

**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 29, 2022 10:00 a.m.

ATTENDANCE:

Chairperson Kaleihikina Akaka  
Trustee Luana Alapa  
Trustee Dan Ahuna  
Trustee Keli'i Akina  
Trustee C. Hulu Lindsey  
Trustee Mililani Trask  
Trustee John Waihe'e, IV

EXCUSED:

Trustee Brendon Kalei'aina Lee  
Trustee Leina'ala Ahu Isa

BAE STAFF:

Brandon Mitsuda  
Mark Watanabe

ADMINISTRATION STAFF:

Hussey, Sylvia, Ka Pouhana / CEO  
Brown, Casey / COO  
Hinck, Ramona / CFO  
Kamali'i, Na'u / Chief Advocate  
Ozawa, Nietzsche / Interim Senior Counsel  
Ohta, Everett / Interim General Counsel  
Ferreira, Kamakana / Lead Compliance Specialist  
Aguinaldo, Arlene, IT  
Nakama, Erin, IT

I. CALL TO ORDER

Chair **Akaka** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Tuesday, March 29, 2022 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	LEINA'ALA	<b>AHU ISA</b>	EXCUSED	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	LUANA	ALAPA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	EXCUSED	
TRUSTEE	CARMEN HULU	LINDSEY	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. PUBLIC TESTIMONY on Items Listed on the Agenda\*

NONE

III. UNFINISHED BUSINESS

**A. 2022 OHA State Legislative Bill Package Updates – SB2122/HB1474, SB2121/HB1473, coordinated advocacy - Matrix 1\*\***

**Chair Akaka** yields the floor to Ka Pouhana Hussey.

**Ka Pouhana Hussey:** Thank you, Chair, we'll go ahead and have Chief Advocate go ahead and walk us through schedule, Na'u.

**Chief Advocate Kamali'i:** Thank you very much. Good morning Trustees. As usual, we'll take you through the session calendar. Today being March 29th, we see that we are nearing the end. We have about a month to go, but at this point we are seeing many bills that are going through their last and final committees, either WAM or Finance. Also as noted on the calendar, first lateral Senate concurrent resolutions today. First lateral filing House concurrent resolutions and also the 31st being House lateral concurrent resolutions. When we look at the first crossover deadlines next week, the 6th and the 7th just to be mindful that those are resos. We have a little bit of time for those that are looking for their final hearing. Noting that second decking bills are on the 8<sup>th</sup>, so we are actively working for example on our PLT bill as well as those that have survived the crossover and will be moving forward. So in terms of the resolutions, this has been our first discussion regarding resolutions. Hopefully we'll try to consolidate them. Many of them have companions, to the extent that I'm able to address the companion. We'll just skip over it because it's the same as the initial explanation on the first companion if that makes sense. So if we have a House concurrent resolution, a House resolution may have a different number, but it's essentially the same resolution, so we'll try to get through the resolutions quickly. But just in requesting your indulgence 'cause this is the first time that we are speaking to resolutions. We'll go through the matrixes as we have in the past because we do have some Public Land Trust considerations with regard to our Chair may wish to go into executive session, defer to obviously the Chair to call for that, if that is necessary. So we can go to our first matrix, which is Matrix 1 and Matrix 1 we know at this point in time that all of these bills have either been deferred or died. However, the most important being SB2122, rather than wait until Matrix 3, I would request that we speak to the Public Land Trust bill, which now has a number of SB2021. Chair, is that appropriate at this time? It is not listed on the Matrix, but it is what is surviving with regard to Public Land Trust.

**Chair Akaka:** Mahalo, Na'u. I also want to share to the Members that the Committee folder was distributed within the 72 hour deadline for Board materials, thereby requiring a waiver of the 72 hour deadline for Board materials.

**Chief Advocate Kamali'i:** So my question Chair, may we address the Public Land Trust bill which is not included in our package but is relevant to the issue? Or do you wish to wait till Matrix 3?

V. EXECUTIVE SESSION (AGENDA ITEM TAKEN OUT OF ORDER)

**A. Consultation with Interim General Counsel Everett Ohta re: questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities with respect to the Public Land Trust and associated legislation, pursuant to HRS§92-5(a)(4).**

**Chair Akaka:** No, I think that would be good, can I please get a motion to recuse ourselves into Executive Session pursuant to HR Section 92-5.

