

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200**

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

March 13, 2019 1:00 p.m.

ATTENDANCE:

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

BOT STAFF:

Alyssa-Marie Kau
Crayn Akina
Kama Hopkins
Kauikeaolani Wailehua
Lehua Itokazu
Lei-Ann Durant
Maria Calderon
Melissa Wennihan
Priscilla Nakama
Zuri Aki

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pou Nui
Anuheia Patoc, PP
Gaby Ortega, PP
Hikina Chock, PP
Jocelyn Doane, PP
Kamakana Ferreira, HLID
Keola Lindsey, PAPA
Miles Nishijima, LPM
Monica Morris, PP
Sabrina Gramberg, PP
Sterling Wong, PUBL
Wayne Tanaka, PP

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, March 13, 2019 to order at **1:00 p.m.**

Chair Waihe'e notes for the record that **PRESENT** are:

MEMBERS			AT CALL TO ORDER (1:00 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	KALEIHIKINA	AKAKA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	Arrived at 1:02 p.m.
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	Arrived at 1:02 p.m.
TRUSTEE	LEINA'ALA	AHU ISA	PRESENT	Arrived at 1:05 p.m.

At the Call to Order, **SIX (6) Trustees are PRESENT**, thereby constituting a quorum.

Chair Waihe'e would like the record to show that some materials were received more recently than 72 hours ago, and that the deadline, per practice, has been duly-waived.

II. PUBLIC TESTIMONY

None

III. APPROVAL OF MINUTES

None

IV. UNFINISHED BUSINESS

A. 2019 OHA Legislative Package Updates – Matrix 1†**

Chair Waihe'e turns it over to Ka Pou Nui Sylvia Hussey.

Ka Pou Nui Hussey calls on Public Policy Manager Jocelyn Doane to present, as well as Wayne Tanaka, Lead Advocate.

Public Policy Manager Doane: Aloha Trustees. The good news is that every one of our bills still has a vehicle moving. The bad news is that one will probably die at the end of the week. In terms of where we are with the Legislative Calendar, this week is the second triple-referral deadline. What that means is that bills that are still alive that came over from the other house, will have this week to be heard if it has three-or-more referrals. In addition to that, soon the first applicable *reso* referral will kick-in at the end of the month.

Our Budget Bill has a hearing tomorrow, so that bill is more than meeting its deadline.

Resolutions have a couple weeks before they need to be heard; for our Charter School resolutions.

Our PLT Reporting Bill will die probably at the end of the week, because it didn't get a hearing. The Native Hawaiian Caucus bill which is the money bill, has the hearing next week Tuesday in the Senate. So, our Reporting Bill will probably die unless it's re-referred, or captured in HB402. We do have a vehicle moving; it just may not be ours. A couple of things that we can think about depending on how HB402 goes, is to see if there are things in SB191 that we should advocate to put in HB402.

The Mental Health Bill needs to be heard by next week, that's when the double-referral deadline is.

Our Bail Bill thankfully passed this morning, we have one vehicle. Kamaile was getting really, nervous yesterday because the omnibus bail reform bill, which has all the sort of teeth/meaty provisions didn't move out of Public Safety. We're in the middle of having conversations with stakeholders that we worked on and with, because this is a task force recommendation on what if anything to do about that. We also recognize that our bill is still moving and there are chances that they will come strong to try to get Judiciary in the House to not move our bill.

Chair Waihe'e: *Are there any questions on the package members?* Ok hearing none, let's move into **New Business.**

V. NEW BUSINESS

A. 2019 OHA Legislative Positioning – Matrix 2**†

Chair Waihe'e turns it back over to Public Policy Manager Jocelyn Doane.

