



IN THIS ISSUE

- ▶ Message From Kalani pg 1
- ▶ Hawai'i Enacts Truth In Music Advertising Act As Part Of The State's First Virtual Bill Signing Event pg 1
- ▶ Governor Announces New Leadership Team To Oversee State's Covid-19 Response and Pre-Travel Testing Program pg 2
- ▶ Maui County Launches New Online Atlas For Shoreline Access pg 2
- ▶ Governor Releases Final Veto List pg 3
- ▶ 2021 Lāna'i Axis Deer Hunting Season Cancelled pg 3
- ▶ Kamehameui Forest Acquired For Conservation pg 4

MESSAGE FROM KALANI

The launch of pre-travel testing on October 15 is a key step in rebooting our economy; yet we should not expect to return to a sense of normalcy anytime soon. Face masks, social distancing and virtual meeting have become the new norm and it will play an important role in our continual efforts to curb the spread of COVID-19 in our communities.

I remain committed to serving the needs of our district during these challenging times and I know that by working together, we will see this through.

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



HAWAI'I ENACTS TRUTH IN MUSIC ADVERTISING ACT AS PART OF THE STATE'S FIRST VIRTUAL BILL SIGNING EVENT

As part of the first virtual bill signing event in Hawai'i, the Governor signed HB1678 - Truth in Music Advertising Act into law on September 10. The bill is designed to help protect the livelihood of legacy musical groups and artists by preventing "imposter" performers from improperly using the legacy act's name.

For decades, imposters have been performing under the name and likeness of legacy recording groups despite having no connection or legal rights to the original band or artists.

HB 1678 prohibits advertising or conducting a live musical performance or production through the use of a false, deceptive or misleading affiliation, connection, or association between a performing group and a recording group. In addition, it authorizes the State Attorney General and parties with a claim to take civil action.

Rafael Fernandez, Senior Vice President of State Public Policy and Industry Relations for the Recording Industry Association of America (RIAA) applauds the legislative

leadership in Hawai'i for passing this important measure.

"The music industry is grateful for the hard work of Senate President Ron Kouchi, Senate Majority Leader J. Kalani English and Hawai'i House Speaker Scott Saiki in passing this critical measure," said Fernandez. "HB1678 will protect the legacies of the greatest musicians in Hawai'i, while protecting the state's consumers from paying to see fraudulent groups."

Sen. English, a major champion of the bill, believes that HB1678 will also help to strengthen the musical heritage in Hawai'i.

"This bill will make a meaningful difference to so many of our state's musical performers and to our economy's entertainment sector," noted Sen. English. "The key strength of this bill is its simple premise: Don't take something that is not yours and don't pretend to be something you're not. Imposter performers violate both of these simple rules. This measure will put a stop to this destructive activity and strengthen musical heritage in Hawai'i."

GOVERNOR ANNOUNCES NEW LEADERSHIP TEAM TO OVERSEE STATE'S COVID-19 RESPONSE AND PRE-TRAVEL TESTING PROGRAM

The Governor recently announced a new leadership team that will oversee the state's public health response to COVID-19 and the pre-travel testing program for COVID-19, which will start October 15.

Pre-travel testing enables travelers to avoid a mandatory 14-day quarantine if they are tested no earlier than 72 hours before their flight arrives with an FDA-approved nucleic acid amplification test (NAAT), performed using a nasal swab, and can show proof of negative test results from a CLIA certified laboratory. Travelers also will have their temperatures checked upon arrival and must fill out a travel and health form upon arrival in Hawai'i, passengers unable to provide proof of an approved negative test will be required to go into quarantine for 14 days or until they can provide proof of negative test results.

The new leadership team is as follows;

Maj. Gen. Ken Hara, director, Hawai'i Emergency Management Agency, continues his role as incident commander, spearheading the collaboration between federal, state and county resources to address the pandemic response.

Dr. Libby Char, director, State Department of Health, is responsible for the management of the state's public health programs and collaboration between state, county, and private healthcare partners.

Lt. Gov. Josh Green will spearhead the pre-travel testing program, which includes adding partners to administer the tests and sourcing new testing options and is also responsible for planning the state's COVID-19 vaccination strategy.

Dr. Virginia Pressler, former director of the State Department of Health, has volunteered to lead the Laulima Alliance, a cross functional team of public and private sector resources, ensuring that all have a voice in policy making and implementation of programs responding to the pandemic.



