

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES

March 23, 2016 1:30 p.m.

ATTENDANCE:

Chairperson John Waihe'e, IV
Vice-Chairperson Peter Apo
Trustee Lei Ahu Isa
Trustee Dan Ahuna
Trustee Haunani Apoliona
Trustee Hulu Lindsey

EXCUSED:

Trustee Rowena Akana
Trustee Robert Lindsey
Trustee Colette Machado

BOT STAFF:

Crayn Akina
Davis Price
Dayna Pa
Kauikeaolani Wailehua
Lady Elizabeth Garrett
Lehua Itokazu
Liana Pang
Louise Yee Hoy
Melissa Wennihan
Reynold Freitas

ADMINISTRATION STAFF:

Kamana'opono Crabbe, Ph.D., Pouhana / CEO
Anuhea Patoc, PUBL
Carla Hostetter, RES
Deja Ostrowski, PUBL
Jessica Freedman, PUBL
Jim McMahon, ADV
Jocelyn Doane, PUBL
Jonathan L. Ching, PUBL
Kamaile Maldonado, PUBL
Mehana Hind, CMTY ENGMT
Monica Morris, ADV
Sterling Wong, PUBL
Wayne Tanaka, ADV

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, March 23, 2016 to order at **1:30 p.m.**

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

MEMBERS			AT CALL TO ORDER (1:30 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	PETER	APO	PRESENT	
TRUSTEE	LEI	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	CARMEN "HULU"	LINDSEY	PRESENT	

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

EXCUSED from the BAE Meeting are:

MEMBERS			COMMENT
TRUSTEE	ROWENA	AKANA	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	ROBERT	LINDSEY	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	COLETTE	MACHADO	MEMO – REQUESTING TO BE EXCUSED

Waiver of the OHA 72-hours prior to a meeting materials distribution policy

Chair Waihe'e seeks a MOTION:

To waive the OHA Board of Trustees Operations Manual practice at which materials will be reviewed, discussed, or acted upon at least 72-hours prior to the meeting regarding items:

IV. New Business

B. 2016 OHA Legislative Positioning – Matrix1 ; and**

V. Unfinished Business

A. 2016 OHA Legislative Package Updates – Matrix 2**

Trustee Ahuna moves.

Trustee Hulu Lindsey seconds the motion.

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

Chair Waihe'e asks if anyone votes NO or ABSTAINS. There are no replies.

							1:30 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA	1		X			
ROWENA	AKANA						EXCUSED
VICE-CHAIR PETER	APO			X			
HAUNANI	APOLIONA			X			
CARMEN HULU	LINDSEY		2	X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				6	0	0	3

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the MOTION CARRIES.

II. APPROVAL OF MINUTES

A. March 2, 2016

Trustee Ahuna moves to approve the minutes of March 2, 2016.

Vice-Chair Apo seconds the motion.

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

Chair Waihe'e asks if anyone votes NO or ABSTAINS. There are no replies.

							1:31 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA	1		X			
ROWENA	AKANA						EXCUSED
VICE-CHAIR PETER	APO		2	X			
HAUNANI	APOLIONA			X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				6	0	0	3

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION CARRIES**.

III. COMMUNITY CONCERNS*

None

IV. NEW BUSINESS

- A. **Discussion with Chair Jobie Masagatani of the Hawaiian Homes Commission (HHC) and Director of the Department of Hawaiian Home Lands (DHHL) regarding HB1932 HD2 – DHHL’s appropriation request for sufficient general funds for Administrative and Operating expenses**

Chair Waihe’e turns it over to Ka Pouhana Kamana’opono Crabbe.

Pouhana Crabbe: Mahalo Chair Waihe’e and Good Afternoon Trustees; Chair Jobie Masagatani on behalf of the Department of Hawaiian Homelands has requested the audience of the Committee/Board. She will share with you some background regarding the legislation and legal proceedings DHHL is facing this session and the Support they are requesting from OHA.

Hawaiian Homes Commission Chair Masagatani: Aloha mai kakou. Mahalo Chair Waihe’e for the time on the agenda. I’m handing out Article XII –Sec.1 so that you can have the language in front of you. What we’re specifically asking from this Committee/Board is Support for DHHL with HB1932 which has to do with reimbursement of our budget in the current fiscal year. To give you some background which many of you may already know, there was litigation filed by a group of beneficiaries against the State of Hawai’i and against the Hawaiian Homes Commission. It’s known as *The Nelson* case and includes Richard Nelson, Skippy Ioane, Jimmy Akiona, as well as Kaliko Chun who works at the legislature. It’s actually a very important suit because what it alleged and was found to be true was that the State was negligent in meeting its constitutional obligation to provide sufficient funding to DHHL and also that the Commission was negligent in not asking for sufficient funding.

The language in question is in Art. XII – Sec. 1 ***“The legislature shall make sufficient sums available for the following purposes: (1) development of home, agriculture, farm and ranch lots; (2) home, agriculture, aquaculture, farm and ranch loans; (3) rehabilitation projects to include, but not limited to, educational, economic, political, social and cultural processes by which the general welfare and conditions of native Hawaiians are thereby improved; (4) the administration and operating budget of the department of Hawaiian home lands; in furtherance of (1), (2), (3) and (4) herein, by appropriating the same in the manner provided by law”***. Although there are four purposes, the Hawai’i Supreme Court (HSC) said that the first three purposes could not be determined by the HSC and that it was a political question, which I know OHA is very familiar with. This was therefore left to the Hawai’i State Legislature to determine as to what is ***“sufficient”***. The fourth purpose however could be determined by the HSC and it was remanded back to the Hawai’i Circuit Court for trial.

The trial was held in July of 2015; it lasted a couple of weeks. There was a lot of evidence and the State was a party and DHHL was a party with independent counsel. Judge Castegnetti opined that in fact the Court had breached its responsibility and the Commission prior to 2012 in not asking, had breached its responsibility and directed and ordered the legislature to make *sufficient* sums available. She had directed that the amount be more than 28 million dollars for the current fiscal year, although it would change from year-to-year.

When we got into legislation, we then had leaders of the House and the Senate who did not agree. The State also did not agree, thus choosing to appeal that decision. The court case is still moving forward. However, the Judge did amend her order earlier this month to say that while the amount will change from time-to-time, the amount appropriated in the current fiscal year of 9.6 million dollars is not sufficient and ordered the legislature to do its duty. That court order is still in place, although the amount of 28 million dollars is no longer in the order itself.

So we get to HB1932; a bill that was introduced by Representative DeCoite along with several others. In HB1932 HD2 which you have a copy of, there's also a Senate Draft 1, the language is very similar; except that they did put the 28 million dollars back into the bill which we appreciate. That bill actually allows for us to receive monies beginning July 1 of 2016, to reimburse us for the expenses that we actually spend for operations and administration in the current fiscal year. This is somewhat of an extraordinary bill because it's allowing for the reimbursement to happen. Operationally-speaking this is probably the best case situation given the circumstances. Let's say that if the monies were appropriated, just in the time to release the funding and all that that incurs, we would not have the time to spend the money.