Public Policy Manager Doane: Thank you Chair, I wanted to bring up two bills that are not listed in your package. I'm recommending that we **ADD HB272 and SB991** which are related to the Public Utilities Commission; we're recommending a position of MONITOR on both measures. We have been asked by at least one legislator directly and one of the companies that is opposing this bill to oppose them; I'm not recommending that and I'll explain why. This is kind of painful because I don't know anything about Public Utilities, but I'll tell you what I figured out in the last two hours. The original versions of both bills, which are companion bills, would have exempted Public Telecommunications Utilities that provide basic exchange service to every county from the regulatory jurisdiction of the PUC. So, the idea is that there's a lot of deregulation happening in telecommunications and our State laws and regulations may not be keeping up with that.

When DCCA testified on the original version, they acknowledged that the new technologies and the new retail competition supports that some regulatory changes are necessary, but they were concerned because the bill would've left barely any regulatory oversight. The reason we are concerned is it includes carriers of last resort kuleana. So, carriers of last resorts are those that provide the basic services like telephone service to rural communities. Right now there are statutes, rules and orders issued by the PUC and DCCA that ensure that these carriers not only provide the service, but offer affordable rates. Both DCCA and the Public Utilities opposed the original versions of this bill because of the potential impacts to vulnerable populations which we would be concerned about as well because these vulnerable populations are probably and are mostly in rural communities where there is a high population of Native Hawaiians.

The reason why we are recommending MONITOR is because the Senate version of this bill was amended in the Commerce, Consumer Protection and Health Committee (CPH) to provide the telecommunication providers a little more flexibility. Now DCCA and the PUC are no longer opposing the bill, they are now supporting the bill. They have sufficient oversight to ensure that the carriers of last resort, or the folks that are serving vulnerable populations will still have oversight to protect those particular consumers. The House bill is still bad, but it's only assigned to the committee that changed the Senate bill, so I believe they will also amend that version to be the same.

There are also some competitive businesses weighing-in on these bills. There are some bigger things going on that we don't have the expertise to weigh-in on, so I'd prefer for us to just MONTIOR.

Trustee Ahuna: *What if the utilities are on Hawaiian Homelands?*

Trustee Akaka: That is the actual concern, that this would affect our beneficiaries, of which many are: on homestead lands, have fixed incomes, who live paycheck to paycheck, and those of our kupuna who rely on a landline; their prices could raise significantly.

Public Policy Manager Doane: There's a slightly different scheme on Homelands because of Sandwich Isles and federal regulations, so I'm not able to answer that question. However, there are definite beneficiaries in our rural communities, homesteaders or not, that the PUC, DCCA and consumer rights folks are specifically concerned about. The Senate version of this bill addresses that issue. There are lingering issues that Spectrum had raised-on during the last hearing on the bill that addresses our concerns, but I don't think we should be weighing-in on it, nor do we have the expertise to weigh-in on some of the more complicated things. I will see what other information I can gather on this and get back to the committee.

We'll move on to Page 2, Item 7 – HCR66; there's also an HR66.

Senior Public Policy Advocate Tanaka: These are resolutions that would urge that a public hearing be held on every island for rules that have a statewide effect and that public meetings be held for statewide plans and plans that effect rural communities. We're recommending a position of MONITOR on these resolutions. We very much appreciate the intent to provide increased access to our neighbor island communities regarding rules that may affect those communities. The concern is that the scope of the resolution is not clear as to what constitutes rules with statewide effect. So, it could potentially water-down the voices of our neighbor island communities, especially if they are public hearings already being targeted for the areas.

Page 2, Item 5 – HCR48; there's also HR46, SCR28 and SR20 which are all similar versions of the same resolution. We're recommending a position of COMMENT. These would urge DLNR to ensure sufficient-streamflow in Wai'anae to support traditional and customary practices. It would also urge DLNR to continue with its efforts to implement wildfire management plans and native forest restoration efforts. This is a resolution that has been introduced for the last few years. The Wai'anae Neighborhood Board has adopted a similar resolution. We will comment that we appreciate the intent of the resolution in better upholding Public Trust purposes of water and recognizing the importance of Mauka-to-Makai land management practices. There are some questions about the accuracy of the hydrologic characteristics of the Wai'anae watershed as described in the resolution, so we will defer to DLNR about those issues.