Maui County Launches New Online Atlas For Shoreline Access



Exploring and enjoying Maui County's beaches and shoreline areas has just been made easier. The County has recently launched a new website with a map viewer to provide an online atlas of over 200 public access locations and their features.

The viewer can be queried to find locations or features of interest, such as sites that are within 15 miles or nearer, or sites that have a sandy beach, or a site's amenities such as restrooms. When a site is selected, all of its amenities can be viewed. For most sites, the viewer also features

360-degree photos of both the access point and the shoreline area, along with a depiction of the access path.

The website also includes links to supporting information, including weather, surf reports, water quality, public access rights, and Aha Moku land management and stewardship principles.

"The county did an outstanding job in creating a platform that will allow both residents and potential visitors to view our beaches and shoreline areas from the comfort of their own home," stated Sen. English. "These types of tools are extremely valuable to our communities, especially during this time when we aren't able to visit many of our favorite sites."

Visit the website at www.mauishorelineaccess.net. When searching in a web browser entering "Maui County Shoreline Access Viewer" should also provide that website as the top result. The website and viewer are compatible with computers, smartphones and other devices.

GOVERNOR RELEASES FINAL VETO LIST

Gov. Ige has notified House and Senate leaders of his final veto list, which includes five of the six measures that were on the Intent to Veto list submitted to lawmakers on Aug. 31.

HB-1523 Relating to the Department of Education Budget: This measure provides funding to the Department of Education utilizing Coronavirus Aid, Relief, and Economic Security Act funding to purchase devices for schools with student populations of fifty per cent or greater or reduced price lunch for the period from July 1 to December 30, 2020.

Rationale: This bill is being vetoed because it is not necessary. The Department of Education has already received funds to accomplish this purpose through the governor's discretionary funding without limitation on the schools that are eligible.

HB-1846 Relating to Energy Efficiency: This bill mandates that all state facilities with an area of ten thousand square feet or more (not including Aloha Stadium) implement all cost-effective energy efficiency measures by January 1, 2024; that the State Energy Office be tasked with collecting all utility bill and energy usage data for state-owned facilities monthly and making such information available in a publicly accessible format; and that beginning July 1, 2020, if feasible and cost-effective, designs for all new state building construction must maximize energy and water efficiency, energy generation potential, and use of building materials that reduce the project's carbon footprint.

Rationale: This bill creates an unnecessary risk of litigation. The state is already in the process of implementing the energy efficiency changes that the bill addresses. There are 23 projects valued at approximately \$39M committed to energy efficiency anticipated in 2021. The State of Hawai'i, through a multi-agency effort is working towards the acquisition of a more energy efficient vehicle fleet. In addition, the state's public works projects continue to incorporate Leadership in Energy and Environmental Design (LEED) building elements in new and renovated public facilities. And finally, Energy Savings Performance contracts are being implemented at state facilities when feasible.

HB-2124 Relating to the Code of Ethics: This measure amends the State Ethics Code to prohibit the governor, lieutenant governor, and other high-level government officials from representing any person or business for a fee or other compensation regarding any legislative or administra-



tive action for 12 months after termination from respective position.

Rationale: This bill is being vetoed because most of the boards and commissions listed in this bill have members who serve voluntarily without compensation yet are treated as employees under state law. This bill would subject volunteers to additional restrictions imposed on board and commission members, and potentially impact their performance in their regular occupations. It would also make it significantly more challenging to attract and recruit the most qualified individuals for service on boards and commissions.

SB-2206 Relating to Homelessness: This bill authorizes the Board of Land and Natural Resources to issue revocable month-to-month temporary permits for the emergency sheltering of homeless persons on state lands. The permits would be effective up until ninety days after the emergency relief period specified in the governor's final Supplementary Proclamation relating to the COVID-19 emergency.

Rationale: As written, this bill may expose the state to liability. There are also concerns regarding extra costs in the event of a default where the Department of Land and Natural Resources could incur significant personnel costs for eviction enforcement, as well as expenses for removal of abandoned structures and any remediation required to address the unauthorized land uses.

SB-2523 Relating to Public Safety: This requires the Department of Public Safety to expend certain appropriated funds during fiscal year 2020-2021 for the community-based work furlough program for female inmates.