What we're respectfully asking from this body is for the Support of OHA on a measure of such significance for our people; even if it's just moral support. I think it's important that on an issue this significant and that has to do with the State meeting its constitutional obligation that is mandated by law, it is important that we stand together.

Moving forward with our budget, HB1700 which is the State budget, will have the figure for DHHL and that's still yet to be negotiated. Really, just ensuring that there is sufficient funding provided for DHHL is the most important thing. That's what I came to share and to ask, and I do appreciate your time.

Pouhana Crabbe: We'll open it up for feedback or questions Chair.

Chair Waihe'e: Yes, thank you Jobie. *Members, do you have any questions?*

Trustee Hulu Lindsey: I had a conversation with one of the Senators and they shared with me that they would like to hear what DHHL is going to do with the money. They would've liked for you to include a breakdown. I'm just passing this on, but I spoke very highly of DHHL and asked if they requested that from you.

Hawaiian Homes Commission Chair Masagatani: One of the challenges that we're facing is that because they haven't paid for our operational expense, the number seems enormous to them. The ironic thing is that in our current fiscal year, the amount that's been appropriated to DHHL of our own monies; special and trust funds, is about 25 million dollars. The difference between what they've already appropriated versus the 28 million dollar amount is an additional 64 positions. We are carrying a very high vacancy rate and part of that is because we don't have a steady fund; we're conservative when filling those vacancies.

Trustee Apoliona: *Are we prepared to offer up a motion after both the presentation and the discussion are complete?*

Pouhana Crabbe: I'll call upon Public Policy Manager Sterling Wong and Senior Public Policy Advocate Jocelyn Doane to discuss this further.

Senior Public Policy Advocate Doane: Aloha, we have talked about whether or not our position should be Support for this particular measure before. So I'll just reiterate the conversation that we had briefly. As trustees know, our general and formal position is that OHA does not take a position of Support on appropriation bills where bills assign OHA to fund entities and programs. We do not expect other departments (State of Hawai'i) to simply-and-immediately Support our appropriation bills either.

Generally, when we look at our general fund Budget Bill and we look at our Public Land Trust Bill, you won't see DHHL supporting our measures either. We defer to the Trustees on how we want to handle this; but I did want to point out that even though we don't have a formal position, every time we have a chance and have a meeting with legislators about our own bills, we discuss the needs of our beneficiaries and of course DHHL comes up. Also related is the fact that OHA has paid substantially for litigation regarding the Supreme Court decision that came out in favor of providing funding to DHHL. We fund NHLC almost entirely. We know that next year we're going to be facing a really difficult time trying to make sure that we're going to be able to continue to fund NHLC, the way we fund them now. The funding is half through our general funds budget request and half through trust funds.

The other reason we suggested not taking a position at that time is that our staff didn't have enough information about what the ask amount is for, whether or not the funds have been used appropriately, and the types of questions that are coming from the legislators.

Hawaiian Homes Commission Chair Masagatani: Yes, I felt it would be best to come and have a conversation directly and speak in my capacity as HHC Chair more than as DHHL Director from a policy perspective. This is an extraordinary year. We have a budget bill every year, but this year because of the *Nelson* litigation, the obligation is very clear that the onus is on the legislature and that the amounts that need to be paid, should be paid out of the general fund.

Vice-Chair Apo: Jobie, my frustration is this - all these years and as far as I can tell, neither the Federal Government nor the State has actually stepped up to the plate to honor the spirit of the Admissions Act. Around the '70s, we were feeling kind of good. We had a lot of support, the general public was supporting a lot of things for Hawaiians like Kaho'olawe, but lately there is a diminishing attitude towards Hawaiians and anything Hawaiian right now.

- For DHHL, *what will it take to go back to the basic, trust responsibility?*
- *What kind of reminder do we need to issue both from the standpoint of providing an education for the diminishing community and retaining institutional memory about the trust responsibility; whether it's Mauna Kea, DHHL, or all these other issues?*

You folks are the fundamental, basic reason we all have entitlements.

Hawaiian Homes Commission Chair Masagatani: I have a couple of thoughts here; the first being that there is a lot of ignorance about the obligations of the State. In the case of DHHL as indicated and where the State accepted, the language stated is interesting because at the time of statehood, you actually had the Hawaiian Homes Commission. So the language could have read the Hawaiian Homes Commission accepts the responsibility to administer and manage, but it doesn't. The language in the Constitution says the State of Hawai'i and all of its citizens accept this and commit to faithfully carry out the purpose of the Hawaiian Homes Commission Act. So every opportunity that I get whether it's in front of the DLNR, the Board of Land and Natural Resources, or at the Legislature I bring that language out because the obligation is on the entire State; it's not just on the Commission.

So I think that the training law that you folks got passed about educating the Boards and Commissions helps. Extending that to the legislature of this history would further help because it's a history full of hard-fought battles in getting the kinds of successes moving forward. On the positive side our history, as a State with our native peoples, I personally think compared to other states, our state is actually a very good one.

My concerns are the impacts to different generations (my generation, Sterling's generation, and moving forward). When Prince Kūhiō actually did the Hawaiian Homes Commission Act, he built a number of civic organizations and the entities that made the laws had a lot of Hawaiians in them. So to effectuate change, you actually were sitting at the table to make the decision which is a lot stronger than being kū'e on the other side; while it's important to have those kū'e voices. I think it's also important to educate the next generation that being part of the system is as powerful as being against the system.

Whether that involves being in these kinds of offices (elected as Trustee) which I commend you on, having more Hawaiians in the legislative body, or even being non-Hawaiian; you just have to understand our issues. Sometimes it seems that one can be more powerful in being a non-Hawaiian who advocates for Hawaiian issues.

Frankly, Gene Ward and Laura Thielen have been very strong advocates, really because it's the right thing to do. It's a matter of principle on these particular issues, politics aside, party aside. I think that on those two aspects (politics and party) and just regarding certain issues, we may have differences but you keep your differences at home.

It's been a challenging session and the energy is completely different than it was when I was there as a deputy.

Pouhana Crabbe: So Trustees given Chair Masagatani's education of the matter, we would look to you on whether or not to support the bill, or to write comments. We can go over the legislative package and decide then.

Chair Waihe'e: Ok, yes, thank you Jobie.

Hawaiian Homes Commission Chair Masagatani: Thank you so much!

IV. NEW BUSINESS

B. 2016 OHA Legislative Positioning – Matrix 1**

Chair Waihe'e turns it back over to Ka Pouhana Kamana'o pono Crabbe.