**Trustee Waihe`e:** So moved, Madam Chair.

**Trustee Akina:** Second, Madam Chair.

**Chair Akaka:** It’s been moved and seconded. Is there any discussion Members? Seeing none, can I please have **roll call vote**.

TRUSTEE		1	2	‘AE (YES)	A’OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA’ALA	AHU ISA						EXCUSED
DAN	AHUNA			X			
KELI’I	AKINA		2	X			
LUANA	ALAPA			X			
BRENDON KALEI’ĀINA	LEE						EXCUSED
CARMEN HULU	LINDSEY			X			
MILILANI	TRASK			X			
JOHN	WAIHE`E, IV	1		X			
CHAIR KALEIHIKINA	AKAKA			X			
<b>TOTAL VOTE COUNT</b>				7	0	0	2

10:08 a.m.

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

The BAE Committee recuses into executive session at 10:09 a.m.

The BAE Committee resumes open session at 11:52 a.m.

**B. 2022 OHA State Legislature Bill Position Related to Measures Naming OHA – Matrix 2\*\***

**Chair Akaka** yields the floor to Ka Pouhana Hussey.

**Ka Pouhana Hussey:** Sure, I'm just confirming that Chief Advocate is logging back in. We'll go ahead and have Na'u continue with our matrices.

**Chief Advocate Kamali'i:** Alright, thank you very much. As we took Executive Session at the close of review of Matrix 1 in which all of those OHA package bills did not survive. We'll move on to what is Matrix 2 or what is known as OHA named bills. And at the onset of Matrix 2, we are looking at what is relating to Mauna Kea HB2024. Discussion in Executive Session, the position at current is comment. Chair, how would you like to address the comment potential change? Or Ka Pouhana, if you would like to lead into discussion regarding this bill.

**Board Chair Hulu Lindsey:** I'd like to make a **motion to change the position of the Board from comment to oppose.**

**Chair Akaka:** Is there a second?

**Trustee Trask:** I'll second

**Chair Akaka:** It's been moved and seconded, any discussion members? Seeing none if we can please have a **roll call vote**, Brandon.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	11:53 a.m.
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED from meeting at 11:45 a.m.
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRENDON KALEI'AINA	LEE						EXCUSED
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK		2	X			
JOHN	WAIHE'E, IV			X			
CHAIR KALEIHIKINA	AKAKA			X			
<b>TOTAL VOTE COUNT</b>				<b>6</b>	<b>0</b>	<b>0</b>	<b>3</b>

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

**Chief Advocate Kamali'i:** Alright, thank you very much. So noting then the position of comment by the Board has been changed to oppose for HB2024. Moving on to HB2311, relating to Native Hawaiian rehabilitation program. This matter took a position of support. Just to note for the Board that any appropriations for this measure would be provided to Public Safety. In that this involves the prisons and OHA would consult with

Public Safety regarding programs of preserving Native Hawaiian values and cultural practices. This bill continues to move along. It has not died and we have a position of support.

Relating to federal lands. HB2327, that also is an OHA named bill. I do note that this one appears to still be. This bill is actually dead. It's dead 2327, apologize for that. SB1411 is most certainly alive. We have Kamakana who may testify or to submit his the current status with regards to this bill, Kamakana.

**Lead Compliance Specialist Ferreira:** So yeah, we've been tracking this bill since it was in the Senate, in gaining widespread support, I think it's final hearing, I think to be heard on the 31st at the House Committee on Finance. So we're still standing in support. There's been some minor suggested amendments that are non substantive, and so I think this has a good chance of actually making it to the Governor.

**Chief Advocate Kamali'i:** Alright, thank you very much, Kamakana and I'll say he continues to diligently testify in any bills regarding preservation or iwi kupuna. With regard to SB2021, our PLT bill. Refer back that this current position is support with amendments. Being that there was discussion, any change position on this bill?

**Board Chair Hulu Lindsey:** Madam Chair, I'd like to make a motion that the Board of Trustees change the position to comment.

