



Senator
J. KALANI ENGLISH

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MESSAGE FROM KALANI

After a long Session, my colleagues and I look forward to the Legislature's interim when there are more opportunities for us to focus on the community, the people and consider beneficial legislation for the next session. I congratulate all the 2014 High School graduates. Graduating from High School is a momentous achievement and you should be proud of your hard work, dedication and choices made to reach this point in your life. My aloha and best wishes to you on all of your future endeavors.

In this issue, we visit the 22nd Annual East Maui Taro Festival in Hāna, we take a look at the end of Session Legislation highlights, my bills that have passed out of the Legislature and welcome the new ferry terminal at Kaunakakai Harbor. As always, my office remains open during the interim, ready to assist you.

J. Kalani English

SENATOR J.KALANI ENGLISH

HAWAI'I STATE SENATE 7TH DISTRICT

HĀNA, EAST AND UPCOUNTRY MAUI,
MOLOKA'I, LĀNA'I AND KAHO'OLAWÉ



EAST MAUI TARO FESTIVAL

Sen. English and staff members Edith Kimball, Sharon Lum Ho and Cissy Rees attended the 22 Annual East Maui Taro Festival on Saturday, May 3rd at the Hāna Ballpark. They along with visitors who came from all parts of Maui, Hawai'i and the world, despite a massive landslide that closed parts of Hāna Highway the night before, thoroughly enjoyed the great food and festivities.

The 2 day festival featured: a farmer's market with fresh locally grown taro, flowers and various produce; poi pounding; arts and crafts; food booths that included taro burgers and other taro delights; and live music. On Sunday, taro pancakes were served for breakfast at Hāna Bay and visitors were offered tours to the National Tropical Botanical Garden, Hale O Pi'ilani Heiau and Kapahu Living Farm for a Lo'i excursion.

The festival promotes and perpetuates traditional Hawaiian culture and practices focusing on taro, Kalo in Hawaiian. Kalo is one of the oldest cultivated crops in Hawai'i. Hawaiians depended upon it for their sustenance and survival. The significance of kalo is memorialized in oral tradition and tells of 2 children born to Wākea and Ho'ohokukalani. The first, named Hāloa was stillborn and buried in the earth from where the kalo grew. The second was a boy also named Hāloa who became the ancestor of many Hawaiian people. Today, the ohana continues to grow with the planting and harvesting of kalo, pounding of poi and its consumption.

The Taro Festival is special because it symbolizes a connection to the earth and links us forever in time to our ancestors and to those we aloha," said Sen. English. "For over twenty years, the festival has been successful because our entire Hāna community worked hard, came together for the common good and shared our unique community with our neighbors and the world." To learn more about kalo go to: <http://www.tarofestival.org/links.html>



Top: The Capitol Staff, Sharon, Aunty Libby and Cissy join Sen. English to celebrate the 22nd Annual East Maui Taro Festival Above: Aunty Tweety Lind (Kipahulu 'Ohana) with Sen. English. May 3, 2013.

2014 LEGISLATIVE SESSION IN REVIEW

The Hawai'i State Senate adjourned the 2014 session passing more than 240 bills that align with its initial priorities to make Hawai'i a better place for everyone now and in the future through initiatives supporting Hawai'i's keiki, kupuna, workers and the environment.

Overall, many of the notable bills this session focused on prevention and maintaining core services and projects. Lawmakers funded initiatives that address imminent problems (as part of the joint majority package) such as the rise in kupuna population, spread of invasive species, and effects of climate control. Lawmakers also remained committed to providing continued support for the people most in need, including Hawai'i's keiki, kupuna and workers who earn the lowest wages.

End of Session Highlights:

Minimum Wage Increase

SB2609: Increases minimum wage rate to \$7.75 per hour beginning on 1/1/15, \$8.50 per hour beginning on 1/1/16, \$9.25 per hour beginning on 1/1/17, and \$10.10 per hour beginning on 1/1/18. Increases the tip credit to 50 cents per hour beginning on 1/1/15, and 75 cents per hour beginning on 1/1/16; provided that beginning 1/1/15, the combined amount the employee receives in wages and tips is at least \$7 more than the applicable minimum wage.