Pouhana Crabbe: Mahalo Chair Waihe'e. We have Public Policy Manager Sterling Wong and Senior Public Policy Advocate Jocelyn Doane to present the Positioning Matrix.

Senior Public Policy Advocate Doane: Aloha Chair, we do have a few new Resolutions to go over with the Trustees today and as the session is winding down we have just a few updates on **bills that are in particular interest to OHA.**

We'll start with two bills that are on the matrix, but we may want to consider a position change on either or both of these. We'll start with the DHHL bill that we just discussed, Item 177, HB1932; Relating to the Department of Hawaiian Homelands - as Jobie had shared the bill appropriates 28 million dollars for this fiscal year to reimburse administrative and operating costs for last fiscal year which I don't entirely understand but she did a better job than I could in explaining how that would work. Right now our position is Monitor and I'd like to entertain the idea of changing our position to Support, if that's what the trustees would like.

Trustee Ahuna: Yes.

Senior Public Policy Advocate Doane: Ok, so we'll recommend changing our position from Monitor to SUPPORT. You know I think now that the committees have actually put a number in there, clearly there is a will of a substantial amount of legislators to provide funding for DHHL. This was one of the bills; added late minute. *It had missed a deadline remember?* We thought it was dead in the House and they waived all their rules in order to hear the bill late. The entire House had to vote on that, so clearly there's a sentiment in the House. Also, now we know the Senate Hawaiian Affairs has moved it out with the full 28 million dollar ask in it, so we'll see what happens in Judiciary and WAM.

Trustee Apo: *Is it possible to start our education with them in our testimony?*

Senior Public Policy Advocate Doane: Yes, that's a good idea. We'll try not to irritate them too much, but remind them of their responsibilities.

Item 209, HB2205; Relating to Charter Schools - originally this would've done three things which we had concerns about.

- It would allow the Commission to do Emergency Rules - that was removed.
- It would've exempted them from Chapter 92, which is the Sunshine Law, under certain circumstances - that was just recently removed too.

I wanted to give a little shout out to Trustee Hulu Lindsey who has been working closely with the Education Chair to express the concerns that the Charter Schools Community has had and as a result the bill has been amended.

- There is one thing that remains in this bill which we originally had concerns about, which is the lack of Contested Case Hearing options for charter non-renewals and revocations. However, Monica has been doing some research and she actually thinks that they aren't allowed to do Contested Case Hearings anyway.

This is just a reiteration of that. So as a result of that, we'd like to change our position from ~~Comment~~ to MONITOR.

There are a few **NEW BILLS** that I wanted to go over; some of these will just be carryovers.

Item #4, SB1374; Relating to Land Exchange – this bill would require the Department of Agriculture to reach out to Dole Foods to try to purchase the old Dole Foods property. We already have a position of COMMENT for this, but since it's a carryover, we thought it would be good to remind the Trustees about it. We would thank the committees for amending the bill so that it's subject to Chapter 171. This means that they have to go through the same process as other state agencies when they're doing their exchanges. Also, we'd make another COMMENT about certain instances. If they exchange Public Land Trust or Ceded Lands with other private lands, then those new lands that they get into their inventory, should take on the same status.

Item #6, SB3077; Relating to Statewide Community Planning – this is a gut and replace measure; it does name OHA. The bill would establish a Hawai'i Interagency Council for Transit-oriented development (TOD) within DBEDT. The idea is that they would have to come up with a plan and update the Governor on implementation of a ten year statewide plan to address TOD on State lands and each County, and OHA would be one of the members on this Council. So we'll just make our COMMENT consistent with the other comments about who the correct person should be to sit on that council, the OHA CEO, or his designee.

Item #11, HCR67; there are four different versions of this resolution, but basically it would be a resolution that would request that Congress permanently fund the Native Hawaiian Healthcare Improvement Act. The federal act for funding the Native Hawaiian Healthcare Improvement Act is currently authorized until 2019, and that was done as a part of the Affordable Care Act. It's been really difficult to get that act authorized itself, and this act provides up to 13 million dollars of appropriations for the Native Hawaiian Healthcare Systems in Hawai'i. The idea is that I guess in 2010, the Indian Healthcare Improvement Act received permanent funding. So this resolution would request for the same funding for the Native Hawaiian Healthcare Improvement Act. The language of these resolutions mirror a resolution passed by the Hawaiian Civic Clubs; so we're recommending SUPPORT on this measure.

Item #12, HCR68; again there are four measures that are identical - this would encourage the Department of Public Safety to expand work furlough programs for women prisoners. Work furlough is one of the State's most successful reentry programs and shown to be effective at rehabilitation and reducing recidivism. So consistent with our Native Hawaiian Task Force recommendations, we're suggesting that we SUPPORT this measure.

Item #15, HCR85; this would create a task force to study the effective incarceration policies, including designs for new prison and jail facilities. We were asked to Support this by the Native Hawaiian Legal Corporation who as you know are representing na pa'ahao (prisoners) located outside of Hawai'i for rights related to religious practices. So the members of this task force, if this should pass, would be members of the: Judiciary, Legislators, Attorneys, Community Members and former Pa'ahao. We are recommending that we SUPPORT this measure as well.

Item #22, HCR127; this would request that the LRB do a study on decriminalizing drug possession. It would basically look into whether or not that would improve public safety, and save the State money. National data has shown that substance abuse treatment is more effective than incarceration for reducing drug dependency and for safety issues. So this would do a study on whether or not that would work in Hawai'i. We are recommending SUPPORT.

Item #42, SCR96; this would create the Ali'i Memorial Art Advisory Task Force. This issue is very well known to our trustees. Lili'uokalani's statue faces away from the palace which has concerned some members of our community for a few years now. So this task force would include the Comptroller of the State, DLNR, Hawai'i Foundation on Culture and Arts, OHA, a member of the Senate, a member of the House, members from the Queen Lili'uokalani Trust (QLT), the Royal Order of Kamehameha, heirs of Queen Lili'u and John Owens Dominis, Washington Place Foundation, 'Ahahui o Hawai'i, Lili'u Civic Club, Prince Kūhiō Civic Club, Pearl Harbor Civic Club, Friends of 'Iolani and Mauna 'Ala. The task force would be looking at whether or not the placement currently is appropriate and will be commissioning permanent works of art of other former monarchs. We are recommending COMMENT and our comments would reiterate what we've said in the past about making sure there's appropriate consultation with our community given the length of time that the statue has been there.

Trustee Apo: I believe it's the law to make sure that the artist says it's ok to move the statue.

Senior Public Policy Advocate Doane: Yes, we would defer to the task force to make sure it complies with the laws.

