

HAWAII STATE LEGISLATURE

MARCH 2016

Senator Maile S. L. Shimabukuro ~ Hawaii State Senate District 21
Wai'anae Coast ❖ Ko Olina ❖ Honokai Hale ❖ Kalaeloa

LEEWARD COAST AT THE CAPITOL

Duane DeSoto

inducted into the Waterman Hall of Fame

On March 24, 2016, the Hawaii State Senate congratulated the 4 newest individuals inducted into the Waterman Hall of Fame. I had the honor of introducing Duane DeSoto, who was born and raised in Makaha.

At age 37, Duane is the youngest inductee to the Waterman Hall of Fame. Duane is the founder and CEO of Na Kama Kai, a nonprofit organization he founded in 2008 with his wife, Dr. Malia Ka'aihue, who is the Traditional Knowledge Advisor of the organization.

Duane's desire is to enable Hawai'i's most disadvantaged children to learn about all aspects of the ocean — from its importance to their ancestors, to safety, surfing, paddling and how to correctly rig a canoe.

Na Kama Kai teaches over 100 children a month - all free of charge - and all programs have been carefully designed by Duane himself to bring together ocean culture and lifestyle through innovative programs in a safe learning environment.

Duane is winner of the 2010 ASP Pro Longboarding World Title and his knowledge of the ocean was tapped for the Mālama Honua voyage of the Hokule'a in 2012. Further, on the 100th anniversary celebration of Duke Kahanamoku's visit and surfing at Freshwater Bay in Australia, Duane was chosen for the role of Duke in the re-creation of the event. His efforts in the re-enactment of Duke's boardriding skills were acclaimed to be exceptional.



Sen. Shimabukuro on the Senate Chamber Floor with Duane DeSoto, who was accompanied by his children and wife Dr. Malia Ka'aihue.

L-R: **Sen. Shimabukuro**, Makanalani, Duane, Honua, Laura, and Malia.



Campbell High Students Push to Ban Smoking in Automobiles When a Minor is Present

I enjoyed meeting with Campbell High School students, who are supporting SB 2083, which bans smoking in automobiles when a minor is present.

L-R: Cory Chun (American Cancer Society); Campbell High School students CJ Danielson, Robert Johnson, Josiah Villaro, Joshua Villanueva, and **Sen. Shimabukuro**.

SENATOR SHIMABUKURO'S 2016 LEGISLATIVE PRIORITIES

Aloha!

Listed below are some of the bill proposals I have either introduced or support. I will also continue to support Capital Improvement Project (CIP) requests for schools, our health center, roads and other areas. Please check future neighborhood board reports and 21maile.com for updates and additions to this list throughout the legislative session.

TRANSPORTATION

Contraflow lane from Piliokahi Avenue to Helelua Street.

Extend Waianae Coast Emergency Access Road (WCEAR), from Helelua Street to Piliokahi Avenue.

Study regarding how best to utilize \$233m in potential federal funding to widen Farrington Hwy from Kalaeloa to Hakimo Road.

SB3072: Authorizes the governor to establish the Hawaii Airport Authority within the Department of Transportation. Sets out appointment of members to the board of directors and powers and duties of the Hawaii Airport Authority. Transfers the aeronautics functions of DOT to the Hawaii Airport Authority. Appropriates funds for a radar facility and a concrete pad for radar installation at Kalaeloa Airport.

SB2618: Requires the department of transportation to conduct a feasibility study of establishing an interisland ferry system. Makes an appropriation for the study.

EDUCATION

HB2569/SB3126: Air Conditioning for DOE schools, including Waianae Coast schools.

SB2782: Creates an incentive program for current educational assistants in hard-to-fill schools to attain teacher licensure if they commit to teaching for three years in a hard-to-fill school. Appropriates funds for the program and alternate teacher route contracts.

Grant-in-Aid applicant: Project to establish Na Kama Kai Waianae Ocean Recreation/Education Center.

Grant-in-Aid applicant: Hawaii Arts Alliance – Turnaround Arts Initiative. Hawaii Arts Alliance was selected to administer Turnaround Arts at three Oahu schools, 2 of which are on the Waianae Coast (Waianae Elementary and Kamaile Academy).

Grant-in-Aid applicant: Hawaii Literacy Project office in Waianae

SB2231: Establishes the R.E.A.C.H (resources for enrichment, athletics, culture, and health) program in the office of youth services to provide a standardized framework and funding for after-school programs in public middle and intermediate schools. Authorizes participating schools to collect fees.

SB2232: Creates and appropriates funds for the Erin's Law Task Force to guide the establishment of a program to educate public school students on sexual abuse prevention through use of age appropriate curricula, provide relevant training to school teachers and staff, and inform parents about important child sexual abuse topics. Sets out guidelines of instruction.

