

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**

May 1, 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:

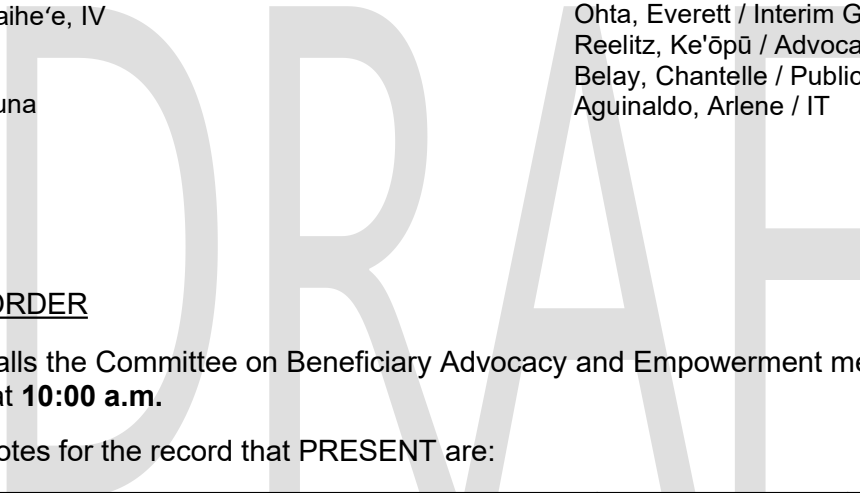
Trustee Dan Ahuna

BAE STAFF:

Nathan Takeuchi
 Mark Watanabe

ADMINISTRATION STAFF:

Ferreira, Stacy / CEO
 Hinck, Ramona / CFO
 Ozawa, Nietzsche / Interim Senior Counsel
 Ohta, Everett / Interim General Counsel
 Reelitz, Ke'opū / Advocacy Division Director
 Belay, Chantelle / Public Policy Manager
 Aguinaldo, Arlene / IT



I. CALL TO ORDER

Chair **Akaka** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, May 1, 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	PRESENT	
Trustee	KEONI	SOUZA	PRESENT	
Trustee	MILILANI	TRASK	PRESENT	
Trustee	JOHN	WAIHE'E, IV	EXCUSED	10:01 a.m.

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**

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

NO TESTIFIERS ON THIS ITEM

Chair Akaka yields the floor to Ka Pouhana Ferreira

Ka Pouhana Ferreira: Mahalo, Chair. I'd like to ask our Chief Advocate Ke'ōpū Reelitz to provide an update on our OHA State legislative Bill Package, mahalo.

Chief Advocate Reelitz: Mahalo, Ka Pouhana and Chair Akaka. So if you'll see we are on May 1st, so ditto to Ka Pouhana, happy May day to everyone and it is also two days to Sine Die, or the close of the Legislative Session. So we are at the very, very, very final days of the Legislative Session. Today we'll have quite a bunch of floor votes, there might be some fireworks, but as far as the bills that we'll update you on today, I think we're seeing a lot of things move forward for floor votes to ratify and move on to the Governor. So that's where we are in the Legislative Session. I will pause here in case anyone has any questions as far as timing goes.

So we'll move on to our Matrix 1. So our Matrix 1, just as a reminder for our Trustees, the only measure we still had moving since our last legislative update to you folks was HCR32. So this is also known as OHA-2. This is the resolution that would have OHA work with the legislature on building recommendations for cultural appropriateness. I am happy to report that that concurrent resolution has been passed by both Chambers and has already been transmitted to the Office of Hawaiian Affairs, as well as other executive branch agencies. I did get a couple of reach outs from friends and other agencies letting me know that they did receive it and look forward to working with us. So that is your only update for Matrix 1. I'm happy to report that OHA-2 did pass through both Chambers and again has already been transmitted. So we'll move forward into the work ahead for this.

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 **Chief Advocate Reelitz**

Chief Advocate Reelitz: Mahalo, Chair. So for Matrix 2, pretty much no updates. The last time we met there were because we were still in conference, there were things that were still technically could be heard, but none of them received conference committee meetings or got reassigned conferees. So Matrix 2, all of the

measures on here were not passed this Legislative Session and because we are in the second year of the biennium, they are pretty much said and done with. They'll have to be reintroduced a new next session.

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 **Chief Advocate Reelitz**

Chief Advocate Reelitz: Mahalo, Chair Akaka. So we are on Matrix 3 and I am happy to report a couple of highlights I wanted to put forward to the Board just for your awareness and to sort of close the loop on a couple of the items that we have been tracking and providing kōkua on over the Legislative Session. So you'll see the items that have not been shaded out are items that were passed in some form or another. I will let you know that what was previously OHA-3, it did not pass as a concurrent resolution, but did pass as a Senate resolution. So that will be transmitted to the appropriate agencies moving forward.