Trustee Lee: *Does the bill state where it's going to restore the water from?*

Senior Public Policy Advocate Tanaka: It doesn't specify the mechanism by which DLNR would ensure water flow. When you look at the other provisions with respect to wildfire suppression and native forest restoration, it seems like the resolution is suggesting that these kinds of activities will increase to a groundwater recharge which would then resort in more water for Traditional and Customary practices, but it doesn't clearly say where it's coming from. Our comments would be to: reiterate Public Trust purposes, identify some of the general and long-standing concerns that our islands have been struggling with, and to state appreciation for the Mauka-to-Makai land management initiatives that are highlighted in the resolution; particularly in our current area of climate change.

Public Policy Manager Doane: The next measure is on Page 2, Item 8 – HCR79, there's also HCR77; this is related to a Moloka'i feasibility study. It looks totally different from the idea that beneficiaries have come to talk about this with us, in terms of who would be doing the feasibility study. Basically, the resolution notes that residents have expressed a desire to protect and preserve subsistence lifestyle and establish a diversified resilient and service-based economy. It articulates that because of the size of the population they've been made a part of Maui County, but that the location of meetings on Maui and limited transportation makes it difficult for residents to attend and participate and that the uniqueness of Moloka'i's history, culture and economic needs warrants creation of an independent county. So, what it does is it asks DBEDT to do a feasibility study and report back to the legislature. I'm recommending a position of MONITOR, but would be open to discussion.

Trustee Machado: I think you should read the second-to-the-last *Whereas*. It says that in 1998 the Maui County Council conducted a feasibility study that indicated a substantial increase; that 3,000% in property taxes would occur if Moloka'i was to become its own county, that would impact homesteaders.

Public Policy Manager Doane: I'm recommending that we MONITOR this resolution, *do the trustees have an alternative suggestion?*

There are no responses.

Page 3, Item 12 – SCR46; this is related to the sale of Lot I, apparently the mayor asked some of the senators to introduce this resolution. I don't know when in terms of timeliness we notified them of the Board's specific decision not to approve administration to introduce a resolution, because we met on a Wednesday and then the deadline was Friday. If you see here, it was introduced the day after, so they may have asked before we even met. I've communicated with the Hawaiian Affairs Chair's staff and Senator Kahele; that the trustees are not intending to need this during this session and that we have decided to reopen negotiations. We've asked that this not get a hearing and have made clear to them that the Board will not look at selling this year.

Page 3, Item 13 – SCR70; this is a resolution that requests OHA to conduct an independent fiscal audit of the LLCs controlled by OHA. We're recommending a position of COMMENT and I will let Ka Pou Nui, as our acting CFO, to explain further.

Ka Pou Nui Hussey: Because the LLCs are already audited by independent auditors and the results of those audits are already incorporated into OHA's financials and then reported as well, our understanding is that whatever is being asked for, is already being done.

Public Policy Manager Doane: That's what we're intending our COMMENT to include, unless the trustees have an alternative recommendation.

We have a few **Bill Position Changes** for your consideration.

Page 5, Item 21 – HB821; this is the measure that was brought up last week that I promised we would follow-up on. This bill would exempt a proposed fiber-optic landing station in Kaka‘ako from all County permitting requirements, including County land-use and zoning and permitting policies. It would exempt the station from all State permitting and approval requirements including specifically: Chapter 171 which sets up a framework for how the State disposes or sells and leases its lands, environmental review requirements Chapter 343 and Coastal Zone management laws. We are recommending to change our position from Monitor to OPPOSE. I’ll have Miles come to the table to share more.