Rationale: This bill is being vetoed because payments for the furlough program are made periodically throughout the fiscal year rather than in an up-front, lump-sum payment. The requirements of this bill, therefore, would prohibit all other expenditures from PSD's fiscal year 2020-2021 appropriation because it is impossible to expend the entire \$450,045 on the work-furlough program until the end of the fiscal year. In addition, PSD would be unable to pay the administrative costs to implement the furlough program itself, which is the purpose of this bill. It is also unnecessary because the governor has issued an administrative directive to the Department of Public Safety to continue work furlough programs for eligible women inmates.

2021 LĀNA'I AXIS DEER HUNTING SEASON CANCELLED



The Dept. of Land and Natural Resources (DLNR) Division of Forestry and Wildlife (DOFAW) recently announced the cancellation of the 2021 Lāna'i Axis Deer season due to the ongoing COVID-19 pandemic.

DOFAW has determined that cancellation of the hunt is in the best interest of public safety. DOFAW is planning to implement a combination Mouflon Sheep/Axis Deer season in the summer or fall of 2021, pending the status of the COVID-19 pandemic.

Information and updates on the Mouflon Sheep/Axis Deer combination hunt will be posted on the DOFAW webpage in the spring of 2021. Hunters seeking further information may contact the Maui Branch of DOFAW at (808) 984-8100.

J. KALANI ENGLISH
Senate Majority Leader

COMMITTEES

Vice Chair, Senate Committee
on Technology

Member, Senate Committee
on Transportation

Member, Senate Committee
on Ways & Means



Hawai'i State Legislature
Bill Status and Documents
www.capitol.hawaii.gov/

HOW TO REACH US

Hawai'i State Capitol, Room 205
415 South Beretania Street
Honolulu, HI 96813
ph 808-587-7225
fax 808-587-7230

From Maui, toll free 984-2400 + 77225
From Moloka'i and Lāna'i,
toll free 1-800-468-4644 + 77225
e-mail: senenglish@capitol.hawaii.gov

To receive this newsletter by
e-mail, please send your request to:
j.aki@capitol.hawaii.gov

Join us on Facebook
facebook.com/HawaiiSenateMajority

Vol.20 • Issue 13 • pg.4 • Oct. 1, 2020

KAMEHAMENUI FOREST ACQUIRED FOR CONSERVATION



A recent land acquisition protects the Kula water aquifer, habitat for endangered species, and community-based forest restoration opportunities. These lands are now protected in perpetuity thanks to federal, state, and non-profit partners.

The Trust for Public Land (TPL) purchased 3,433 acres of upland Kula property from the Shizuka Asakawa Revocable Trust in July 2020 and conveyed the property to the DLNR Division of Forestry and Wildlife (DOFAW) on August 31, 2020. The acquisition will provide substantial community benefits. As the property has just been acquired, it is not yet open to public use.

Over the coming year, DOFAW will add the property to the Forest Reserve System and will initiate consultation with the community to develop a management plan for the area. This plan will address native forest restoration and tree planting for self-sustaining forestry operations, and endangered species recovery. The area is home to endangered Hawaiian petrels, and the restored forest is expected to improve habitat for numerous native plants and insects. Reforestation efforts will also help recharge the Makawao aquifer, securing clean drinking water for people for generations to come.

In the future, the property is intended to provide new recreational opportunities for Maui residents and visitors with hiking trails, places to picnic, and places to grow and gather forest products.

Federal funding from the U.S. Forest Service Forest Legacy Program and the U.S. Fish and Wildlife Service, both funded as part of the Land and Water Conservation Fund (LWCF), provided most of the funds needed. In the recently enacted Great American Outdoors Act, Congress provided permanent full and dedicated funding for the LWCF, which will support similar projects in Hawai'i in the future. State funding secured through legislative appropriation is providing the matching funds needed to complete the project.

"Our Maui delegation worked very hard to secure state funding to help with the purchase of the 3,433-acre Kamehamenui property in upper Kula," remarked Sen. English. "This area is beloved by many and we want to make sure that it is protected for future generations."

Sources of funding for the \$9,830,000 purchase: State funding procured through legislative appropriation – \$4,000,000; U.S.D.A. Forest Service Forest Legacy Program – \$3,830,000; and U.S. Fish and Wildlife Service Habitat Conservation Plan Acquisition Program – \$2,000,000.