Item #55, SCR163; this measure would commemorate Robert Wilcox. It would recognize the life and contributions of Wilcox to Hawaiian heritage; as well as the continuing efforts for reconciliation for the overthrow and efforts towards self-determination. As you may know Robert Wilcox helped establish the National Reform Party and also developed a newspaper which advocated for good government policies that protected Native Hawaiians and the kingdom from commercial interests. He's really well known for the Wilcox Rebellion which was the only known armed rebellion to restore the Queen to the throne after the overthrow. He was convicted of treason under the Republic of Hawai'i and later commuted after the Queen was also forgiven for her treason against the Republic. We recommend SUPPORT on this resolution.

Item #94, GM625; we are wanting to SUPPORT Charles Mitchell for the O'ahu Island Burial Council. We did not suggest anyone for the Wai'anae Moku vacancy. Charles Mitchell has been a steward for his 'ohana's iwi for quite some time. He has extensive experience with community consultation. Mr. Mitchell has helped to prepare a cultural impact assessment, burial treatment plans, archaeological surveys and has assisted with NAGPRA repatriations in the past. He also has a B.A. in Anthropology

and a Master's degree in Indigenous Knowledge. Therefore, given that there's a vacancy for the Wai'anae seat, we think it would be really good for them to fill it with somebody that has these qualifications, so we're recommending him.

Moving on to our one **BILL POSITION FOR RECONSIDERATION**; Item #95, HB2617; Relating to Land Use Commission – as you may recall, the Land Use Commission (LUC) bills that had the enforcement tools which would allow LUC to fine or undo District Boundary amendments if a petitioner or landowner fails to comply with conditions and/or mitigate impacts to the environment or Native Hawaiian traditional and customary practices; that language was added to this measure. So consistent with the Board's position, we're recommending that we change our position from ~~Comment~~ to **SUPPORT**.

Item #96, SB2083; this is the smoking in the car with a minor measure. We had originally recommended that we Support this bill because of the data that we have about smoking amongst Native Hawaiians. However, there have been concerns raised that this would help target drivers to pull them over which could result in increased arrests and fines for Native Hawaiians. So we would like to change our position from ~~Support~~ to **MONITOR**.

Moving on to **OHA IMPACTED BILLS**:

The next measure is Item #208, HB2200; Relating to Native Hawaiian Resources - this is the KIRC Public Land Trust bill. We've reached out to our legal counsel who helped us and reiterated some of the concerns that our in-house counsel had expressed about constitutionality of the language in this measure. This bill has been deferred, which is great. It is one less bill we **OPPOSE** on the matrix that will not move on.

Item #250, HB2750; this is the Native Hawaiian Housing Task Force bill that would've placed the task force within OHA. It looks like this bill is not getting a hearing.

Item #377, SCR68 is the Galbraith bill. It has a hearing on Monday and we are working with our Land division on this one. Our Land Director will be there in case there are any questions.

Senior Public Policy Advocate Doane: We'll go over a few bills that we have identified as **SIGNIFICANT** for the trustees. There are two DOT bills, Item #221 and 222, HB2407 and HB2408; these are the bills that would allow the Department of Transportation to issue revocable permits and issue their direct leases for up to 75 years without BLNR approval. Of course we have concerns about these because that's how we find out about them and that's our opportunity to raise concerns. It looks like these bills are going to die, even though we stated that at the last BAE meeting. They got resurrected at the last minute, but if the bills do not get re-referred, it looks like they will not meet their deadline this week.

Item #227, HB2501; Relating to Water Rights is one of the East Maui Irrigation (EMI) bills. As you know, this bill would allow HC&S (Hawai'i Cane and Sugar) to continue to hold revocable permits. We did have a hearing on Monday and the bill passed with amendments. It looks like the amendments would allow for holdover permits to be continued for a maximum of three years if the revocable permit holder has applied for a lease, to be reviewed annually, the bill would sunset in three years, and an appropriation was added for DLNR.

Obviously we continue to have concerns. Our people have been waiting for fourteen years in this last iteration of the 100 plus year fight with A&B to get water. So we continue to OPPOSE the bill. The new version is better than the original version, but we're going to continue to advocate for the bill not to be heard in WAM.

Item #316, SB2802; right now the law requires hunters to get permission from landowners if they're going on the owner's land to hunt. So the bill would require them to get written permission instead of just informal permission.

Senior Public Policy Advocate Doane: Those are all the bills that we wanted to highlight for the Trustees this week.

Chair Waihe'e: Thank you Jocelyn.

Trustee Ahuna moves to approve Administration's recommendations on NEW BILLS (Items 1 – 94) and BILL POSITIONS FOR RECONSIDERATION (Items 95 – 96), along with the following revisions:

CHANGE both:

- Item 177, HB1932 from ~~Monitor~~ to **SUPPORT**; and
- Item 209, HB2205 from ~~Comment~~ to **MONITOR**;

on the OHA Legislative Positioning Matrix dated March 23, 2016, as amended.

Trustee Hulu Lindsey seconds the motion.

ITEM #	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			New Bills		
1	HB1700	RELATING TO THE STATE BUDGET.	To adjust and request appropriations for Fiscal Biennium 2015--17 funding requirements for operations and capital improvement projects of Executive Branch agencies and programs.	MONITOR	
2	HB2558	RELATING TO THE ENVIRONMENT.	Requires state agencies to participate in a carbon offset program to offset carbon emissions caused by their employees' air travel. Requires DLNR to establish and administer a carbon offset program. (HB2558 HD1)	COMMENT	
3	SB307	RELATING TO HEALTH.	Establishes licensure requirement for durable medical equipment suppliers through an annual inspection by the Office of Health Care Assurance. Appropriates funds to administer the Durable Medical Equipment Supplier Licensing and Patient Protection Program. Exempts licensing provisions from sunrise review. (SB307 HD2)	MONITOR	
4	SB1374	RELATING TO LAND EXCHANGE.	Requires the Department of Agriculture to negotiate and, as appropriate, facilitate land exchanges with Dole Food Company, Inc. Requires a report to the Legislature. (SB1374 HD1)	COMMENT	