PUBLIC SAFETY & MILITARY AFFAIRS

SB2512/HB2245: Increases penalties and establishes a fine for animal desertion.

SB2309/HB1907: Establishes the sexual assault kit tracking program. Requires a law enforcement agency to submit sexual assault kits obtained in connection to a criminal investigation to an authorized laboratory within 10 days, the laboratory to complete analysis within 6 months, and results to be uploaded to the state DNA database and data bank identification program and the Federal Bureau of Investigation Combined DNA Index System. Requires each law enforcement agency that obtains a sexual assault kit in connection to a criminal investigation to report to the department of the attorney general annually on the number of sexual assault kits in its possession.

SB2246: Repeals section 291E-68, Hawaii Revised Statutes, regarding refusing to submit to a breath, blood, or urine test for those arrested for the use of intoxicants while operating a vehicle. Makes conforming amendments to section 291E-15, Hawaii Revised Statutes.

HB2490: Exempts certain disabled veterans from county motor vehicle taxes and the state annual vehicle registration fee.

HOUSING

Grant-in-Aid applicant: Corvette Center Ministries dba Zion Ipuka. Goal is to open a transitional center in Waianae and provide the homeless with a variety of services in order to serve as a bridge for them to transition back into the community.

HB2326: Makes numerous amendments to Hawaii's mortgage rescue fraud prevention act, chapter 480E, Hawaii Revised Statutes, for consistency with the federal Mortgage Assistance Relief Services Rule.

SB2343: Prohibits any county and the Hawaii public housing authority from disqualifying a legal nonconforming unit which meets health and safety standards from the Section 8 rental assistance program.

HB2647: Establishes a three-year Work for a Day Pilot Program to be administered by the City and County of Honolulu that provides homeless individuals with work opportunities.

SENATOR SHIMABUKURO'S 2016 LEGISLATIVE PRIORITIES

HAWAIIAN AFFAIRS

HB1932: Nelson lawsuit bill, which ensures the legislature fulfills its responsibility under article XII, section 1, of the state constitution by appropriating sufficient general funds for the administration and operating expenses of the department of Hawaiian home lands for fiscal year 2016-2017.

SCR96/SR64: Requesting the establishment of an ali'i memorial art advisory task force.

SB2162/HB2180: Appropriates funds to establish long-term Hawaiian language resources for the judiciary.

HB2179: Appropriates funds for the administration and operation of the aha moku advisory committee and for community outreach.

JUDICIARY

HB2121: Appropriates moneys from the general fund for civil legal services for low- and moderate-income persons to be purchased by the Judiciary.

SB779: Raises the district courts' jurisdictional limit for civil actions involving specific performance.

SB 2315: Exempts from jury duty mothers who breastfeed or express breast milk; provided that this exemption shall end when a mother is no longer breastfeeding or expressing breast milk.

SB2310: Prohibits the court from granting mutual protective orders unless separate petitions are filed.

HB2671: Criminal Justice Data; requires chiefs of police and agencies of State and county government that have the power of arrest to report crime incident reports to the Attorney General. Counties and state agencies shall be fined for noncompliance.

AGRICULTURE

Grant-in-Aid Applicant: Hoa Aina o Makaha - Enabling the transition of Hoa Aina o Makaha farm to a resource center and partnership model.

SB2659: Establishes an industrial hemp pilot program to allow the cultivation of industrial hemp and distribution of its seed in Hawaii through limited activities by licensee-agents of the board of agriculture for purposes of agricultural or academic research. Appropriates funds for department of agriculture staff to assist in the pilot program.

SB382: Establishes within the Livestock Revitalization Program a grant program for qualified feed developers. Appropriates funds for the grant program, reimbursements to qualified producers for feed cost, and a survey of local feed ingredient sources. Appropriates funds for the Future Farmers of America program.

SB320: Permits composting in agricultural districts if a special use permit is obtained for composting materials from off-site. Restricts composting on lands in agricultural district with soil classified by the Land Study Bureau's detailed land classification as overall (master) productivity rating class A or B to on-site uses using the lesser of one acre or ten per cent of the land.

LABOR

SB2346: Expands the types of investment personnel that may be appointed by the ERS. Requires ERS to make direct payments to a spouse of a system member or retirant pursuant to a qualified domestic relations order.

HB1370: Provides statutory authority for the employees' retirement system to make direct payment to a former spouse of a member of benefits or portion thereof pursuant to valid court judgment, order, or decree.

