



Senator Jill N. Tokuda

# 2011 LEGISLATIVE UPDATE

24th Senatorial District - Kaneohe, Kailua, Enchanted Lake

Dear Friends,

While the recent legislative session has once again posed us with increasingly difficult decisions, it has also provided us with opportunities to focus on much needed reforms that help our families and improve educational opportunities for all.

Compounded upon the over \$2 billion deficit we had previously overcome largely through significant cuts to government spending, the additional \$1.3 billion shortfall we faced this year presented us with the daunting challenge of balancing the budget while maintaining important core services.

By cutting spending by over \$800 million, eliminating various tax exemptions from select businesses, and reclaiming about \$400 million in lost revenue annually, we were able to provide for core services like education and health care without taxing pensions or raising the general excise tax.

In my new role as the Senate Education Committee Chair, overseeing policy and making budget recommendations from early childhood education to our university system, we were able to make great strides in the areas of accountability, focused on doing what is best for our students and school communities.

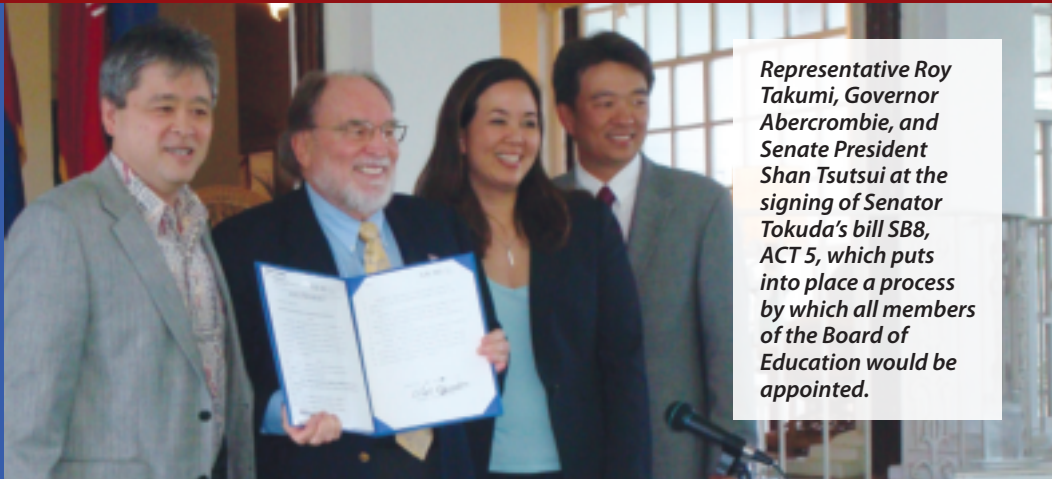
As many of the issues we deal with on both a committee and community level are ongoing, our office will be working hard through the interim on a number of projects.

From combating speeding and traffic congestion in our neighborhoods to looking for ways to sustain Families for REAL, which has served thousands of Windward families, the work we do is never done.

I am very fortunate to have a great team working with me to serve the people of our district.

If there is anything we can do to further assist you, please do not hesitate to contact us!

Mahalo!



Representative Roy Takumi, Governor Abercrombie, and Senate President Shan Tsutsui at the signing of Senator Tokuda's bill SB8, ACT 5, which puts into place a process by which all members of the Board of Education would be appointed.

## Community Priorities, Capital Improvements

# Over \$19 million for Senate District 24

Since 2007, Senator Tokuda has brought home over \$88 million in CIP funding for the 24th Senatorial District. During the 2011 Legislative Session, she fought to ensure that the following priority projects were funded so that our community's needs could be met:

### Education

<b>Castle High School</b> .....	<b>\$585,000</b>
<i>Plans, design and construction to replace the lighting and sound system in the Ronald Bright Auditorium</i>	
<b>Enchanted Lake Elementary</b> .....	<b>\$1,400,000</b>
<i>Campus wide electrical upgrades</i>	
<b>Kailua High School</b> .....	<b>\$2,500,000</b>
<i>Removal and replacement of athletic field bleachers and storage rooms</i>	
<b>Kalaheo High School</b> .....	<b>\$1,500,000</b>
<i>Plans, design, construction and equipment for improvements to the athletic field</i>	
<b>Kaneohe Elementary School</b> .....	<b>\$1,180,000</b>
<i>ADA transition plan and ground and site improvements; design, construction and equipment for new portable classroom building</i>	
<b>Olomana School</b> .....	<b>\$88,000</b>
<i>Twelve-foot extension to physical education portable classroom</i>	
<b>Puohala Elementary School</b> .....	<b>\$250,000</b>
<i>Plans, design and construction for structural assessment to address the separation of walls in buildings on campus</i>	