5	SB2051	RELATING TO HEALTH.	Establishes the John A. Burns school of medicine scholarship program, which covers the cost of tuition and fees for a full course of study at the University of Hawaii John A. Burns school of medicine in exchange for a service commitment of five years in the State upon the completion of residency. Appropriates funds.	MONITOR	
6	SB3077	RELATING TO STATEWIDE COMMUNITY PLANNING.	Establishes the Hawaii Interagency Council for Transit-oriented Development within DBEDT to coordinated effective and efficient transit-oriented development planning on a statewide level. Appropriates moneys. Effective 7/1/2076. (SD1)	COMMENT	
7	HCR29		URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH.	MONITOR	
8	HCR33		URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH.	MONITOR	
9	HCR64		REQUESTING THE REVISION OF FEDERAL REGULATIONS SO THAT HOUSING SUBSIDIES THROUGH THE SECTION 8 RENTAL ASSISTANCE AND HOMEOWNERSHIP PROGRAM PAID DIRECTLY TO AN APPLICANT OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ARE EXCLUDED FROM THE CALCULATION OF HOUSEHOLD INCOME TO DETERMINE ELIGIBILITY FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.	MONITOR	
10	HCR65		REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF CERTIFIED PROFESSIONAL MIDWIVES.	MONITOR	
11	HCR67		REQUESTING THE UNITED STATES CONGRESS TO AMEND THE UNITED STATES CODE TO ENSURE THAT THE PROGRAMS AND SERVICES OF THE NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT ACT RECEIVE PERMANENT FUNDING.	SUPPORT	
12	HCR68		ENCOURAGING THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE AND EXPAND ITS COMMUNITY-BASED WORK FURLOUGH PROGRAMS TO ASSIST FORMERLY INCARCERATED FEMALE INMATES TRANSITION BACK INTO SOCIETY.	SUPPORT	
13	HCR69		REQUESTING THE CONVENING OF A PAID FAMILY LEAVE TASK FORCE TO EXAMINE THE BENEFITS AND COSTS OF A POTENTIAL PAID FAMILY LEAVE PROGRAM IN HAWAII.	SUPPORT	
14	HCR77		REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON WHETHER A STATE LUXURY TAX WOULD BE BENEFICIAL TO HELP WITH ISSUES SUCH AS AFFORDABLE HOUSING, HOMELESSNESS, AND EDUCATION COSTS.	MONITOR	
15	HCR85		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY EFFECTIVE INCARCERATION POLICIES TO IMPROVE HAWAII'S CORRECTIONAL SYSTEM.	SUPPORT	
16	HCR100		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MANAGE WILDLIFE TO SUSTAIN GAME POPULATIONS, PROVIDE GREATER PUBLIC ACCESS TO LAND FOR HUNTING, AND IMPROVE MANAGEMENT TO SUPPORT HUNTING.	MONITOR	

17	HCR102		REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE FEASIBILITY OF REQUIRING PUBLIC UTILITIES TO CHARGE LOWER UTILITY RATES TO LOWER-INCOME CONSUMERS.	MONITOR	
18	HCR110		REQUESTING THE DEPARTMENTS OF HUMAN SERVICES, TAXATION, HEALTH, AND LABOR AND INDUSTRIAL RELATIONS TO CONDUCT VARIOUS INITIATIVES TO ADDRESS HOMELESSNESS.	MONITOR	
19	HCR119		REQUESTING THE TAX REVIEW COMMISSION TO ANALYZE GENERAL EXCISE TAX PYRAMIDING AS APPLIED TO TRANSIENT ACCOMMODATIONS.	MONITOR	
20	HCR125		REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO DOCUMENT VIOLATIONS OF ITS PROHIBITION ON SMOKING IN AND AROUND PUBLIC HOUSING.	MONITOR	
21	HCR126		URGING THE PUBLIC UTILITIES COMMISSION TO OPEN A DOCKET TO CONSIDER THE APPROPRIATENESS OF AMENDING THE REGULATORY STRUCTURE APPLICABLE TO ELECTRIC UTILITIES IN LIGHT OF ONGOING DEVELOPMENTS IN THE DEPLOYMENT OF RENEWABLE ENERGY.	MONITOR	
22	HCR127		REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY AND ADVISABILITY OF DECRIMINALIZING THE ILLEGAL POSSESSION OF DRUGS FOR PERSONAL USE IN HAWAII.	SUPPORT	
23	HCR145		URGING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A TASK FORCE TO ENCOURAGE COMMUNICATION AND ADDRESS CONCERNS OF FOSTER PARENTS.	MONITOR	
24	HCR146		REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE EQUIPMENT NECESSARY FOR A FULL-SERVICE CONVENTIONAL KITCHEN AT KEAUKAHA ELEMENTARY SCHOOL AND TO PROVIDE NECESSARY POSITIONS TO OPERATE THE KITCHEN.	MONITOR	
25	HCR178		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE PUEO HABITAT AREAS ON THE EWA PLAINS AND CONDUCT AN EXTENSIVE PUEO HABITAT INVENTORY.	MONITOR	
26	HCR187		URGING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL TO ADOPT THE ENVIRONMENTAL JUSTICE GUIDANCE DOCUMENT AS AGENCY POLICY FOR USE IN THE STATE ENVIRONMENTAL REVIEW PROCESS.	SUPPORT	
27	HCR189		URGING THE STATE AND COUNTY DEPARTMENTS OF TRANSPORTATION TO ADD HAWAIIAN DIACRITICAL MARKS WHERE APPROPRIATE TO ALL STREET SIGNS AND PLACE NAME SIGNS ALONG HIGHWAYS AND ROADWAYS UPON THE REPLACEMENT OF SUCH SIGNS.	SUPPORT	
28	HCR190		REQUESTING THE DEPARTMENT OF EDUCATION'S OFFICE OF HAWAIIAN EDUCATION TO CONDUCT A STUDY ON HOW TO PROVIDE ACCESS TO INSTRUCTION IN THE HAWAIIAN LANGUAGE IN ALL PUBLIC SCHOOLS STATEWIDE.	MONITOR	
29	HCR200		REQUESTING THE REENTRY COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING THE REENTRY ACADEMY FOR TRAINING AND ENTREPRENEURIAL RESOURCES (RAFTER) TRAINING AND MENTORING PROGRAM FOR INMATES.	MONITOR	
30	HCR202		REQUESTING THE DEPARTMENT OF HEALTH TO MONITOR PESTICIDE DRIFT.	MONITOR	
31	HCR203		REQUESTING THE DEPARTMENT OF AGRICULTURE TO PROMOTE THE EXPANSION OF AGRICULTURAL COMMERCE.	MONITOR	

