ARRIVED
CHAIR	KALEIHIKINA	AKAKA	PRESENT	
Trustee	DAN	AHUNA	EXCUSED	
Trustee	KELI'I	AKINA	PRESENT	
Trustee	LUANA	ALAPA	PRESENT	
Trustee	BRICKWOOD	GALUTERIA	PRESENT	
Trustee	CARMEN HULU	LINDSEY	EXCUSED	10:10 a.m.
Trustee	KEONI	SOUZA	PRESENT	
Trustee	MILILANI	TRASK	PRESENT	
Trustee	JOHN	WAIHE'E, IV	PRESENT	

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

II. Unfinished Business

A. 2024 OHA State Legislative Bill Package - Matrix 1**

NO TESTIFIERS ON THIS ITEM

Chair Akaka yields the floor to Ka Pouhana Ferreira

Ka Pouhana Ferreira: At this time I'd like to have Ke'ōpū Reelitz, Director of Advocacy provide an update on the OHA Bill Package, mahalo.

Chief Advocate Reelitz: Mahalo, Ka Pouhana. Before we get started, I wanted to get us grounded as we do with every BAE meeting on where we are in the Legislative session. So if I could ask our Public Policy Manager, Chantelle Belay, to put the calendar up. As you can see, it is currently, the date is March 20th, so we are a day away from second lateral filing and so that means anything with a double referral that did not receive a hearing is officially done for. Then we have about two weeks for the single referral and decking. So things have been fast and furious, as it often happens after crossover and they're going to continue to be fast and furious.

We'll start with the harder news. Unfortunately, our bill that would have added the Office of Hawaiian Affairs to the Board of AG, it was a double referral and did not get its hearing. We anticipate. We did anticipate that it would be difficult in the House. Despite my and Ka Pouhana's multiple meetings with the Department of AG, the department had concerns, and in the House often times they defer to the department heads and so our understanding is that there were requests to not have that bill heard and so that is what happened. It is officially dead, but there are lots of lessons learned and we'll continue to take those forward next year, next session as we prepare for the bill package. Namely and ensuring that we have early and frequent communication with departments as we develop our bill package so that everyone sort of, we kind of clear the barriers ahead of time. So that's the tough news, the more positive news.

Chair Akaka: Mahalo, Ke'ōpū. I just also wanted to share with the Board as a reminder that this was written alongside Sharon Hurd, Chair Hyrd, so it is a bit confusing as to why there is a change of heart here and that she and the AG are no longer supporting it, mahalo.

Chief Advocate Reelitz: Thank you, Chair. The more positive news though, is that after our last BAE meeting, we were able to get OHA 2, 3 and 4 introduced. So those were the three resos. So the first, if you remember, is the cultural appropriate reso. The second was urging the state to commit to culturally appropriate resources and programs for Native Hawaiians with intellectual and developmental disabilities, and the 4th was urging the Office of Hawaiian Affairs to do a rural resilience report. And so those are the three resos, we did get them introduced. One of them is a double referral and that is OHA-3, which is the intellectual and developmental disability reso. That does actually have a hearing tomorrow. So we have prepared and submitted testimony for that hearing. But I do want to take this opportunity to remind our Trustees that at the last BAE meeting, we did get a request from a beneficiary to remove OHA-3, this reso from our package and so that is something we can do and what I would recommend in that case if we do remove it is that we would move it to Matrix 3 because we do still want to support the reso and it does have an impact on Native Hawaiians. So I wanted to put that out there for folks. Again, we have already submitted our testimony in support, so we're ready to go and be present at that hearing tomorrow in support of the reso.

Chair Akaka recognizes Ka Pouhana Ferreira

Ka Pouhana Ferreira: So Chair, just following up on Ke'ōpū's statement regarding OHA-3 and the request by

the beneficiary to remove it. Is there a specific action that's required if the Board so chooses to remove OHA-3 from the package.

Chair Akaka: Maybe Everett answer on that.