**Trustee Waihe'e:** Second

**Chair Akaka:** It has been moved and seconded. Any discussion members? Seeing none, Brandon, can we please have a roll call vote.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED from meeting at 11:45 a.m.
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE						EXCUSED
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
JOHN	WAIHE`E, IV		2	X			
CHAIR KALEIHIKINA	AKAKA			X			
<b>TOTAL VOTE COUNT</b>				<b>6</b>	<b>0</b>	<b>0</b>	<b>3</b>

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

**Chief Advocate Kamali'i:** Thank you very much on that position. Support with amendments has changed to comment. With regard to SB2853. This is the rehabilitation program bill. It's the companion to the one that I just discussed, a position of support. SB2853, relating to Government Accountability and audit. Requires report, study and audit. This has been referred to WAM. This would have died as well. I'm sorry, there's a little bit of confusion on this particular matrix, so I'll just move on.

I apologize, moving on SB3279 relating to Community Development Authority. We took a position of comment. This is another one. I'm sorry this is as of 1/28. It appears that this one as well got mixed into it, a monitored bill, I apologize. Move back on to SB3279 relating to Hawaii Community Development Authority. This one having a position of comment. 3279 is also dead. Finally moving on to 1986. I'll just pause a little bit, although we know that this bill did not survive. This was the 'Aha Kauleo Bill. We had worked with the 'Aha to try and see if we could get a hearing on this. It was just a strong position of the Senate. But they would not move this forward further. So it doesn't mean that this effort to ensure that you know that we have at least one at large member board of education, you know, be of Hawaiian speaking, etc. It just means that it's not going to pass now, so I'll just tell you that we the Advocacy will be taking a look at all the alternatives to accomplish this goal. It's my understanding that somebody of Hawaiian speaking is currently on the board, but the concern is that that person may fall off that responsibility, so we'll keep working to ensure that. That this goal is accomplished either by legislation or by other means, it's very important to the community, and certainly very important to the Office of Hawaiian Affairs. Okay, that is Matrix 2 and that is done.

### **C. 2022 OHA Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3\*\***

**Chief Advocate Kamali'i:** So moving on to what is Matrix 3. Just noting again, the Matrix 3 contains the support of the boards. There are new positions. Again, in the interest of time, we could move through the updates and go to the change positions, some of which we have already done. Being that we've been at this for a couple of hours, and all of these bills are familiar to the Board, if I could seek some guidance from the Chair with regard to the bills.

**Chair Akaka:** Can you please repeat that, Na'u.

**Chief Advocate Kamali'i:** Typically what happens is we bring these matrices to the Board to gain the positions. There are several positions that have already been approved by the Board. We've discussed some of them, which are change positions and we have others that are new bills with new positions. To move this along, if the Board is comfortable with the updates, which they can easily look look at themselves, then I can go to the business which is to look at the positions, either change or new with regard to the bills that we have been tracking since the beginning. What is your your pleasure to move it along?

**Board Chair Hulu Lindsey:** Madam Chair, may I suggest that the bills that have no changes, we just move past it.

**Chief Advocate Kamali'i:** Okay, thank you. With that guidance I will move through, and what you would be looking at is far to the right of those positions you see the word under position, support, etc. One column over, you'll see the word approved. So what I'm going to do is move through those positions that have been approved. Certainly we have addressed a couple of them, i.e., Mauna Kea, which there was a change position from comment to opposition. We've also addressed SB2021, which has moved from support with amendments to comment. So Trustees just glean through this. We are moving through the updates of the approved bills and quiet so you can look as well.

At the end of that list, item to the left #61, which is Bill HB1459. We had an initial position of comment, excuse me of opposition and that is because the Prosecutor's Office was moving forward or using this measure to mandate a fine. Through successful advocacy and we did a blast on this as well, i.e., others became more informed and also the testimony of the Judiciary to explain that a change in the law was needed so that they could order juveniles to either A. pay a fine and or B. do community service. In the past Judiciary had discussion only to engage in one position. So because that bill has moved along and that new version of the bill is now what is passing through the Legislature, we are requesting a change position from opposition to comment. It's item 61.

Also change position item 62, relating to the underground storage tanks. We are also moving from support to comment. This has moved out of committee. These are the permit bills and I guess because of the complexity of the permitting process, we felt it better for us to comment on the permit process rather than to take a support. Support on the measure itself, i.e., to take a step back and take a technical position, and so we're requesting that we be able to change position from support to comments.