32	HCR204		ENCOURAGING KAMEHAMEHA SCHOOLS TO CONSIDER THE PRACTICE OF LAND EXCHANGES TO FACILITATE THE DEVELOPMENT OF HAWAIIAN HOMESTEADS IN LOCATIONS THAT BETTER SERVE THE HAWAIIAN PEOPLE.	MONITOR	
33	SCR22		URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH.	MONITOR	
34	SCR36		URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH.	MONITOR	
35	SCR37		ENCOURAGING THE HAWAII TOURISM AUTHORITY AND STATE HISTORIC PRESERVATION DIVISION TO WORK WITH COMMUNITY ORGANIZATIONS TO ASSIST IN THE ESTABLISHMENT OF HISTORICAL MARKERS AND TRAILS.	MONITOR	
36	SCR70		REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE A STATUS UPDATE ON THE IMPLEMENTATION OF HAWAII'S NEW VOTER REGISTRATION SYSTEM.	MONITOR	
37	SCR78		ENCOURAGING THE DEPARTMENT OF EDUCATION TO REVIEW FINLAND'S EDUCATION MODEL AND INCORPORATE MAJOR ATTRIBUTES OF THE MODEL INTO HAWAII'S EDUCATIONAL SYSTEM.	MONITOR	
38	SCR84		ENCOURAGING THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE AND EXPAND ITS COMMUNITY-BASED WORK FURLOUGH PROGRAMS TO ASSIST FORMERLY INCARCERATED FEMALE INMATES TRANSITION BACK INTO SOCIETY.	SUPPORT	
39	SCR87		REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO DOCUMENT VIOLATIONS OF ITS PROHIBITION ON SMOKING IN AND AROUND PUBLIC HOUSING.	MONITOR	
40	SCR89		REQUESTING THE UNITED STATES CONGRESS TO AMEND THE UNITED STATES CODE TO ENSURE THAT THE PROGRAMS AND SERVICES OF THE NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT ACT RECEIVE PERMANENT FUNDING.	SUPPORT	
41	SCR91		REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF CERTIFIED PROFESSIONAL MIDWIVES.	MONITOR	
42	SCR96		REQUESTING THE ESTABLISHMENT OF AN ALI'I MEMORIAL ART ADVISORY TASK FORCE.	COMMENT	
43	SCR108		REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON WHETHER A STATE LUXURY TAX WOULD BE BENEFICIAL TO HELP WITH ISSUES SUCH AS AFFORDABLE HOUSING, HOMELESSNESS, AND EDUCATION COSTS.	MONITOR	
44	SCR109		REQUESTING THE DEPARTMENTS OF HUMAN SERVICES, TAXATION, HEALTH, AND LABOR AND INDUSTRIAL RELATIONS TO CONDUCT VARIOUS INITIATIVES TO ADDRESS HOMELESSNESS.	MONITOR	
45	SCR112		REQUESTING ALL STATE AND COUNTY AGENCIES TO ADOPT PROCEDURES REQUIRING CONTRACTS THAT INCLUDE THE DISPOSAL OF LIQUID OR SOLID WASTE OR INERT FILL MATERIAL TO INCLUDE A RECEIPT FROM A RECEIVING FACILITY SHOWING THAT THE WASTE WAS PROPERLY RECEIVED AND LAWFULLY DISPOSED OF PRIOR TO MAKING PAYMENT TO THE CONTRACTOR.	MONITOR	

46	SCR117		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND EXPAND PUEO HABITAT AREAS THROUGHOUT THE STATE AND CONDUCT AN EXTENSIVE PUEO HABITAT INVENTORY.	MONITOR	
47	SCR126		REQUESTING THE JUDICIARY TO ESTABLISH AND COMMUNICATE POLICIES REGARDING AN EXEMPTION FROM JURY SERVICE AND ACCOMMODATIONS FOR BREASTFEEDING MOTHERS THAT ENGAGE IN JURY SERVICE.	SUPPORT	
48	SCR130		REQUESTING THE ESTABLISHMENT OF A BONA FIDE AGRICULTURAL PRODUCER TASK FORCE TO CREATE A DEFINITION FOR THE TERM "BONA FIDE AGRICULTURAL PRODUCER".	MONITOR	
49	SCR131		DESIGNATING THE MONTH OF OCTOBER OF EACH YEAR AS "FARM TO SCHOOL MONTH" IN HAWAII TO STRENGTHEN AND SUPPORT FARM TO SCHOOL INITIATIVES IN HAWAII'S SCHOOLS.	MONITOR	
50	SCR136		URGING THE PUBLIC UTILITIES COMMISSION TO ENHANCE INDEPENDENCE AND EFFECTIVENESS.	MONITOR	
51	SCR139		REQUESTING THE TAX REVIEW COMMISSION TO UPDATE THE STUDY OF THE DISTRIBUTION OF STATE AND LOCAL TAX BURDEN BY INCOME CLASS.	MONITOR	
52	SCR143		REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE EQUIPMENT NECESSARY FOR A FULL-SERVICE CONVENTIONAL KITCHEN AT KEAUKAHA ELEMENTARY SCHOOL AND TO PROVIDE NECESSARY POSITIONS TO OPERATE THE KITCHEN.	MONITOR	
53	SCR148		REQUESTING THE TAX REVIEW COMMISSION TO ANALYZE GENERAL EXCISE TAX PYRAMIDING AS APPLIED TO TRANSIENT ACCOMMODATIONS.	MONITOR	
54	SCR158		REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE THE LEGISLATURE WITH A COMPREHENSIVE REPORT ON PUBLIC SCHOOL FUNDING.	MONITOR	
55	SCR163		COMMEMORATING AND HONORING THE LIFE OF ROBERT WILLIAM KALANIHIPO WILCOX, AN ENDURING PATRIOT AND ADVOCATE FOR THE RIGHTS OF NATIVE HAWAIIANS, WHO SERVED AS HAWAII'S FIRST ELECTED REPRESENTATIVE TO THE UNITED STATES CONGRESS.	SUPPORT	
56	SCR165		REQUESTING THE OFFICE OF PLANNING IN CONSULTATION WITH THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL TO REVIEW ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR THE SUBDIVISION OF CERTAIN AGRICULTURAL LANDS.	MONITOR	
57	HR29		REQUESTING THE REVISION OF FEDERAL REGULATIONS SO THAT HOUSING SUBSIDIES THROUGH THE SECTION 8 RENTAL ASSISTANCE AND HOMEOWNERSHIP PROGRAM PAID DIRECTLY TO AN APPLICANT OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ARE EXCLUDED FROM THE CALCULATION OF HOUSEHOLD INCOME TO DETERMINE ELIGIBILITY FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.	MONITOR	
58	HR31		REQUESTING THE UNITED STATES CONGRESS TO AMEND THE UNITED STATES CODE TO ENSURE THAT THE PROGRAMS AND SERVICES OF THE NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT ACT RECEIVE PERMANENT FUNDING.	SUPPORT	
59	HR32		ENCOURAGING THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE AND EXPAND ITS COMMUNITY-BASED WORK FURLOUGH PROGRAMS TO ASSIST FORMERLY INCARCERATED FEMALE INMATES TRANSITION BACK INTO SOCIETY.	SUPPORT	