Interim General Counsel Ohta: Good morning, Chair Akaka and Trustees. I think if this Committee were to take an action in that regard that it could follow the same process that the bill package was adopted through, so an action item to remove it from the 2024 Legislative Package from OHA.

Chair Akaka: So it'd be as simple as a motion moving from Matrix 1 to 3.

Interim General Counsel Ohta: I would recommend it be presented as an action item to again kind of mirror that process that we went through within the packages adoption.

Chair Akaka: We'll have that in another meeting then.

Chair Akaka recognizes Trustee Waihe'e

Trustee Waihe'e: Thank you, Madam Chair. Ke'ōpū, you know, I was going through the resos and then some of them are requesting that the state and the appropriate agencies address, or it requested they address the issues in the reso, but then these two, it's requesting that OHA take action on things and I'm wondering because in the past, whenever the ledge would do anything where they would ask OHA to do something. Even if we supported the concept of it, the precedent of them telling us to do stuff, and now we have to do it was very, it was not a can of worms that we wanted to open so we would tend to oppose it unless they had a budget attached to it, in which case we might support it just because it's a way to get money for that issue. What's the thinking behind us asking the ledge to demand us to do something when normally we don't like, I mean in the past we didn't like them doing that and set that kind of precedent.

Chief Advocate Reelitz: Yeah, definitely. So my understanding because the bill package was prepared before I came on, my understanding of the rationale is that there is an opportunity to work with the Legislature to have sort of them in partnership. In particular, I think the most sort of salient place that that comes to play is OHA-2, which is the cultural appropriateness reso. In that case, very often the Legislature will put into statute that programs or services be culturally appropriate or culturally relevant, and in that case we would want to actually work hand in hand with them to ensure that, you know, in my mind that reso is really helping put meat to the bones of what does that mean to be culturally relevant or culturally appropriate, and so we would want to work hand in hand with them to have them help to shape it and to ensure that the community that they want included in those conversations are included so that it kind of gives more weight to that. So that was the thinking behind having the resos that way.

Trustee Waihe'e: No, OHA-2 is fine. I was talking about the HR49 and 21. It's requesting us to make a report and we have to finish it by a certain date and then basically turn it into all these different agencies and then that's it. Like it doesn't even have anything like they're going to take any action as a result of this report. So just commanding us to do work and submitted by a date and I'm wondering why? Is there a reason why we wanted to do that to ourselves or have it where the State's demanding that we do this. I'm trying to just play devil's advocate. Is the logic that if they're telling us to do it and we do it that they'll take it more seriously because it came from them or why would we want to do it that way, where instead of us just doing it on our own? If that's what we want to do and submitting it on our own at our own leisure or whatever.

Chief Advocate Reelitz: So I believe that was the thinking behind it. Again, the package was developed before I arrived at OHA. I do want to remind Trustees that in the last BAE meeting this was one of the action items that came up to remove OHA-4, which is the rural resilience one that you had brought up Trustee Waihe'e. I do have pretty significant concerns about our ability to deliver on those reports given sort of what

you've already alluded to with the amount of information and work that is listed in the reso. So I just wanted to remind Trustees that I have voiced concerns specifically about OHA-4 and our ability and capacity to make it happen, but I believe that was the rationale, yes.

Trustee Waihe'e: Is that what you're recommending now to remove those two from the ledge package, from our package?

Chief Advocate Reelitz: That was my recommendation at the last BAE Meeting and my recommendation does not change, but it is again up to the will of the Board and we carry out the will.

Trustee Waihe'e: Thank you.

Chair Akaka: So then that would go from Matrix 1 to 2 because it's an OHA named bill.

Chief Advocate Reelitz: Yes

Chair Akaka: So I'm guessing that would be in the next meeting as well as an action item. Mahalo, RM CHair Waihe'e. Members, any other questions or comments?

Chair Akaka recognizes Trustee Akina

Trustee Akina: Thank you, Madam Chair. I would support Trustee Waihe'e's suggestion that we remove this. And thank you, Ke'opū for your recommendation.