The next one is a new position, HB1403. This is regarding an alternative route site selection or survey in Puna. You know, we're looking, when you build roads and you know you have alternative paths. There is input from the community and our advocates on Hawai'i Island are looking at this bill and they wish to have the ability to comment on it after having talks with the community. The route directly targets communities of homesteads of Pana'ewa, suggesting a highway through DHHL Pana'ewa residential homestead, potentially having negative effects to the community. So we wish this be a new position of comment. HB1403, item number 63.

Item number 64, relating to abandoned vehicles, you can guess what that has to do with. It's the ability of us to ensure that you know our process well. It's proposing a process that you know. People pay to remove those abandoned vehicles and that it would be tied to their license or registration. So the bill would find the registered owner of the abandoned vehicle because the idea is that it would act as a deterrent and prevent that from happening so. Being that you know this affects the 'āina, we would like to take a position of support.

Relating and so we have HB1413, HB1414. Somewhat in the same vein regarding abandoned vehicles, this bill is acting as a deterrent and holding the owner responsible. We're asking for a position of support. Relating to general excise tax exemption, tax exemption changed in the Senate from only on food and medicine so OHA probably should support. We are tracking this one because it's great if general excise tax flows you know in our favor. So the Advocate reviewing this is recommending a position of support.

Regarding sustainable food items, HB2431. We're asking for a position of comment. This again is establishing a working group within the Office of Planning and Sustainable Development, requires the working group to submit a plan. Any recommendations for a plan. Any proposed legislation, etc. So food and food sustainability being very important, we're recommending a position of comment on this particular measure.

Relating to public safety. Mandates that there be a community based work furlough program for incarcerated women in the state. We've been tracking a lot of the women bills. We took a position of support. Public safety is affirming the importance of the work furlough programs. There are a number of points including you know designing programs to address the needs of women. Developing and determining the type of education, etc. I note that these are, you know, very specifically targeted to women and people are in favor of that. We're looking at all of those measures in support.

The next one regarding to Pauahi Bishop Museum. You know they're asking for support. It essentially is an appropriations bill. I know in the past it's been indicated that OHA doesn't support these types of bills, because then people will be coming to us, but we felt to raise the issue with the Board because many of our items. Our funerary items, our histories, our policy at the museum. So Board just take note if you don't wish to support and

you know because of the issue of appropriation. Please note how you may wish to vote on this matter. So we thought it was important because many Hawaiian things are there.

Okay relating to re-entry planning circles. Again this is along the lines of incarcerated women bills, now this again is appropriating money. Not that we would be responsible for it, but that money needs to be appropriated for the planning circles for incarcerated women. So just to note we would like to see the money appropriated for this purpose, so that it happens, and we see that as positive for our community.

With regard to corrections, item 72, SB3295, this is again, there's quite a few of these bills that we've identified this session. This is another women's corrections implementation type of bill implementing a Commission within the Department of Public Safety. With regard to community corrections centers that incarcerate women, we've taken a position of support. It is moving on to Finance on March 31, so with that position we'll be able to testify in this bill.

And then finally with regards to Kalaupapa, we advocates, we sort of tossed this around but Kalaupapa is such a special place. This particular bill, SB333 relates to a memorial and it appropriates funds for design, planning and construction of a memorial. Normally again, OHA does not get involved in appropriations but we wanted to raise this to the attention of the Board to see how they would feel on this particular expenditure, which is for a memorial on Kalaupapa. So there would be an appropriated out of this year's 22-23 Legislative Session, monies to design, construction of the memorial on Kalaupapa. So those are the new positions on Matrix 3.

**Chair Akaka** recognizes Board Chair Hulu Lindsey

**Board Chair Hulu Lindsey:** I'd like to make a motion that the Board accepts the recommendation of our Administration to accept the new positions that we're taking on the bills on Matrix 3.