60	HR33		REQUESTING THE CONVENING OF A PAID FAMILY LEAVE TASK FORCE TO EXAMINE THE BENEFITS AND COSTS OF A POTENTIAL PAID FAMILY LEAVE PROGRAM IN HAWAII.	SUPPORT	
61	HR47		REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY EFFECTIVE INCARCERATION POLICIES TO IMPROVE HAWAII'S CORRECTIONAL SYSTEM.	SUPPORT	
62	HR52		REQUESTING THE TAX REVIEW COMMISSION TO CONDUCT A STUDY ON THE FEASIBILITY OF USING A PERCENTAGE OF A TAXPAYER'S FEDERAL INDIVIDUAL INCOME TAX TO CALCULATE THE TAXPAYER'S STATE INDIVIDUAL INCOME TAX, AND TO DETERMINE WHY THE CURRENT STATE INDIVIDUAL INCOME TAX APPEARS TO BE RELATIVELY REGRESSIVE, COMPARED TO THE FEDERAL INDIVIDUAL INCOME TAX, WITH REGARD TO TAXPAYING HOUSEHOLDS OF MEDIAN AND LOWER INCOMES IN HAWAII.	MONITOR	
63	HR57		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MANAGE WILDLIFE TO SUSTAIN GAME POPULATIONS, PROVIDE GREATER PUBLIC ACCESS TO LAND FOR HUNTING, AND IMPROVE MANAGEMENT TO SUPPORT HUNTING.	MONITOR	
64	HR59		REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE FEASIBILITY OF REQUIRING PUBLIC UTILITIES TO CHARGE LOWER UTILITY RATES TO LOWER-INCOME CONSUMERS.	MONITOR	
65	HR68		REQUESTING THE DEPARTMENTS OF HUMAN SERVICES, TAXATION, HEALTH, AND LABOR AND INDUSTRIAL RELATIONS TO CONDUCT VARIOUS INITIATIVES TO ADDRESS HOMELESSNESS.	MONITOR	
66	HR74		REQUESTING THE TAX REVIEW COMMISSION TO ANALYZE GENERAL EXCISE TAX PYRAMIDING AS APPLIED TO TRANSIENT ACCOMMODATIONS.	MONITOR	
67	HR79		REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO DOCUMENT VIOLATIONS OF ITS PROHIBITION ON SMOKING IN AND AROUND PUBLIC HOUSING.	MONITOR	
68	HR80		URGING THE PUBLIC UTILITIES COMMISSION TO OPEN A DOCKET TO CONSIDER THE APPROPRIATENESS OF AMENDING THE REGULATORY STRUCTURE APPLICABLE TO ELECTRIC UTILITIES IN LIGHT OF ONGOING DEVELOPMENTS IN THE DEPLOYMENT OF RENEWABLE ENERGY.	MONITOR	
69	HR96		URGING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A TASK FORCE TO ENCOURAGE COMMUNICATION AND ADDRESS CONCERNS OF FOSTER PARENTS.	MONITOR	
70	HR97		REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE EQUIPMENT NECESSARY FOR A FULL-SERVICE CONVENTIONAL KITCHEN AT KEAUKAHA ELEMENTARY SCHOOL AND TO PROVIDE NECESSARY POSITIONS TO OPERATE THE KITCHEN.	MONITOR	
71	HR116		REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE THE LEGISLATURE WITH A COMPREHENSIVE REPORT ON PUBLIC SCHOOL FUNDING.	MONITOR	
72	HR128		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE PUEO HABITAT AREAS ON THE EWA PLAINS AND CONDUCT AN EXTENSIVE PUEO HABITAT INVENTORY.	MONITOR	
73	HR134		URGING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL TO ADOPT THE ENVIRONMENTAL JUSTICE GUIDANCE DOCUMENT AS AGENCY POLICY FOR USE IN THE STATE ENVIRONMENTAL REVIEW PROCESS.	SUPPORT	

74	HR135		URGING THE STATE AND COUNTY DEPARTMENTS OF TRANSPORTATION TO ADD HAWAIIAN DIACRITICAL MARKS WHERE APPROPRIATE TO ALL STREET SIGNS AND PLACE NAME SIGNS ALONG HIGHWAYS AND ROADWAYS UPON THE REPLACEMENT OF SUCH SIGNS.	SUPPORT	
75	HR136		REQUESTING THE DEPARTMENT OF EDUCATION'S OFFICE OF HAWAIIAN EDUCATION TO CONDUCT A STUDY ON HOW TO PROVIDE ACCESS TO INSTRUCTION IN THE HAWAIIAN LANGUAGE IN ALL PUBLIC SCHOOLS STATEWIDE.	MONITOR	
76	HR146		REQUESTING THE REENTRY COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING THE REENTRY ACADEMY FOR TRAINING AND ENTREPRENEURIAL RESOURCES (RAFTER) TRAINING AND MENTORING PROGRAM FOR INMATES.	MONITOR	
77	HR148		REQUESTING THE DEPARTMENT OF HEALTH TO MONITOR PESTICIDE DRIFT.	MONITOR	
78	HR149		REQUESTING THE DEPARTMENT OF AGRICULTURE TO PROMOTE THE EXPANSION OF AGRICULTURAL COMMERCE.	MONITOR	
79	HR150		ENCOURAGING KAMEHAMEHA SCHOOLS TO CONSIDER THE PRACTICE OF LAND EXCHANGES TO FACILITATE THE DEVELOPMENT OF HAWAIIAN HOMESTEADS IN LOCATIONS THAT BETTER SERVE THE HAWAIIAN PEOPLE.	MONITOR	
80	SR17		ENCOURAGING THE HAWAII TOURISM AUTHORITY AND STATE HISTORIC PRESERVATION DIVISION TO WORK WITH COMMUNITY ORGANIZATIONS TO ASSIST IN THE ESTABLISHMENT OF HISTORICAL MARKERS AND TRAILS.	MONITOR	
81	SR74		REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON WHETHER A STATE LUXURY TAX WOULD BE BENEFICIAL TO HELP WITH ISSUES SUCH AS AFFORDABLE HOUSING, HOMELESSNESS, AND EDUCATION COSTS.	MONITOR	
82	SR75		REQUESTING THE DEPARTMENTS OF HUMAN SERVICES, TAXATION, HEALTH, AND LABOR AND INDUSTRIAL RELATIONS TO CONDUCT VARIOUS INITIATIVES TO ADDRESS HOMELESSNESS.	MONITOR	
83	SR78		REQUESTING ALL STATE AND COUNTY AGENCIES TO ADOPT PROCEDURES REQUIRING CONTRACTS THAT INCLUDE THE DISPOSAL OF LIQUID OR SOLID WASTE OR INERT FILL MATERIAL TO INCLUDE A RECEIPT FROM A RECEIVING FACILITY SHOWING THAT THE WASTE WAS PROPERLY RECEIVED AND LAWFULLY DISPOSED OF PRIOR TO MAKING PAYMENT TO THE CONTRACTOR.	MONITOR	
84	SR85		URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND EXPAND PUEO HABITAT AREAS THROUGHOUT THE STATE AND CONDUCT AN EXTENSIVE PUEO HABITAT INVENTORY.	MONITOR	
85	SR92		REQUESTING THE JUDICIARY TO ESTABLISH AND COMMUNICATE POLICIES REGARDING AN EXEMPTION FROM JURY SERVICE AND ACCOMMODATIONS FOR BREASTFEEDING MOTHERS THAT ENGAGE IN JURY SERVICE.	SUPPORT	
86	SR96		DESIGNATING THE MONTH OF OCTOBER OF EACH YEAR AS "FARM TO SCHOOL MONTH" IN HAWAII TO STRENGTHEN AND SUPPORT FARM TO SCHOOL INITIATIVES IN HAWAII'S SCHOOLS.	MONITOR	
87	SR101		URGING THE PUBLIC UTILITIES COMMISSION TO ENHANCE INDEPENDENCE AND EFFECTIVENESS.	MONITOR	