Board Chair Hulu Lindsey: Madam Chair, I support Trustee Waihe'e as well I think it should be removed. In the past, the legislature tends to suggest bills and ask OHA to pay for it and we said that we would not accept those bills because that's having the Legislature telling us how to spend our money. But I see that these are resolutions and resolutions does not have the power of law and to even suggest that we do these reports and strategies is telling us how to spend our money. So I think that we should take these off of our matrix.

Chair Akaka: Ke'opū, is there anything else that you wanted to share regarding this.

Chief Advocate Reelitz: Regarding the resos, I think not really. The biggest update is that we do have a hearing for the IDD and we'll be moving forward and then if the Board would like us to bring the action items forward, we can be sure to prepare that for the next BAE meeting.

Board Chair Hulu Lindsey: Can we just do it today?

Chair Akaka: Everett, do you want to explain on how we can move forward on this.

Board Chair Hulu Lindsey: Thank you

Chair Akaka: Today and the next one.

Interim General Counsel Ohta: So as I mentioned, I would recommend that this Committee take action via an action item if it's desire is to remove what has been OHA-3 and 4 from OHA's Legislative Package. We can, to the extent that this Committee wants to take action on this today, that action could be taken through a change in position to these resos perhaps a change from support to comment, noting an intention to, you know, remove those resolutions or the Board's support of those resolutions as part of the OHA Legislative Package.

Board Chair Hulu Lindsey: So can you suggest wording to remove it?

Interim General Counsel Ohta: So I would suggest again that maybe those support positions be changed to one of comments and then those comments would then note the Board's planned reconsideration of those two resolutions as part of OHA's 2024 Legislative Package, you know, which would be those actions would be taken at a future BAE & BOT meeting. But that comment effectively kind of signals the Board's maybe change in its support of those two resos.

BAE Staff - Mark: Chair, if I may. I'm going to share the motion that we have because the motion that we have was to add the new items 1 through 8 to the Matrix 1. So Everett, maybe if we can do 1 through 6 to not approve that to the Matrix 1, would that be good?

Chair Akaka: But we also have the IDD that we're looking to move to Matrix 3 as well. So it would be 1-4.

Interim General Counsel Ohta: I guess my thinking is that the inclusion of these measures on Matrix 1, that's more of an internal administrative effort to kind of track these measures or to kind of characterize them as relating to, you know, OHA's package versus, you know, maybe a general measure relating to Native Hawaiians and I think that change would really be, you know, the Board's or the Trustee's support of these measures, where they're already part of the OHA bill package and having them on Matrix 1 versus 3, I don't think is a big change for maybe anyone outside of OHA and I think that the signal might be a change in position from support the comment with the Board anticipating it's reconsideration of these measures as part of the OHA 2024 Legislative Package.

Chair Akaka: Okay, so if I have that correct then we'll have the motion from 1 through 6 and then in the next meeting we'll have the action item for 5 and 6 and then also for 7 and 8.

Interim General Counsel Ohta: The proposed motion is just to add these to Matrix 1?

Chair Akaka: The current proposal is 1 through 6 as support and 7 to 8 as comment.

Interim General Counsel Ohta: Yes, that could also work.

Chair Akaka recognizes Trustee Galuteria

Trustee Galuteria: I just want to be clear that this also addresses the IDD reso.

Chair Akaka: Yes, the IDD is item 5 and 6 and that is kept as support.

Trustee Galuteria: Mahalo, support or comment?

Chair Akaka: Support, the comment is regarding rural resiliency.

Trustee Galuteria: Where's the IDD one?

Chair Akaka: It's 5 and 6.

Trustee Galuteria: So 5 and 6, weren't we going to move that off?

Chair Akaka: That will be in another meeting as an action item, but since we currently have it in Matrix 1, we're gonna vote as support for that.

Trustee Galuteria: Why don't we just move it to comment with this motion as well?

Board Chair Hulu Lindsey: You want to support it, right?

Trustee Galuteria: We want to comment on the IDD.

Chair Akaka: Okay, what is your recommended comment?