**Move to approve Administration's recommendation on new bills. Item 61 through 73 as listed on Matrix 3. Bill positions related to measures affecting Native Hawaiians dated March 29, 2022, along with the following revisions: Bill position changes, House Bill 1459. From opposed to comment. And Senate Bill 2600 from support to comment.**

**Trustee Waihe'e:** Second

**Board Chair Hulu Lindsey:** I thought I saw more than these two bills.

**COO Brown:** Yes, we need to add the 2024 and the 2021 which arose during this meeting.

**Chief Advocate Kamali'i:** Change position for 2024, is change position from comment to opposed, change position for SB 2021 the PLT bill from support with amendments to comments.

**Ka Pouhana Hussey:** And the Board already took action on that right in separate motions.

**Board Chair Hulu Lindsey:** On the first one. Oh yeah, we took action on that so we can take that off.

**Chair Akaka** recognizes Interim General Counsel Ohta

**Interim General Counsel Ohta:** I don't believe the Board took. I'm sorry this committee took action regarding HB2024 and SB2021. Oh, I see in the earlier part of the motion on the Matrix.

**Ka Pouhana Hussey:** They were separate motions right. Two motions that were made before the matrices started to be covered.



**Interim General Counsel Ohta:** Okay, I stand corrected.

**Board Chair Hulu Lindsey:** So I think somebody seconded me after I (inaudible).

**Chair Akaka:** Is there any discussion members? Seeing none and I just wanted to clarify if we would need to bifurcate the Bishop Museum bill, as my father sits on the Board. That wouldn't be of conflict because it's not.

**Ka Pouhana Hussey:** Everett, could I ask you to provide some guidance. I know when we do grants you provided some guidance for the Board when it came time to declaring.

**Interim General Counsel Ohta:** Chair Akaka, I guess to your issue that you raised, your father's membership on the Board of Directors for the Bishop Museum does not create a conflict of interest under the ethics code that would prevent you from taking such a vote. However, you can recuse yourself and bifurcate the motion if you so choose, so it's not under the ethics code, something that you would be prohibited from voting on, but you can choose to do so if you wish.

**Chair Akaka:** Mahalo, I wanted that confirmation that it would not be of conflict with ethics. Brandon, can we please have a **roll call vote**.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED from meeting at 11:45 a.m.
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE						EXCUSED
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
JOHN	WAIHE`E, IV		2	X			
CHAIR KALEIHIKINA	AKAKA			X			
<b>TOTAL VOTE COUNT</b>				6	0	0	3

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

**D. 2022 OHA Legislature Bill Positions and Monitored Bills Related to Measures Affecting Native Hawaiians – Matrix 4 \*\***

**Chief Advocate Kamali'i:** Alright, I'll jump right in there moving along what is considered Matrix 4. Matrix 4 as it is the sort of all encompassing matrix where Advocates have been watching the bills, which does include all positions including also the monitor bills. If we continue to post this and you receive copies of this, so that if you see that a monitored bill should rise and there should be a position on the bill upon which the Advocates can take a position then we will and so that's what it stands for. You can see that it is being monitored and there are updates to that as well. I keep reminding Trustees that to get the current update you can click on the hyperlink, even while we're talking and see what the update is on any of these bills. I would take a pause to see if there are any measures that are on Matrix #4 that Trustees wish to change position.

**Board Chair Hulu Lindsey:** Na'u, I hate take you back to Matrix 3, but I'm almost positive we did not approve all the positions because I saw more than four new written on the side, but we only approved four position changes.

**COO Brown:** I can add something, Madam Chair. Chair Hulu, the language included an item number range and that item number range covered all of those new positions you're referring to.

**Board Chair Hulu Lindsey:** Okay, thank you. No, I don't see any questions on these. Actually, Na'u, I want to really thank you for passing all those women in prison project bills for our review and position taking because it does affect 40% of the women in prison are Hawaiian women. You know, in our population in Hawai'i, Hawaiian women is only 20%. So for them to be 40% in the prisons, we should be concerned and we should be helping them. So thank you for that.

**Chief Advocate Kamali'i:** Thank you Trustee, I have to thank the team as well. This is in our you know aligns with our strategic plan and looking at 'ohana as you know this year or I don't know, but this session we looked at juvenile justice bills, we looked at and some of them won't come up in the resolutions but we're looking at all those aspects of incarceration. If a mother is incarcerated, then you wonder where the children are. Maybe they're in foster care because of that and OHA's going to take a comprehensive look at the system that way. So we do know as well that with tribes or an Indian country they have the ability through their tribal courts to address some of this, so we're taking a look at the entire system that way. That'll be the future. So thank you very much for that comment. It means we're headed in the right direction.