TAT for Counties

HB1671: Increases the current cap on transient accommodations tax (TAT) revenues to be distributed to the counties for two fiscal years. Establishes a working group to determine future county allocation ceiling amounts and the appropriate division of the provision of public services between the State and counties.

Joint Majority Package

Supporting Hawai'i's Kūpuna

HB1713 and SB2346 supports Hawai'i's kūpuna through funding of aging, long-term care and investor education programs.

Protecting the Environment

HB1714: Establishes an interagency sea level rise vulnerability and adaptation committee under the State Department of Land and Natural Resources.

HB1716: Appropriates \$5 million to the Hawai'i Invasive Species Council for invasive species prevention, control, outreach, research, and planning, which was passed out of committee earlier this month.

Voter Registration

HB2590: Allows voter registration at absentee polling places beginning in 2016 and late

voter registration, including on Election Day, beginning in 2018. Appropriates \$100,000.

Other Notable Bills:

GOVERNMENT REFORM

Lobbyist Disclosure

SB2629: Requires lobbyists and specified individuals to report to the Hawai'i State Ethics Commission, within 30 days of adjournment sine die of a special session of the Legislature, on contributions and expenditures made to lobby on legislative matters considered during that special session.

SB2634: Requires individuals who spend more than \$750 on lobbying during a statement period to itemize each expenditure in certain categories, as applicable.

Financial Disclosure

SB2682: Fifteen boards and commissions will be required to file public financial disclosure statements.

Sunshine Exemption for Counties

HB2139: Authorizes a limited meeting where any number of county council members may attend a board's or community group's meeting to discuss council business, provided that certain requirements are met.

Police Misconduct

SB2591: Police departments will have to disclose more information about police misconduct. They will need to report to the Legislature how many officers were suspended or fired in a given year, and whether the disciplinary action resulted in criminal charges or was subject to a union appeal.

PUBLIC SAFETY

Nonviolent Offender Reentry Pilot Project

HB2363: Establishes and funds a reentry pilot project for nonviolent, low-risk drug offenders.

Statute of Limitations on Sex Abuse Cases

SB2687: Extends the period during which a victim of child sexual abuse may bring an otherwise time-barred civil action against the victim's abuser or an entity.

HB2034: Removes the statute of limitations for criminal actions arising from sexual assault in the first and second degrees and continuous sexual assault of a minor under the age of fourteen years.

Habitual property crimes

HB2205: Imposes a mandatory minimum term of one year imprisonment upon conviction for the offense of habitual property crime. Authorizes probation only for a first conviction of the offense of habitual property crime.

Prostitution

HB1926: Amends the offense of prostitution to include sadomasochistic abuse under the definition of "sexual conduct" and clarify

that a law enforcement officer shall not be exempt from the offense while acting in the course and scope of duties. Amends the offense of solicitation of a minor for prostitution. Clarifies sentencing of repeat offenders and enhanced sentences for repeat violent and sexual offenders. Amends the applicability of a deferred acceptance of guilty or nolo contendere plea.

Human Trafficking

HB2038: Establishes the Human Trafficking Victim Services Fund to provide support and services to human trafficking victims. Also establishes human trafficking victim fees to be imposed upon persons convicted of labor trafficking and prostitution offenses.

Internet Crimes Against Children

HB702: Establishes an Internet Crimes Against Children Fee for each felony or misdemeanor conviction. Establishes an Internet Crimes Against Children Special Fund.

HEALTH

Tanning

HB 611: Prohibits tanning facilities from allowing the use of tanning beds by anyone under 18 and imposes fines for violations.

Hawai'i Health Connector Oversight

SB2470: Establishes the Hawai'i health connector as the State of Hawai'i's Health Insurance Exchange.

West Maui Hospital

HB2213: Authorizes the issuance of special purpose revenue bonds to assist West Maui Hospital and Medical Center Foundation, Inc. in establishing a hospital in west Maui

Cost-Effective Healthcare

HB1752: Appropriates \$1.5 mil. out of general revenues for fiscal year 2014-2015 to restore basic adult dental benefits to medicaid enrollees.

HAWAIIAN AFFAIRS

Geothermal on Hawaiian Home Lands

SB2953: Provides that all royalties from geothermal resources on Dept. of Hawaiian Homelands (DHHL) lands shall be paid to DHHL.