Trustee Galuteria: Well, I don't have the today, but okay, we're just going to address it next time though, we are going to address it, right? I want to be clear on what that means. Because on that particular one, we're being asked to remove support yeah?

Chair Akaka: Not necessarily to remove support, but from our Matrix 1.

Trustee Galuteria: Okay, we'll save that for another dialogue, thank you.

Chair Akaka: I'll entertain reading of the motion.

Trustee Waihe'e: Madam Chair, I'd like to **move to approve Administration's recommendations on: NEW MEASURES (items 1 – 8) as listed on Matrix 1 – 2024 OHA State Legislature Bill Package– dated March 20, 2024, along with the following revisions:**

- Item 7, HR49 from **SUPPORT** to **COMMENT**
- Item 8, HCR66 from **SUPPORT** to **COMMENT**

Board Chair Hulu Lindsey: I second.

Chair Akaka: It's been moved and seconded. Any other questions or comments members? Seeing none, Nathan, can I please have a **roll call vote**.

							10:27 a.m.
Trustee		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						EXCUSED
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY		2	X			
KEONI	SOUZA			X			
MILILANI	TRASK			X			
JOHN	WAIHE'E, IV	1		X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				8	0	0	1

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

B. 2024 OHA State Legislature Bill Positions Related to Measures Naming OHA - Matrix 2**

NO TESTIFIERS ON THIS ITEM

Chair Akaka yields the floor to Ka Pouhana Ferreira

Ka Pouhana Ferreira: Mahalo, Chair. At this point I'd like to have Ke'ōpū share with us Matrix 2.

Chief Advocate Reelitz: Mahalo, Ka Pouhana and Chair. So we just have two new items on Matrix 2 and they are two resolutions. They're companions so they're technically just one resolution, but we have both of them on depending on which one moves. I will talk a little bit more in depth about sort of some movements on the Legislature going on regarding the Commission on Water Resource Management, but this reso names OHA as a task force member to recommend changes to the Commission on Water Resource Management. We are recommending support and I can get more into the sort of the nitty gritty of what's going on, but as far as being part of the task force in its most simplest form, our recommendation is to support because we want to be part of the conversation to ensure that the Commission on Water Resource Management, if changed or reestablished or shifted in any way has our input. We have had a fairly long history of trying to ensure that any changes to the Commission are done in a way that respects traditional customary rights, as well as, any of the rights that we work very hard to protect regarding the 'āina and Native Hawaiian use of our 'āina and wai. So that's our recommendation for numbers one and two is to support. I'll stop there in case anyone has any questions.

And then for the remainder of Matrix 2, it is getting to the point in session where the vast majority of bills are going to see their demise, and so we see that in Matrix 2, is that there's only one bill naming OHA that is still alive in this part of the session. As far as the new bills and in the carryover bills additionally, most of the bills have died, though there are a handful that still may be revived, but because many of them had double referrals or triple referrals, they will no longer be alive for the rest of the session. And so that's your update on Matrix 2.

Board Chair Hulu Lindsey: Madam Chair, I **move to approve Administration's recommendations on: NEW MEASURES (items 1 – 2) as listed on Matrix 2 – OHA State Legislature Bill Positions Related to Measures Naming OHA– dated March 20, 2024.**

Trustee Waihe'e: Second

Chair Akaka: It's been moved and seconded. Any other questions or comments members? Seeing none, Nathan, can I please have a **roll call vote**.

Trustee		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	10:31 a.m. EXCUSED EXCUSED
DAN	AHUNA						
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY	1		X			
KEONI	SOUZA			X			
MILILANI	TRASK			X			

JOHN	WAIHE`E, IV		2	X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				8	0	0	1

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

C. 2024 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians - Matrix 3**

NO TESTIFIERS ON THIS ITEM

Chair Akaka yields the floor to Ka Pouhana Ferreira

Ka Pouhana Ferreira: Mahalo. Chair and Trustees, I'd like to have Ke'ōpū provide you an update on Matrix 3.