Beyond that though I wanted to move us to item 14, which is SB2305. So this is the Silver Alert Bill. This would provide or establish the Silver Alert Program that would help our kūpuna as well as individuals who may have other cognitive or developmental disabilities that where it would be helpful if something happens that we'd be able to put out an alert so folks are on the lookout for them if they're missing or have not been accounted for. So we are very happy to report that the SB2305 did pass its conference committee with its appropriations intact. We are really happy to celebrate with the Alzheimer's Association as well as the Developmental Disability Council and other community advocates at that final conference committee meeting, so it was a really happy afternoon with some community partners and we were glad to provide a little bit of support and kōkua in the final couple of hearings that they had, so I'm glad to share with you that SB2305 passed.

The other item I wanted to bring to your attention was item 46, which is HB2074. So if you'll remember, this is one of the bills that we had flagged as one of our highest priorities for this Legislative Session. In its original form would provide funding for, I should say established and provided funding for 13 total Kaiapuni positions. It's 3 curriculum specialists and 10 teaching positions. I am happy, I'm over the moon quite frankly to share with you that the conference committee passed out a draft of the bill that established and funded all 13 positions. This bill was one that I thought was a really good opportunity for OHA Advocacy to really reestablish and reconnect with some folks. We worked alongside OHE and PIPE at the DOE, at the Department of Education, making sure that we are always aligning and coordinating with them and we also worked with 'Aha Kauleo and other community advocates to make sure that they were informed and that we could kōkua in getting word out in ways that maybe would be complementary to them, or in times where maybe our channels were a little bit different or more effective. And so I was really proud to be in the room. I should say myself, Chantelle and two other advocates were in the room when the conference committee passed this measure last Friday and we were able to be with a member of Nā Leo Kāko'o, which is the one of the parent organizations for Kula Kaiapuni, and she had with her her son, who is a Kaiapuni student. So it was a very joyous, a little bit of happy tears were shed when we heard that all 13 positions were passed. I know that the DOE was fighting in the background to get all 13 positions, we thought we might only get 10, but we did get all 13. So this like SB2305 are awaiting the floor votes.

The next set of bills I want to highlight for you, there's item 29, but I'll ask Chantelle to land on item 47, which is SB2591. There's also SB3154, which is item 29. So these two are items that were part of the Burial Sites Working Group recommendations. Our compliance program worked alongside the public policy program to provide support on these two measures throughout the Legislative Session and I have to say that thanks in large part to the Committee on Hawaiian Affairs in the Senate, Chair Shimabukuro. It was a very good year for historic preservation and iwi kūpuna. These two bills, as well as one other for Burial Councils passed through conference committee last week or the week prior. So SB2591 was one of the ones that came out of the Burial Sites Working Group. It had changed quite a bit during the Legislative Session, but we were able to as advocacy work together to make some recommendations so we could salvage some of the original intent of the bill. And so we were very happy to be in the room as well when this measure passed last week Friday. So like the others, it awaits floor votes.

And the final update, I just wanted to highlight for you folks, because it had sort of spilled into the news a little, item 52, which is HB2690. So if you remember this, HB2690 was the bill that first focused on providing some of the framework and funding for Red Hill remediation. The recommendations that came out of the WAI report which was a collaborative effort led by Legislators and then part way through session, there was a Part 2 added which would support some changes to the Commission on Water Resource Management to insulate it a little bit from a little bit more from political influence. And during that time we were able to get an amendment in that would add OHA to the nominating or as being able to appoint someone to the nominating committee for the Commission on Water Resource Management. This was a high profile bill that we provided comments and support on but in the end, the Chairs from each of the two chambers couldn't come to an agreement, but they did express a willingness to work in the interim to craft a bill that would lead to some more agreement around both. You know, the needs for our wai, both with regard to Red Hill as well as some more effective leadership and work in the Commission on Water Resource Management. I do want to let you know that the appropriations and position for part one of the bill, to my understanding, did get included in the budget, so some of the work in the bill will move forward with or without any bill coming next session. But I have been in contact with a couple of the Legislators, especially on the House side to let them know that OHA is ready and willing to work for some changes for next session and there does seem to be a commitment in both chambers to work on something for next session, but I just wanted to flag that for you because it has been something we had discussed in previous BAE meetings and it did spill a little bit into the news cycle. So those were the top highlights that I wanted to provide to Trustees, but I'm happy to take questions on those or any other of the measures as we wind down this legislative session.