88	SR105		REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE EQUIPMENT NECESSARY FOR A FULL-SERVICE CONVENTIONAL KITCHEN AT KEAUKAHA ELEMENTARY SCHOOL AND TO PROVIDE NECESSARY POSITIONS TO OPERATE THE KITCHEN.	MONITOR	
89	SR110		REQUESTING THE TAX REVIEW COMMISSION TO ANALYZE GENERAL EXCISE TAX PYRAMIDING AS APPLIED TO TRANSIENT ACCOMMODATIONS.	MONITOR	
90	SR120		REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE THE LEGISLATURE WITH A COMPREHENSIVE REPORT ON PUBLIC SCHOOL FUNDING.	MONITOR	
91	SR124		COMMEMORATING AND HONORING THE LIFE OF ROBERT WILLIAM KALANIHIAPO WILCOX, AN ENDURING PATRIOT AND ADVOCATE FOR THE RIGHTS OF NATIVE HAWAIIANS, WHO SERVED AS HAWAII'S FIRST ELECTED REPRESENTATIVE TO THE UNITED STATES CONGRESS.	SUPPORT	
92	SR126		REQUESTING THE OFFICE OF PLANNING IN CONSULTATION WITH THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL TO REVIEW ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR THE SUBDIVISION OF CERTAIN AGRICULTURAL LANDS.	MONITOR	
93	GM607		Submitting for consideration and confirmation to the Hawaiian Homes Commission, Gubernatorial Nominee, WREN WESCOATT, III, for a term to expire 06-30-2019.	MONITOR	
94	GM625		Submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, Gubernatorial Nominee, CHARLES MITCHELL, for a term to expire 06-30-2019.	SUPPORT	
ITEM #	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			Bill Positions for Reconsideration		
95	HB2617	RELATING TO LAND USE.	Requires the counties to petition LUC to reclassify lands. Requires LUC to conduct the five year regional boundary change review. (HB2617 HD1)	COMMENT > SUPPORT	
96	SB2083		Prohibits smoking in a motor vehicle in which a minor is present. Requires the Department of Health to report on the enforceability of the prohibition and coordination of data collection efforts of the respective law enforcement agencies. (SB2083 HD1)	SUPPORT > MONITOR	

ITEM #	BILL #	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			2016 Legislative Session (All positions previously approved)		
177	HB1932	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.	Ensures the legislature fulfills its responsibility under article XII, section 1, of the state constitution by appropriating sufficient general funds for reimbursement of administration and operating expenses of the department of Hawaiian home lands for fiscal year 2016. (HB1932 HD2)	MONITOR	Monitor > SUPPORT
209	HB2205	RELATING TO CHARTER SCHOOLS.	Establishes requirements for public charter school board meetings. Exempts public charter school commission from certain public meeting requirements. Authorizes charter schools to assess fees and charges for co-curricular activities. (HB2205 HD1)	COMMENT	Comment > MONITOR

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

Chair Waihe'e calls for a Roll Call Vote.

						2:38 p.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA			X			
DAN AHUNA	1		X			
ROWENA AKANA						EXCUSED
VICE-CHAIR PETER APO			X			
HAUNANI APOLIONA			X			
CARMEN HULU LINDSEY		2	X			
ROBERT LINDSEY						EXCUSED
COLETTE MACHADO						EXCUSED
CHAIR JOHN WAIHE'E			X			
TOTAL VOTE COUNT			6	0	0	3

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION CARRIES**.

Trustee Apoliona: Thank you Jobie for coming and to Jocelyn and Sterling for hanging in there.

V. UNFINISHED BUSINESS

A. 2016 OHA Legislative Package Updates – Matrix 2**

Public Policy Manager Wong: HCR 188 which is the House version of our PLT Resolution was heard this morning at 10:00 a.m. Trustee Ahuna came with Kawika Riley and Chief of Staff Harold Nedd. It moved out, but Budget and Finance is raising some questions about our report and some of the revenue streams. So Representative Lowen had asked about some of their questions. Our response was basically that we hadn't had a specific conversation with them yet, but those are the types of specifications that will happen with the negotiating group. Deputy AG Charlene Aina testified in Support and then had a bunch of concerns. The committee moved it out with Support and amended it with some technical amendments.

SCR162 has a hearing next Monday at 1:15 p.m. We did have a meeting with the Senate Majority Leader and the Hawaiian Affairs Chair; so it looks good.

Trustee Hulu Lindsey: I want to thank Sterling for coming to our KIRC meeting yesterday and clarifying OHA's position on the amount of money the PLT was trying to tap for KIRC; the commissioners were very appreciative.

VI. BENEFICIARY COMMENTS*

None

VII. ANNOUNCEMENTS

None

VIII. ADJOURNMENT

Trustee Ahuna moves to adjourn the BAE meeting.

Trustee Apoliona seconds the motion.

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

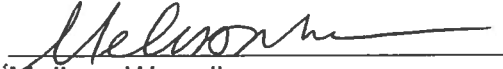
Chair Waihe'e asks if any members vote NO or ABSTAIN. There are no dissenting votes.

							2:43 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA	1		X			
ROWENA	AKANA						EXCUSED
VICE-CHAIR PETER	APO			X			
HAUNANI	APOLIONA		2	X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY						EXCUSED
COLETTE	MACHADO						EXCUSED
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				6	0	0	3

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

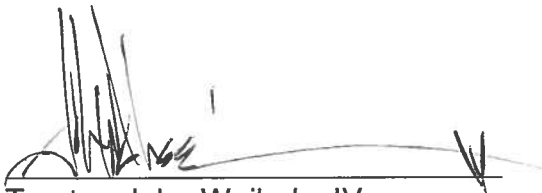
Chair Waihe'e adjourns the BAE meeting at 2:43 p.m.

Respectfully submitted,



Melissa Wennihan
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on May 4, 2016.



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

ATTACHMENT(s):

- Notice of Excused Absence (3)