Chief Advocate Reelitz: Mahalo, Ka Pouhana and Chair. We do have a decent amount of new measures. The majority of them, you'll see are resos. Given our conversation earlier, when it comes to resos because they don't have the force of law, nor do they come with appropriations. My recommendation is essentially to monitor the ones that could have impact to Native Hawaiians or to the Office of Hawaiian Affairs, more specifically. So the vast majority are high monitor, but we wanted to make sure they were on your radar. We do have several, that are either support or support with amendments. Anything that is a support with amendments is asking that the Office of Hawaiian Affairs be added, our amendments are asking that we be added to those task forces or working groups. So just a heads up on that. We do not think the resources would be to consuming to be, we wouldn't be lead on any of those task forces. We would just ask to be added.

I do want to bring your attention to Item 28, there are a handful of bills that we did add that were mostly just housekeeping and because we somehow missed the companion. So my apologies on that and we want to make sure cause a lot of them there is a companion that died and then the one that was still alive, we realized was missing from the Matrix, so we wanted to go back and correct that error, so apologies on that. But there is one actual new bill and position that we wanted to recommend a position on and that is SB2305. So that is establishing a silver alert program which we think is really important for our kūpuna and ensuring that our kūpuna are able to safely navigate this world, just very simply. I do want to note that the departments that would be implementing this are all in strong support of this measure, and so we think this is a good, you know, measure to support alongside both community and the executive branch to take a step forward to protecting and helping our kūpuna live in the ways that they would like to sometimes independently, but in a way that we can make sure that they are safe. So that's the only new bill with a new position that I wanted to put forth before the Board and happy to take any questions or concerns about that before I move on to a couple of other bills.

Chair Akaka: I also want to note that we have an upcoming meeting with the group on Alzheimer's as this is an initiative that we want to collaborate on now and going forward. Members, any questions or comments?

Board Chair Hulu Lindsey: I'd like to thank Ke'ōpū for bringing it on board cause it is definitely important to our aged beneficiariesa, as well as community.

Chair Akaka: And for the families who are the ongoing caregivers of our kūpuna. Members, any other questions or comments? Otherwise, Ke'ōpū, did you have any more that you wanted to share?

Chief Advocate Reelitz: There's a couple of change in positions that I wanted to give a little bit more

information about. So the next one I wanted to have our Committee look at is Item 122. We'll start at the bottom and then we'll work up. Item 122 is SB2591. You might remember that the last time we had a BAE meeting we actually recommended a change. It was support and then we changed it to support with amendments and now we're recommending a change back to support specifically because we did request those amendments and the amendments were accepted by the committee. So now we would like to support it without asking for amendments at this point. So I want to flag that for folks. But it is actually the measure we asked to change last time, but thankfully the committee heard our concerns and accepted the amendments wholesale.

Item 70 is SB3381, which I mentioned, I believe it was last BAE or the BAE prior to that, was previously high monitor and we'd like to recommend a change from high monitor to comments. If you'll remember this measure would establish the Lele District under the HCDA to help rebuild or to build a new in Lahaina. This measure did have a couple of hearings in the Senate. There was pretty strong community opposition and some opposition I will say from from various other government agencies including the, should say maybe not opposition, but concerns raised by the Governor's office as well as the Mayor's Office on Maui. We have been monitoring it and we'd like to now take the position of commenting and provide some comments cause we have some concerns and the concerns are really and we feel like it is imperative that the Office of Hawaiian Affairs weighs in because the concerns are about the Lele Districts and the board's ability to acquire and alienate land. Those are powers that are delineated in this bill and whenever it comes to the ability to sell land or to acquire land, whether by sale or by eminent domain, we do have some concerns and on its impacts to the Public Land Trust or the Crown and Government lands or ceded lands. We feel like it's important because some of those, the details, the bill has changed quite a bit and so we think it's at a point where we feel that we can pretty solidly provide those concerns and ensure that those powers be mindful of the kuleana that the state has to the Public Land Trust and to those ceded lands. We also have some concerns over possible confusion over the regulatory scheme, because it would basically have the state government, the county government and then the Lele District Board sort of in between and there might be some confusion over that, but we did want to say that we appreciate that there has been, through the amendments, has been kind of a narrowing in to ensure that any decisions that, actually I should say leadership by the Lele District Board as well as the decisions of who would comprise that board are locally centered, so there were amendments to ensure that. I believe in one of the drafts there was amendments that required anyone serving on the board to live in the district and then I know that's been holding fast is that there are requirements that anyone, the only people that get to vote about who goes on to the board has to also live in that district. And so we appreciate that it is sort of that local governance, but we do have some pretty significant concerns that I mentioned previously. But I will stop there for any discussion or questions.