## **E. 2022 OHA Legislature Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – Matrix 5\*\***

**Ka Pouhana Hussey:** Trustee Akaka, could I just contextualize Matrix 5 for Chief Advocate and being mindful of the time the Committee has already invested in looking at that. As you know, Matrix 5 is all of the matrices, all of the resolutions that have come across, there are 100 lines and I want to be sure that the Committee's time is focused on the most important issues, which are positions that Administration has brought forward lines 1 through 61 are all support positions, so we would recommend that the Board take a look at and see if any of the those resolutions on lines 1 through 61 can't be supported. Or you know, just have a lot of heartburn about that and then take those. Otherwise, we would recommend that the committee you know support lines 1 through 61. You then note lines 62 through 100. Because they have other statuses that from monitoring to highly monitor and again, if there's any heartburn in those positions to then advise Administration so that Administration can do the due diligence necessary for the Committee to respond to that at the next BAE meeting. We just want to be sure that the Committee's time is efficiently focused, so with that I'll ask Chief Advocate Na'u to entertain any questions by the Trustees of lines 1 through 61, which is all support positions.

**Chief Advocate Kamali'i:** Thank you very much for that and also to note what resolutions are, how they you know they operate. Many times they establish working groups. So that we have you know enough data and information. They put committees together. They acknowledge advisory committees, like differently HCR130.

They are apology type measures, apologizing for example to the Native Hawaiian people because of you know what happened in the schools and how people were, you know beaten for speaking our language, but that is the nature of resolutions. Also, there are concurrent resolutions and resolutions themselves. So there are a lot of repeat, although it looks like a lot, many of them, two or three are of the same thing. If we look at the title as it moves along, so thank you very much. I would entertain the Trustees view of this and support positions of support on these few resolutions.

**Board Chair Hulu Lindsey:** Madam Chair, I'd like to make a motion that we support these positions for the different resolutions presented by Administration.

**Chair Akaka:** Is there a second?

**Board Chair Hulu Lindsey:** I think the resolution numbers should be posted, items 1 through 61 as listed on Matrix 5, resolution positions and monitored resolutions related to measures affecting Native Hawaiians dated March 29, 2022.

**Trustee Waihe'e:** Second

**Chair Akaka:** Its been moved and seconded. Any discussion members?

**Ka Pouhana Hussey:** Chair Akaka, may I just clarify myself and it should be items 1 through 60. I said 61, but it should be items 1 through 60.

**Chief Advocate Kamali'i:** Sorry, before the Board takes the vote, one of my Advocates are jumping in with regard to one reso. I apologize to the Advocate, this particular resolution if you could identify it. I'm familiar with it. I'm scanning down through it. It suggested a particular name for a Russian Fort. The renaming of our areas. However, we've recently learned that there are a couple of names that are being offered so Kamakana, if you could put forth the resolution and the numbers as I'm scanning through it. So because there are a couple of names being offered and we're there to support the community in renaming rather than a position of support on a particular name. We're asking that we just be able to comment. So that is a difference from what you are seeing, I apologize.

**COO Brown:** Madam Chair, if I may. I think that's okay because we're asking them just to approve our recommended positions, which encompasses whatever is proposed on that matrix. So if comment shows up, if support, if opposed, they can approve any of those positions with this motion language. The only thing I would recommend editing is it should start at item 3 not 1. 'Cause the Trustees already approved those first two resolutions in the last BAE.

**Chief Advocate Kamali'i:** I guess, Casey, as presented to the Board, we had a position of support that was presented, but since then that should be a position of comment and I'm still looking for it, the name of the particular number. There it is, it's SR106 number 42, and that is also HR100 and SCR199. So we are aware that they are proposing the name of Pā'ula'ula and however there is more community discussion on the name. There's consensus with renaming, but there is not necessarily consensus with what the name should be. So that particular HR100, SR106 and SCR119. We're asking that it not be a position of support but a position of comment. Otherwise, all other positions would be support.