HIGHER EDUCATION

UH Hilo Astronomy Center

SB3093: Appropriates \$200,000 to the University of Hawai'i at Hilo to support the RISE 21st Century After School Program.

EDUCATION

Charter Schools

HB1745: Authorizes the State Public Charter School Commission to assess fees on non-state entities and individuals to help offset its operating costs. Establishes pre-opening procedures and requirements for charter applicants. Clarifies that appropriations for the State Public Charter School Commission are

2014 LEGISLATIVE SESSION IN REVIEW CONTINUED

separate and in addition to appropriations for charter schools. Makes other amendments to Hawai'i's charter school law for clarity and consistency. Requires a report on the Commission's staffing and operational expenditures.

Restraint and Seclusion

HB1796: Prohibits the use of seclusion in public schools; establishes conditions and procedures for the use of restraint in public schools; and requires collection and review of data.

Superintendents Salary

HB2257: Adjusts the salary cap of the Superintendent from \$150,000 to no more than \$250,000. Requires an annual evaluation of the Superintendent.

Hawai'i 3R's

HB2598: Authorizes the transfer moneys received in the form of grants and donations for school-level improvements and minor repairs and maintenance to the Hawai'i 3R's School Improvement Fund.

Mandatory Kindergarten

SB2768: Makes kindergarten mandatory for children who will be at least five years of age on July 31 of the school year.

ENERGY AND ENVIRONMENT

Utilities Regulation

SB2809: Aligns statutory language regarding utility ratemaking with widely accepted utility ratemaking principles and practices already applied in Hawai'i by allowing utilities in the State the opportunity to earn a fair

return on utility property that is used.

Environmental Courts

SB632: Establishes environmental courts as divisions of the circuit courts and district courts to hear proceedings. Convenes a working group to report to the Legislature the number of environmental-related cases filed in the last five years and recommendations for implementing environmental courts in the State.

Energy Systems Development

SB2196: Re-establishes the energy systems development special fund and extends the repeal of various allocations of the environmental response, energy, and food security tax from 2015 to 2030.

Public Utilities Commission (PUC)

SB2948: Transfers the administrative placement of the PUC from the Department of Budget and Finance to the Department of Commerce and Consumer Affairs. Clarifies the PUC's authority concerning standard administrative practices. Enables the chair of the PUC to appoint, employ, and dismiss an executive officer, fiscal officer, and personnel officer.

Grid Modernization

HB1943: Establishes principles to address modernization of Hawai'i's electrical system.

VETERANS

General Excise Tax

HB1772: Exempts from the general excise tax amounts received by a contractor of the Patient-Centered Community Care Program for costs or advances to third party health

care providers.

Veterans Cemetery

HB1564: Requires counties to obtain approval from the Office of Veterans' Services before any action that may impact the establishment and maintenance of veterans cemeteries.

Driver's License

HB1770: Requires notation of veteran status on State driver's licenses and identification cards if desired by the applicant.

Gold Star Family Day

HB2071: Designates the last Sunday in September as "Gold Star Family Day".

LAND

HI Comm. Development Authority (HCDA) Reform

HB1866: Amends requirements for notice, hearing, approval, and vesting of rights for development permits. Amends HCDA membership and appointment. Permits sale of reserved housing units. Permits cash-in-lieu payments for reserved housing requirements. Establishes legislative oversight of HCDA bond authority. Prohibits HCDA acquisition of public land by set aside. Creates height limit for Kakaako.



STATUS OF MEASURES INTRODUCED BY SEN. ENGLISH

The following bills and resolutions were passed by both the Senate and the House. SB2726 was signed into law as ACT 071; the remaining 3 bills have been enrolled to the Governor and are awaiting his action. June 23rd is the deadline for the Gov. to inform the Legislature of his intent to veto a bill. The remaining two concurrent resolutions have been adopted.

SB 2726, SD2, HD1 ACT 071, 4/30/14 Allows all-terrain vehicles (ATV) and utility-terrain vehicles (UTV) used as farm equipment or within the scope of official city, county, or state business to be driven on a street if certain conditions are met. Defines ATV and UTV. Specifies a fine of \$250 for each violation. Provides that ATVs and UTVs used as farm equipment or in the course of official city, county, or state business shall not be regulated as motor vehicles.