Board Chair Hulu Lindsey: I have my reservations on that bill, that's for sure having had the experience down at Kaka'ako, I fear for the Lahaina people.

Chief Advocate Reelitz: So the next, there's two items, but it's essentially one issue. We'll start with Item 69, which is SB3327. So that we were going to recommend from high monitor to support with comments. Just before I sort of jump into what's going on at the Legislature. This bill is a bill focused on the Commission on Water Resource Management. The aim of the bill is to better insulate the Commission and its leadership in the, you know, now Deputy Director from political influence and so it establishes an Executive Director position, one that would be selected by the Commission rather than appointed by the Governor as the Deputy is now, and the Commission would have the power to both select and evaluate that Executive Director. It also takes the Commission of Water Resource Management out from direct oversight by DLNR and administratively attaches it to DLNR.

Another item, it's a pretty hefty bill. Another thing that was in the bill was that it would increase the fine. So currently it's from a minimum \$50 for a violation to \$5000 and so it increases that upper limit. One of the drafts actually increased it from 5000 to 60,000, but the current iteration would move it up to 25,000 and it clarifies which I think is an important clarification that those violations are daily rather than in aggregate. So every day

there's a violation of water use then it would be a fine, it would be cumulative. That is the overview of the bill. But between when the the folder came out actually and today, the bill did not receive the hearing it needed to get. So I will pause and say that my recommendation is not to change the position since it is technically a dead bill, but instead on Item 119 which is HB2690. I would recommend the change from high monitor to support with comments. So this previously, we had on high monitor because the bill, I know this probably sounds a little strange, we have been talking a lot about the CWRM, about Commission on Water Resource Management and now be talking about one that's related to Red Hill. We had it on high monitor, my understanding, the intel I had gotten was that when it passes over to the Senate, it was unlikely to get a hearing, and so we had kept it as high monitor, but it did get a hearing and within the last 24 hours, we were alerted to a proposed SD1 of HB2690, so a proposed Senate draft that keeps the wai, so it keeps the language of the wai coordinator in there related to Red Hill and then adds some of the language from that CWRM bill I was just discussing. So especially the specific points that I bought up in that last bill, so it actually adds a whole part 2. Our recommendation then is to again change from high monitor to support and I should say support with comments and amendments. I did have you know, I'm thankful that as you folks have met our 'Ōiwi Well-Being and 'Āina Momona Director Ku'ike, we had some pretty lengthy discussions about how do we formulate a good position that would move the needle on making important changes to the Commission on Water Resource Management and we believe that we wanted to, we want to support the intent to protect the Commission on Water Resource Management from political influence, but we also wanted to recommend that the Committee consider beefing up the Executive Director qualifications. So right now it's that you have to have experience in water resources, which we think could lead to more sort of political influence because it is such a low sort of minimum qualification and in other director roles, not all but in others throughout the state like it where the board chooses, there are sort of more developed minimum qualifications that the legislature has put in, so there is precedence for that. We also wanted to encourage the committee to remember to include positions and appropriations because once a commission or an agency becomes administratively attached, it needs its own budget and its own, which includes its own positions and then we also wanted to note that we appreciate the increase in fines and the clarification that's a daily violation. We think that will give CWRM a lot more sort of teeth to when they have to enforce because \$5000, especially if it's unclear if it's \$5000 for say a month of violation is not going to amount to much for folks who are violators. The amendment that we would like to recommend is to add OHA to the CWRM Nominating Commission, so the Commission on Water Resource Management has a Nominating Committee and that is who puts together a list of three names for the Governor, and we would like OHA to be on that board. We have advocated, as I mentioned previously in Matrix 2, we have advocated for specific seats like ensuring that there is a seat on the Commission that has knowledge on traditional Hawaiian Water Resource management, watershed management, riparian rights, all of those things, we fought for that. And so we think at this point in the iteration of the Commission, it would be helpful for us to actually just sit on the nominating or to be able to designate or recommend someone to sit on that nominating committee. So I know that's kind of a hefty amount of information, but it's sort of an ever changing landscape down at the Legislature and we do want to ask for the Board's support to change the position from high monitor to support with comments and one amendment. And I'm happy to take any questions that might come about because I know that was a lot of information that I threw at the Board.