Land and Property Director Miles Nishijima: Aloha Trustees, I did contact Aedward Los Banos of HCDA, and he confirmed that the landing site that they’re talking about is HCDA’s Lot C, which is located Mauka of our Lot L. Between Lot L, which is the Next Step Shelter and the Kaka‘ako Waterfront Park there’s a canal that runs straight up the entire length of Lot L. Basically, the cable will run from the ocean, up the canal and then stub into their Lot C. Their Lot C right now is under development. They’re building what they’re referring to as *the Entrepreneur’s Sandbox*, which is supposed to be like an innovation center. They feel that having this landing could provide some stimulus to development and occupancy of that site. OHA could also benefit from that. Aedward is working on an EIS. The intent is basically to take the cable and run it up to Halekauwila Street where it’ll tie in with the rail and then it will run East-West on the elevated railway.

Public Policy Manager Doane: Page 9, Item 32 – HB295; Related to Emotional abuse, we’re recommending a change in position from Support to MONITOR. This bill amends the definition of Domestic Abuse and attempts to define the term Emotional Abuse. So, after more thought, we don’t think that the current definition is clear enough where we think it’s appropriate enough for us to Support. We’re trying to balance addressing the ills that we see and the data that we see about significant abuse happening in our community with also our Criminal Justice Advocacy. We’re just recommending that we MONITOR this as it moves and learn a little more before we weigh-in on it.

Page 5, Item 22 – SB997; related to the Stadium Authority and HCDA – we’re recommending a change from Monitor to COMMENT. There are a bunch of these measures moving. The House Bill which is in the Senate now, we’re not that concerned about, but the current Senate Bill would exempt the HCDA’s lands and specifically the Stadium Authority’s lands. It would exempt 171 for lands that the Stadium Authority holds title and then it would transfer lands to the Authority. So, we would minimally be asking for HRS 171-64.7 amendments and raise some concerns about creating more guidelines if these lands are going to be leased, consistent with what we’ve been saying on other bills.

The reason why we’re not recommending a position of Oppose is this is the first time that this bill will be heard with this draft, so we’d like to give the committee an opportunity to make the suggested change that we’re asking for. Also, this bill has a quadruple-referral, so we’re not sure if it’ll move and the information that we have now shows that the amount of Public Trust Lands at the stadium is very small, like 1.5%. We may do a bit more research to see if that’s accurate; but based off the data we have been relying on, that’s the figure.

Moving on to the **Bills that we recommend OPPOSE.**

Page 11, Item 42 – HB439; this is the HHFDC exemption from 171. We recommend OPPOSE because they didn't take our recommendations in the House like they did in the Senate. Hopefully now that this has crossed-over to the Senate, they will take our recommendations to incorporate the §174-64.7 language which requires legislative approval for sales of State lands.

Page 14, Item 55 – HB622; this is the Charter School bill that would require use of the Purchase Order System, mandatory audits and prohibit previous employees and those attached to Charter Schools from serving on the commission and the Board of Education. This bill has a hearing today in the Senate Education Committee and Monica will be attending, so hopefully they'll take the changes that we're recommending.

Page 19, Item 75 – HB1025; there's a Senate version as well SB1251. This bill has a hearing in a couple of days, it would allow for forty-year lease extensions. The Senate version did make some of the amendments that we requested, but we're still concerned that this will result in really, long leases.

Page 25, Item 93 – HB1326; this is the Water Revocable Permit Bill. It's getting a lot of attention. This would extend the sunset from HB2501, from three years ago, that the legislature passed to help A&B, after a Judge said that the Board has no authority to continue to allow to holdover those permits. Late last night, this bill was re-referred to be a single referral. So, there will not be an independent Water and Land (WTL) hearing anymore, there will be a WTL/WAM hearing. Clearly, things are getting interesting at the Capitol.

Page 45, Item 180 – SB976; this is the Public Libraries bill. This is the pilot project for public libraries that would allow them to do three pilot-projects, basically free for all lease terms for 99 years. We had a hearing on this and SB1303 yesterday, which is the Education pilot-project bill. Even though they moved the bills, the Education Chair came up to us after and one of the other committee members reached out today to talk about wanting to work together to figure out some better terms that they would feel more comfortable with in terms of the pilot. So, hopefully we get some traction on that.

Chair Waihe'e: *Ok members, is there any discussion or questions about the Positioning Matrix?*

There are no responses.