Chair Akaka: Mahalo, Ke'ōpū

Chair Akaka recognizes Trustee Galuteria

Trustee Galuteria: Mahalo, Chair. Ke'ōpū, thank you for your work. I got a couple of things, couple of questions but back to the iwi bill. So some clarity on that, the original statute was very broad, so it was subject to interpretation. You know, being a member of the O'ahu Burial Council, we had a lot of problems with a person's interpreting this particular statute. So what exactly, because it made it past the conference, what exactly did it do? Did it tighten up the bill?

Chief Advocate Reelitz: So SB3154 provided more of that clarity because there was some stuff in the administrative rules and then that combined with the statute could get a little vague, so SB314 tightened up

the statutes, or I should say the admin rules and put it into statute. SB2591 is a pretty simple bill and all it's saying is if you know or should have known that there are iwi on your property that you have to record it with the Bureau of Conveyance or else you will receive a fine. So it attaches the fine. So both further clarifies and strengthens the protection and ensuring that there will be notice. You know, sort of owner over owner if it changes hands moving forward.

Trustee Galuteria: Okay, got that and lastly, I know that eventually the Governor will be issuing a veto list, but is there anything that you see that's glaring out there that the Governor will veto that, you know, obviously would affect OHA firstly, but do you see anything that the Governor will be vetoing?

Chief Advocate Reelitz: I haven't seen anything yet. I think that is to be told, we are in touch with the Governor's Office and are providing comments and recommendations on bills. There is at least one bill that we are working on internally to do some analysis on to see if we might recommend a veto. I have not heard anything. One of the things that was the concern with HB269 is if it passed, there was concern that it would be vetoed. Beyond that I haven't heard, I haven't been hearing a lot, but I think a lot of us are waiting for these floor votes to go through before we hear more.

Okay, I appreciate that, thank you. Thank you, Chair.

Chair Akaka: Mahalo

Chair Akaka recognizes Trustee Trask

Trustee Trask: Thank you, Ke'ōpū for that. I just wanted to say that there's two bills. I think House Bill 2074, I'm so happy to hear about that outcome. I had heard that we might just get 10 positions. But you're confirming that all 13 were funded, that's a big win. The other one I kind of don't understand, Ke'ōpū is what happened with Senate Bill 2591. It is supposedly a simple bill, but when I was initially looking at it, I didn't understand what some of the concerns were that were in the Legislature.

Chief Advocate Reelitz: You know, I'm not sure what happened with the original because it did change quite a bit from from the original, but at the end of the day, you know, what was interesting is I had met with Judiciary and Hawaiian Affairs Chair Tarnas on the House side prior to conference committee and I had been in touch with Senator Shimabukuro's Office on the Senate side and everybody was in agreement. So at least what it became, there was agreement among the Chamber Chairs and I think that the big important thing was whether or not, I think the only thing that was a little bit tenuous was it does create a special fund because and I will correct, I misspoke, SB2591 strengthens what's already in admin rules. So Trustee Galuteria, my apologies for misspeaking. So that the needing to record is already in administrative rules. Now it's again like SB3154 is in statute and it adds the penalty which it did not have the penalty previously, but because it had the penalty, they had to put the money for those fines somewhere. So they created a special fund and that was where there was a little bit of hold up because the Legislature generally likes to be cautious when creating special funds.

Trustee Trask: Thanks for that Ke'ōpū, thank you.

Chair Akaka: Mahalo, Ke'ōpū.

III. ANNOUNCEMENTS

Chair Akaka: Members, do we have any announcements? Okay, seeing none. We do have our 1:30 p.m. RM Meeting today. As well as besides it being May Day and Lei Day, I also wanted to share that it's the 2024 National Week of Action for MMIWR, which is the National Week of Action for Missing and Murdered Indigenous Women and Relatives and this is also where maybe wear red to signify the importance of bringing more light to this. So this is something that is an initiative of ours, both State and Federal.

IV. ADJOURNMENT

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

Board Chair Hulu Lindsey: So moved, Chair.

Trustee Souza: Second

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

Trustee		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	10:21 a.m.
DAN	AHUNA						EXCUSED
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY	1		X			
KEONI	SOUZA		2	X			
MILILANI	TRASK			X			
JOHN	WAIHE`E, IV			X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				8	0	0	1

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

Chair Akaka: Mahalo, Nathan, the meeting is now adjourned. Happy May Day and Lei Day everyone. Mahalo members, all in attendance, and to all live streaming. A hui hou kākou, mālama pono.

Chair Akaka adjourns the BAE meeting at **10:21 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