### Community

<b>Kaneohe Public Library</b> .....	<b>\$20,000</b>
<i>Plans, design and construction of new ADA compliant circulation desk</i>	

### Healthcare

<b>Hawaii State Hospital</b> .....	<b>\$11,614,000</b>
<i>Design and construction for various repairs and maintenance</i>	

<b>TOTAL</b> .....	<b>\$19,137,000</b>
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## CONTACT SENATOR JILL TOKUDA

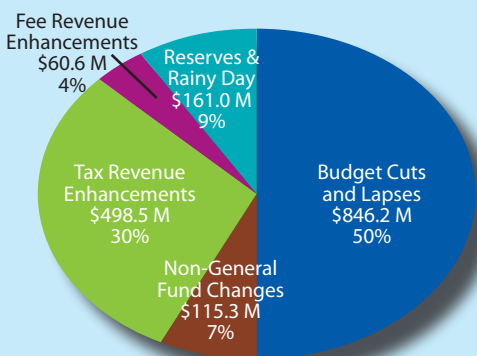
Majority Whip • Chair, Committee on Education • Member of Committee on Agriculture, Committee on Water Land and Housing, Committee on Ways and Means

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## BALANCING THE BUDGET

*This year the Legislature was faced with difficult decisions in balancing the State's budget. Confronted with a \$1.3 billion shortfall, the Senate worked diligently with the House without taxing pensions or raising the general excise tax to meet the needs of the people.*

### Fiscal Biennium 2011-2013 \$1.3 Billion Revenue Shortfall Solutions



Hawaii, like all other states, is in the midst of an economic recession. Thus the biggest task facing the Senate this year was coming up with a balanced budget that would enable essential government services to continue to operate, while minimizing the economic pain on taxpayers and residents.

The Governor ordered all state agencies to cut their budgets by ten percent for the coming year, but the Legislature is tasked with funding all State activities. After hundreds of hours of testimony in dozens of hearings, and hours of deliberation with the House, the Senate was able to pass out **HB200**. The new law includes a variety of revenue generating components, which include a temporary suspension of tax exemptions for nearly two dozen businesses, the repeal of a state income tax exemptions and a cap on itemized deductions for higher income taxpayers, and a delay in implementing an increase in personal exemptions and standard deductions for all taxpayers.

The Senate also signed off on adjusting rental car surcharges and moving some of the hotel room tax income from the counties to the State. All of these actions should generate hundreds of millions of dollars for the State.

## Education

**Senate Bill 8**, introduced by Senator Tokuda, was signed into law (**Act 5**) by the governor on March 14, 2011, gives the governor the authority to appoint nine members and select the chair of the Board of Education. On April 14, the inaugural nine was confirmed by the State Senate.

Charter Schools are an important component of our education system in Hawaii. Senator Tokuda introduced **Senate Bill 1174** in an effort to improve Charter Schools' governance, transparency, and accountability in order to meet their educational goals.

Students who are eligible for special education and related services need to be ensured that they receive quality education. This is achieved by requiring private special education providers who receive state funding to comply with federal and state laws, rules, and regulations. To ensure special needs students are provided with high quality education, the Department of Education (DOE) is authorized to monitor and access those schools who provide services to our special needs students and that these schools are accredited. (**SB 1503 & SB 1284**)

In order to ensure students are in a safe learning environment, **House Bill 688** creates a safe and conducive learning environment for all public school students requiring the Board of Education (BOE) to monitor the DOE for compliance with administrative rules or statutes governing bullying, cyberbullying and harassment.

While the State is committed to increasing instructional time for public school students, **House Bill 945** puts in place a partial delay of **ACT 167** in an effort to give the DOE more time comply. The measure requires the DOE to report on compliance and reexamine what constitutes instructional time especially in our secondary schools.