Motion #1

Vice-Chair Akaka moves to approve Administration’s recommendations on **NEW BILLS** (Items 1-11 and 13-20, excluding Item 12, SCR46) and **BILL POSITIONS FOR RECONSIDERATION** (Items 21 - 23);

ADD:

- HB272; and
- SB991, both as **MONITOR**; and

CHANGE:

- Item 32, HB295 from **Support** to **MONITOR**

on the OHA Legislative Positioning Matrix dated March 13, 2019, as amended.

Bills that were discussed					
ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			New Bills		
ADD	HB272	RELATING TO TELECOMMUNICATIONS.	Exempts public telecommunications utilities that provide basic exchange service to every county of the State from the regulatory jurisdiction of the Public Utilities Commission, including provisions governing financial reporting, rate regulation, issuance of securitized assets, disposal of property, and affiliate interests. (HB272 HD1)		MONITOR
ADD	SB991	RELATING TO TELECOMMUNICATIONS.	Caps annual utility rate increases without PUC approval for counties with a population of less than 500,000. Provides telecommunications service providers with flexibility from certain regulatory oversight requirements including issuance of securities and other evidences of indebtedness, and sales or disposition of property or equipment, if the utility is providing fully competitive retail services and specific conditions are met. Specifies other requirements related to flexibility for telecommunications service providers. (SD1)		MONITOR
1	HB921	RELATING TO EDUCATION.	Clearly establishes the Executive Office on Early Learning as the administrative authority for State-funded prekindergarten programs, except for special education and Title I-funded prekindergarten programs. Requires the Department of Education in its implementation of Title I-funded prekindergarten classrooms to adhere to certain quality standards and work with the Executive Office on Early Learning. Defines the roles and responsibilities of the Executive Office on Early Learning and Department of Education as they relate to the Executive Office on Early Learning Public Prekindergarten Program. (HB921 HD2)	MONITOR	

2	HB1305	RELATING TO MUTUAL ASSISTANCE AGREEMENT.	Authorizes the State and electrical and gas utilities to enter into a mutual assistance agreement with an out-of-state utility to assist in the restoration of electrical or natural gas power following a natural disaster or emergency. (HB1305 HD2)	MONITOR	
3	HB1405	RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES BUDGET.	Adjusts the operating budget for the fiscal biennium 2019-2021 operating budget of certain Department of Land and Natural Resources programs under the purview of the House of Representatives Standing Committee on Water, Land, and Hawaiian Affairs. (HB1405 HD2)	MONITOR	
4	HCR30		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE BY EMINENT DOMAIN THE SEAWALL AND THE REAL PROPERTY UNDERNEATH THE SEAWALL THAT IS LOCATED ON OR NEAR THE SEAWARD BOUNDARIES OF PROPERTY BETWEEN 2943 KALAKAUA AVENUE AND 3019 KALAKAUA AVENUE, OAHU, HAWAII.	MONITOR	
5	HCR48		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MANAGE THE WAI'ANAE KAI FOREST AND RESTORE WATER FLOW IN WAI'ANAE STREAMS FOR NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES AND IMPLEMENTATION OF THE WAI'ANAE KAI WILDFIRE PREPAREDNESS PLAN.	COMMENT	
6	HCR60		REQUESTING THE HARBORS DIVISION OF THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TASK FORCE TO STUDY THE FEASIBILITY OF ESTABLISHING A HAWAII COMMERCIAL HARBORS AUTHORITY.	MONITOR	
7	HCR66		REQUESTING THE STATE AND COUNTIES TO EXPAND EFFORTS FOR COMMUNITY INPUT REGARDING ADOPTION OF ADMINISTRATIVE RULES, STATEWIDE PLANS, AND PLANS THAT AFFECT RURAL COMMUNITIES.	MONITOR	
8	HCR79		REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF CREATING AN INDEPENDENT COUNTY ON THE ISLAND OF MOLOKAI.	MONITOR	
9	SCR28		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MANAGE THE WAI'ANAE KAI FOREST AND RESTORE WATER FLOW IN WAI'ANAE STREAMS FOR NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES AND IMPLEMENTATION OF THE WAI'ANAE KAI WILDFIRE PREPAREDNESS PLAN.	COMMENT	
10	SCR35		URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO REJECT THE APPROVAL OF A SINGLE WALL TANK UPGRADE ALTERNATIVE OPTION FOR THE RED HILL BULK FUEL STORAGE FACILITY AND THE CONCLUSIONS PRESENTED IN THE GROUNDWATER PROTECTION AND EVALUATIONS CONSIDERATIONS REPORT FOR THE RED HILL BULK FUEL STORAGE FACILITY DATED JULY 27, 2018.	MONITOR	