SB 2729, SD2, HD1

Amends the law prohibiting the operation of a motor vehicle while using a mobile electronic device by adding an exemption for completely stopped drivers, amending the definition of "operate", amending the penalties for violations with a flat fine of not less than \$250, except in a school zone or construction area the fine is \$400 and deeming a violation to be a traffic infraction.

SB 2731, SD2, HD2

Establishes a car-sharing vehicle surcharge tax of 25 cents per half-hour, or any portion of a half-hour, that a rental motor vehicle is rented or leased by a car-sharing organization and other provisions.

SB 2742, SD1, HD1

Establishes the Pacific-Asia institute for resilience and sustainability to provide the struc-

ture and opportunity for a new generation of leaders to emerge who possess the ability to address Hawai'i and the Pacific-Asia region's risks from natural and man-made hazards and to develop solutions for sustainable economic growth within the region's unique physical and cultural diversity.

SCR 12

AUTHORIZING THE ISSUANCE OF A LEASE AND EASEMENT OF CERTAIN SUBMERGED LANDS AT MANELE BAY, LĀNA'I, TO LĀNA'I RESORTS, LLC.

SCR 69, SD1

ENDORING AND SUPPORTING THE ALOHA+ CHALLENGE.

**J. KALANI ENGLISH
HAWAII STATE SENATE
7TH DISTRICT**

COMMITTEES

**Chair, Senate Committee
on Transportation and
International Affairs**

**Member, Senate
Committee on Agriculture**

**Member, Senate Committee on
Economic Development, Govern-
ment Operations and Housing**

**Member, Senate Committee on
Ways and Means**



**Hawai'i State Legislature
Bill Status and Documents**

<http://www.capitol.hawaii.gov/>

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KAUNAKAKAI FERRY TERMINAL IMPROVEMENTS

Sen. English, the State Department of Transportation and the Department of Land and Natural Resources were pleased to announce the completion of the Kaunakakai Harbor Ferry Terminal Improvements Project on the island of Moloka'i on May 20, 2014.

Passengers using the ferry from Kaunakakai Harbor, Moloka'i, to Lahaina Harbor, Maui, now have an upgraded and modernized facility with an expanded passenger waiting area, upgraded restroom facilities, and a larger parking lot that allows for better traffic flow.

"An active waterfront is a sign of economic activity and improving the harbor also preserves our ability to serve our citizen's transportation needs," said Sen. English, "My colleagues and I understand how important it is to invest in our harbors, airports, highways and roads. We will continue to identify and appropriate funding for key transportation infrastructure projects such as this one that will improve the quality of life for everyone."

Improvements include a new and reliable fire protection system as well as an upgraded sewage system that replaces the need for the former septic tank. To promote safety and efficient operations between ferry passenger operations and the commercial barge operations, a portion of the commercial harbor pier has been rehabilitated to allow for extra space between operations.

The \$9.7 million project was funded with 80 percent Federal Transit Administration funds and 20 percent state funds. This project is part of the state's investment in improving Hawai'i's infrastructure for all residents and visitors.

HANA HIGHWAY IMPROVEMENTS

Sen. English issued the following statement on the release of \$820,000 in funding for improvements to Hana Highway:

"We are fortunate that no one was injured in May 2nd's mudslide on Hana Highway. It is imperative that we start work immediately to prevent these disasters now that the Governor has released the funds. My colleagues and I secured funding for rockfall mitigation to prevent disasters such as the mudslide. Half a million will go towards removing unstable rocks and boulders, installing retaining mesh and anchors, and cutting and vegetating slopes.

Additionally, the Hana Highway Bridge Preservation Plan will receive \$320,000 to determine the disposition of existing bridges along the highway. As a historic highway, the existing infrastructure is aging and requires maintenance to ensure that the bridges are both safe and maintains the original character of the historic highway.

These safety enhancements will go a long way in preventing disasters and improving the flow of traffic for our residents who depend on these roads to go to work, school, and spend time with family and friends."



Sen English with teachers and students from Pukalani Elementary School on Maui touring the State Capitol Gallery. May 1, 2014.