Chair Akaka recognizes Trustee Galuteria

Trustee Galuteria: Thank you, Chair. Ke'ōpū, the amendments for part two were put in on the Senate side?

Chief Advocate Reelitz: It's in a proposed draft that is has a hearing today.

Trustee Galuteria: Has a hearing today, and so the CWRM is embedded in that part 2?

Chief Advocate Reelitz: Yes

Trustee Galuteria: Okay and so that's where our amendment comes in, our suggested. Okay, I just needed clarity on that, thank you.

Chief Advocate Reelitz: That is all we have, but I am happy to take, those are the highlights I wanted to give to the Trustees, but if there are any other questions on any of the items on the matrix, I'm happy to take any questions or have any discussion.

Trustee Alapa: Madam Chair, I'd like to **move to approve Administration's recommendations on: NEW MEASURES (items 1 – 34; 69 – 70; and 122) as listed on Matrix 3 – 2024 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians– dated March 20, 2024, along with the following revisions:**

Item 119, HB2690 HD2 from HIGH MONITOR to SUPPORT WITH AMENDMENTS

Trustee Waihe'e: Second

Chair Akaka: Any other questions or comments members?

BAE Staff - Mark: Sorry, Chair. There was a mistake, it's HB2690.

Chair Akaka: Mahalo, any other questions or comments? Alright, can I please have a **roll call vote**.

							10:49 a.m.
Trustee		1	2	‘AE (YES)	A’OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						EXCUSED
KELI’I	AKINA			X			
LUANA	ALAPA	1		X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY			X			
KEONI	SOUZA			X			
MILILANI	TRASK						EXCUSED
JOHN	WAIHE`E, IV		2	X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				7	0	0	2

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

III. ANNOUNCEMENTS

NONE

V. ADJOURNMENT

Chair Akaka: I will entertain a motion to adjourn the meeting.

Board Chair Hulu Lindsey: So moved.

Trustee Waihe'e: Second

Chair Akaka: It's been moved by our Board Chair and seconded by our RM Chair. Nathan, can I please have a **roll call vote** to adjourn.

Trustee		1	2	‘AE (YES)	A’OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						EXCUSED
KELI’I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY	1		X			
KEONI	SOUZA			X			
MILILANI	TRASK						EXCUSED
JOHN	WAIHE`E, IV		2	X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				7	0	0	2

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

Chair Akaka: I want to make sure our votes are coming in correct for Trustee Trask?

Board Chair Hulu Lindsey: Was that her? I didn't think that was her voice.

Trustee Trask's Aide - Kalista: She stepped out to use the bathroom and she told me to answer in place for her.

Chair Akaka: I don't think it can be done and also for the previous vote as well. Nathan, if you can please make that change.

BAE Staff - Nathan: Okay, I'll switch it to excused. So that'll be 7 yes votes.

Chair Akaka: Mahalo, Nathan, 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 **10:52 a.m.**

Respectfully submitted,

Mark Watanabe Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment (BAE) on.

Trustee Kaleihikina Akaka
Chair
Committee on Beneficiary Advocacy and Empowerment

DRAFT