**Chair Akaka** recognizes Trustee Trask

**Trustee Trask:** Yes, I just want to ensure in terms of the renaming Resolution 106, 42 and HR100. Are we supporting a Hawaiian name without commenting on that name? And the reason why I ask is because two weeks ago international news covered a story about a haole woman on Kaua'i was a renaming a Russian Fort. She wanted to name it a Russian name and supporting her was the Russian government, that flew her to

Russia. So I don't have a problem with us supporting the renaming generally. But I want to make sure that because we're renaming Hawaiian places that we're supporting renaming them a Hawaiian name.

**Chief Advocate Kamali'i:** That's correct, Trustee Trask. Changing the position to comment, we support renaming the Russian fort a Hawaiian name, in the resolution itself, however, goes so far in its be it resolved to rename the fort a particular name of Pā'ula'ula, and we understand that the Kaua'i community is still figuring out what that Hawaiian name should be. So we wanted to come in with a position of comment to support the renaming of the fort as a Hawaiian name, but not weighing in on a particular name.

**Trustee Trask:** I got it. I just wanted clarification for the record.

**Chief Advocate Kamali'i:** And this will continue not only in state law, but also there is a move in federal consultation by Secretary Harry to start renaming a lot of names on public lands. So this is a good thing. But thank you very much. So the clarification again, with regard to the number Casey, did you pick that up?

**COO Brown:** Yeah, we'll need Brandon and Mark to pick that up and may I clarify that you want to change those following resolutions from support to comment.

**Chief Advocate Kamali'i:** Yes

**COO Brown:** Can you rename those numbers for Brandon folks to write correctly.

**Chief Advocate Kamali'i:** That is HR100, SR106 and SCR119. HR100, SR106 and SCR119.

**Board Chair Hulu Lindsey:** Madam Chair, I'd like to **Move to approve Administration's recommendations on: NEW RESOLUTIONS (Items 3 - 60) as listed on Matrix 5 – Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – dated March 29, 2022, along with the following revisions:**

**RESOLUTION POSITION CHANGES:**

- **HR100 from SUPPPORT to COMMENT**
- **SR106 from SUPPPORT to COMMENT**
- **SCR119 from SUPPPORT to COMMENT**

**Chair Akaka:** Is there a second?

**Trustee Waihe'e:** Second

**Chair Akaka:** It's been moved and seconded. Is there any discussion numbers? Seeing none, Brandon, can we please have a **roll call vote**.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED from meeting at 11:45 a.m.
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE						EXCUSED
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
JOHN	WAIHE`E, IV		2	X			
CHAIR KALEIHIKINA	AKAKA			X			
<b>TOTAL VOTE COUNT</b>				<b>6</b>	<b>0</b>	<b>0</b>	<b>3</b>

12:34 p.m.

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

V. ANNOUNCEMENTS

NONE

VI. ADJOURNMENT

**Chair Akaka:** I will entertain a motion to adjourn.

**Trustee Waihe'e:** So moved

**Trustee Alapa:** Second

**Chair Akaka:** It's been moved and seconded. Any discussion members? Seeing none, can we please have roll call vote.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED from meeting at 11:45 a.m.
KELI'I	AKINA			X			
LUANA	ALAPA		2	X			
BRENDON KALEI'ĀINA	LEE						EXCUSED

12:35 p.m.

CARMEN HULU	LINDSEY			X			
MILILANI	TRASK			X			
JOHN	WAIHE`E, IV	1		X			
CHAIR KALEIHIKINA	AKAKA			X			
<b>TOTAL VOTE COUNT</b>				<b>6</b>	<b>0</b>	<b>0</b>	<b>3</b>

MOTION: [ ] UNANIMOUS [ X ] 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 **12:36 p.m.**

Respectfully submitted,

A handwritten signature in black ink that reads "Brandon R. Mitsuda". The signature is written in a cursive style with a horizontal line underneath.

Brandon Mitsuda Trustee Aide  
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment (BAE) on 10/25/22.

A handwritten signature in blue ink that reads "Kaleihikina Akaka". The signature is written in a cursive style with a horizontal line underneath.

Trustee Kaleihikina Akaka  
Chair  
Committee on Beneficiary Advocacy and Empowerment