HB2161: Appropriates funds for the hiring of six hearing officer positions and support staff within the department of labor and industrial relations' disability compensation division and to provide the officers and staff with legal and medical training.

HB 2247: Requires the State and counties to pay the approved travel costs of their officers and employees directly to vendors or by cash advance to the officer or employee, unless otherwise provided in a collective bargaining agreement.

HB2017: Allows physicians to submit workers' compensation treatment plans to employers by certified mail or facsimile. Allows physicians to submit workers' compensation treatment plans to employers by certified mail, facsimile, secure web portal, or secure electronic mail. Specifies requirements for receipt and acceptance of treatment plans.

WATER AND LAND

SB 2163: Allows notice of a water pollution and solid waste pollution violation to be given via a posting on a searchable government website or posting on the property when attempts to serve the notice in person and by mail have been unsuccessful.

SB2245: Amends the definition of "water pollutant" as used in chapter 342D, HRS, to exclude locally sourced beach sand that meets certain conditions.

HB2020: Appropriates general funds for the department of land and natural resources to conduct and contract for studies to identify the causes of decline in limu and reef fish along the Ewa coast.

SENATOR SHIMABUKURO'S 2016 LEGISLATIVE PRIORITIES

HUMAN SERVICES

Grant-in-Aid applicant: Legal Aid Society of Hawaii. Civil legal services for low-income residents throughout the state of Hawaii.

Grant-in-Aid applicant: Waianae Coast Community Foundation - Toys for Tots and after-school programs.

SCR60/SR32: 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 (SNAP) are excluded from the calculation of household income to determine eligibility for SNAP.

SB2395: Requires the State's medicaid managed care and fee-for-service programs to cover services provided through telehealth. Specifies that any telehealth services provided shall be consistent with all federal and state privacy, security, and confidentiality laws. Specifies medical professional liability insurance policy requirements with regard to telehealth coverage. Clarifies that reimbursement for services provided through telehealth shall be equivalent to reimbursement for the same services provided via face-to-face contact between a health care provider and a patient. Requires written disclosure of coverages and benefits associated with telehealth services. Requires that telehealth encompasses store and forward technologies, remote monitoring, live consultation, and mobile health. Ensures telehealth is covered when originating in a patient's home and other non-medical environments. Clarifies requirements for physicians and out-of-state physicians to establish a physician-patient relationship via telehealth. Requires that reimbursement requirements for telehealth services apply to all health benefits plans under chapter 87A, Hawaii Revised Statutes.

HEALTH

Grant-in-Aid applicant: Waianae Coast Comprehensive Health Center Dental Services Expansion.

Grant-in-Aid applicant: Life Foundation Kua'ana Project - public education on AIDS and a wide array of services for transgender people throughout the islands.

Grant-in-Aid applicant: Poi Dogs and Popoki - mobile spay/neuter clinic to provide routine veterinary care for cats and dogs in underserved, at risk and rural communities, and especially to families in greatest need including low income, homeless, unemployed, disabled, and seniors on fixed incomes.

HB1772: Appropriates funds to the department of human services to restore basic adult dental benefits to medicaid and QUEST integration enrollees.

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.

HB2740: Establishes preauthorization standards for all health insurers in the State. Requires preauthorization requests for medical treatment or service to be consistent with known, published, and current evidence-based appropriate-use criteria or guidelines for the appropriate specialty or subspecialty for which the preauthorization is requested. Specifies requirements for insurers that require preauthorization. Specifies that preauthorization is not required for delivery of emergency medical services. Requires decisions on preauthorization requests to be made in accordance with nationally-accepted evidence-based appropriate-use criteria or guidelines and made publicly available to health care providers within a health insurer's network. Requires complaints regarding preauthorization to be filed with the insurance commissioner and inquiries associated with preauthorization denial or undue delay disputes to be filed with the medical inquiry and conciliation panel. Specifies that an insurer is not prohibited from implementing preauthorization or otherwise meeting established requirements for preauthorization, as required under existing state or federal programs. Requires insurance commissioner to submit a report to the legislature.

ENVIRONMENT

SCR112/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.

SB2583: Mandates the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems.

SB512: Establishes the Hawaii One Plan Steering Committee. Appropriates funds to develop and operate the Hawaii One Plan to provide conservation plans online.

ECONOMIC DEVELOPMENT

Grant-in-Aid Applicant: Waianae Economic Development Council: Waianae Moku 2030; Planning and designing a multi-certified kitchen and training facility on the Waianae Coast.

Grant-in-Aid Applicant: Makana o ke Akua - Community discount store in Nanakuli; opportunities for vocational training and employment.

Leeward Community College-Waianae: purchase and renovation of the Tycom building in Maili to allow the college to expand.



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