11	SCR40		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE BY EMINENT DOMAIN THE SEAWALL AND THE REAL PROPERTY UNDERNEATH THE SEAWALL THAT IS LOCATED ON OR NEAR THE SEAWARD BOUNDARIES OF PROPERTY BETWEEN 2943 KALAKAUA AVENUE AND 3019 KALAKAUA AVENUE, OAHU, HAWAII.	MONITOR	
13	SCR70		REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT AN INDEPENDENT FISCAL AUDIT OF ALL LIMITED LIABILITY CORPORATIONS CREATED OR CONTROLLED BY THE OFFICE.	COMMENT	
15	HR46		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MANAGE THE WAI'ANAE KAI FOREST AND RESTORE WATER FLOW IN WAI'ANAE STREAMS FOR NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES AND IMPLEMENTATION OF THE WAI'ANAE KAI WILDFIRE PREPAREDNESS PLAN.	COMMENT	
16	HR61		REQUESTING THE HARBORS DIVISION OF THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TASK FORCE TO STUDY THE FEASIBILITY OF ESTABLISHING A HAWAII COMMERCIAL HARBORS AUTHORITY.	MONITOR	
17	HR77		REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF CREATING AN INDEPENDENT COUNTY ON THE ISLAND OF MOLOKAI.	MONITOR	
18	SR20		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MANAGE THE WAI'ANAE KAI FOREST AND RESTORE WATER FLOW IN WAI'ANAE STREAMS FOR NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES AND IMPLEMENTATION OF THE WAI'ANAE KAI WILDFIRE PREPAREDNESS PLAN.	COMMENT	
19	SR28		REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE BY EMINENT DOMAIN THE SEAWALL AND THE REAL PROPERTY UNDERNEATH THE SEAWALL THAT IS LOCATED ON OR NEAR THE SEAWARD BOUNDARIES OF PROPERTY BETWEEN 2943 KALAKAUA AVENUE AND 3019 KALAKAUA AVENUE, OAHU, HAWAII.	MONITOR	
20	SR48		REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT AN INDEPENDENT FISCAL AUDIT OF ALL LIMITED LIABILITY CORPORATIONS CREATED OR CONTROLLED BY THE OFFICE.	COMMENT	

ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			Bill Positions for Reconsideration		
21	HB821	RELATING TO TELECOMMUNICATIONS.	Authorizes DBEDT to enter into a public-private partnership to plan, build, and manage key strategic broadband infrastructure that benefits the State, including a cable landing station in Kakaako, on the island of Oahu, and to encourage cloud-based companies to take advantage of this infrastructure. Exempts the station from certain state and county permitting and land use laws. Appropriates funds. (HB821 HD2)	MONITOR > OPPOSE	
22	SB997	RELATING TO THE STADIUM AUTHORITY.	Establishes the stadium development district, which includes all state property under the jurisdiction of the stadium authority. Transfers title of lands under the jurisdiction of the Stadium Authority to the Stadium Authority. Authorizes the issuance of general obligation bonds and reimbursable general obligation bonds and appropriates funds. Exempts the stadium development district from section 206E-5, HRS. Exempts lands owned by the Stadium Authority from the definition of public lands. Authorizes the Department of Land and Natural Resources to give written concurrence, based on a phased review, on any project in the stadium development district for historical preservation purposes. Effective 7/1/2050. (SD2)	MONITOR > COMMENT	
23	SB1530	RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.	Establishes the stadium development district, which includes all state property under the jurisdiction of the stadium authority. Transfers title of lands under the jurisdiction of the Stadium Authority to the Stadium Authority. Authorizes the issuance of general obligation bonds and reimbursable general obligation bonds and appropriates funds. Exempts the stadium development district from section 206E-5, HRS. Exempts lands owned by the Stadium Authority from the definition of public lands. Authorizes the Department of Land and Natural Resources to give written concurrence, based on a phased review, on any project in the stadium development district for historical preservation purposes. Effective 7/1/2050. (SD3)	MONITOR > COMMENT	
ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			2019 Legislative Session (All positions previously approved)		
32	HB295	RELATING TO DOMESTIC ABUSE.	Amends the definition of domestic abuse under Hawaii's insurance laws and domestic abuse protective order statutes to include emotional abuse between family or household members. Defines emotional abuse. (HB295 HD1)	SUPPORT	Support > MONITOR

Trustee Ahuna seconds the motion.

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

Chair Waihe'e calls for a ROLL CALL VOTE.

						1:56 p.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA		2	X			
VICE-CHAIR KALEIHIKINA	AKAKA	1		X			
	KELI'I			X			
BRENDON KALEI'AINA	LEE			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				9	0	0	0

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

MOTION #2

Vice-Chair Akaka moves to approve Administration's recommendations on *NEW BILLS*: Item 12, SCR46 as COMMENT on the OHA Legislative Positioning Matrix dated March 13, 2019, as amended.

Bills that were discussed					
ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			New Bills		
12	SCR46		APPROVING THE SALE OF CERTAIN LAND OWNED BY THE OFFICE OF HAWAIIAN AFFAIRS TO THE CITY AND COUNTY OF HONOLULU.	COMMENT	

Trustee Ahuna seconds the motion.

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

Chair Waihe'e calls for a ROLL CALL VOTE.

						1:57 p.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA AHU ISA			X			
DAN AHUNA		2	X			
VICE-CHAIR KALEIHIKINA AKAKA	1		X			
KELI'I AKINA			X			
BRENDON KALEI'ĀINA LEE			X			
CARMEN HULU LINDSEY			X			
ROBERT LINDSEY			X			
COLETTE MACHADO			X			
CHAIR JOHN WAIHE'E			X			
TOTAL VOTE COUNT			9	0	0	0

MOTION: UNANIMOUS PASSED DEFERRED FAILED

VI. COMMUNITY CONCERNS*

None

VII. ANNOUNCEMENTS

None

VIII. ADJOURNMENT

Trustee Machado moves to adjourn the BAE meeting.

Trustee Ahuna seconds the motion.

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

Chair Waihe'e asks if any members vote NO or ABSTAIN. There are no dissenting votes.

						2:00 p.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA		2	X			
VICE-CHAIR KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
BRENDON KALEI'AINA	LEE			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO	1		X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				9	0	0	0

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

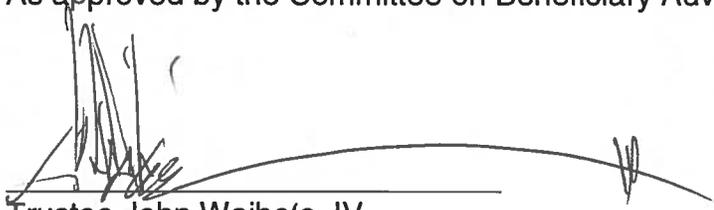
Chair Waihe'e adjourns the BAE meeting at 2:00 p.m.

Respectfully submitted,



Melissa Wennihan
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on April 10, 2019.



Trustee John Waihe'e, IV
Chair
Committee on Beneficiary Advocacy and Empowerment

ATTACHMENT(s):

None