Authored by Senator Tokuda, **SB1383** creates a dedicated funding source for the Hawaii 3R's program by giving them the proceeds from the \$2 tax check off. This successful public-private partnership has helped to repair 186 schools and saved the State \$37.7 million since 2001.

## Health and Human Services

Under **Senate Bill 285**, health care would be more accessible to Quest and Medicaid members who live in rural areas through the telehealth pilot program. Vital services

would be provided to members with conditions through a mobile health van operated by a qualified provider.

The use of pseudoephedrine in the illegal manufacturing and sale of methamphetamine is growing. **Senate Bill 40** would establish an electronic tracking system for the sale of products containing pseudoephedrine or ephedrine base to further control access to the substance to hinder its illegal use.

Hawaii's Advance Practice Registered Nurses (APRN) are recognized to be educationally prepared to assume responsibility for the assessment, diagnosis and management of patient problems. **House Bill 484** would allow APRNs to practice within the full scope of their authorized practice, including practicing as a primary care provider. This measure authorizes APRNs with prescriptive authority to request, receive, and dispense samples of over the counter and non-controlled legend drugs. This would increase access to health care, especially in the rural areas.

## Consumer Protection

As a result of the economic crisis in our nation and our State, many families and individuals are facing foreclosure on their homes.

**Senate Bill 651** reforms the foreclosure process by addressing abuse in the system. It also provides relief to homeowners who have fallen into distress. This bill presents a thorough consideration of relevant issues distressed homeowners are facing.

Many times, the consumer is bound to a contract they may not want and is burdened with cancelling the contract after learning of an automatic renewal



*Senator Tokuda with Windward District Teacher of the Year, Deborah Yasuda of Kapunahala Elementary. Educators were honored at the Legislature as a part of the 8th Annual Legislative Education Week.*



Senator Tokuda, Senator Fukunaga, Castle High School Robotics Team and instructor John Yim show off their robot in a demonstration during Education Week at the Capitol.



In April, Senator Tokuda and the Castle Foundation hosted a community meeting for Kawainui Marsh. In this break out session, the group is discussing challenges that may arise as they move forward on updating the Master Plan and possible solutions to those problems.

clause that was not clear before the purchase of a product or service. To address this issue, **House Bill 663** would require clear and conspicuous disclosure of automatic renewal clauses and cancellation procedures of all consumer contracts.

### **Hawaiian Affairs**

The legislature moved forward an issue that has languished for years when they approved **Senate Bill 1520**, which recognizes the Native Hawaiian people as the only indigenous, aboriginal maoli people of Hawaii. This legislation seeks to serve as a settlement of any issues or claims impacting Native Hawaiian people under State, Federal or international law. It also authorizes the appointment of a Native Hawaiian Roll Commission, which will be funded and tasked to prepare and maintain a list of qualified Native Hawaiians.

### **Judiciary**

To further ensure the safety of children, **House Bill 44** makes it a misdemeanor offense for the solicitation of prostitution within 750 feet near schools or public parks. In recent years, there have been a number of news stories about people working on farms in Hawaii who were brought to this country illegally. In response to this wrongful action, the legislature this year took a proactive approach and passed

**House Bill 141** which created specific rules to protect and aid victims of human trafficking.

After much debate over several years, the legislature passed, **Senate Bill 232**,

establishing civil unions in Hawaii, thereby providing all couples with the rights and responsibilities as defined by law. The governor signed the bill into law (**Act 1**) on February 23, 2011.

Under this measure, **Senate Bill 217**, sex abuse victims would be able expand their ability to seek civil claims and compensation for damages as a result of their sexual abuse. It would also revive the statute of limitations for two years on certain actions that had previously lapsed.

### **Agriculture**

Hawaii's important ecosystems can be destroyed by the introduction of invasive species. Such destruction threatens our natural environment, harms our economy and our agricultural industry. **House Bill 1568**, would help protect Hawaii's natural environment from the threat of invasive species through the construction of biosecurity and inspection facilities at Hawaii's airports and harbors.

Food safety poses a serious threat to public health. The program established by **House Bill 667**, provides training, certification, support and assistance to the agricultural industry within the Department of Agriculture.

**House Bill 1230** would exempt the construction of low-risk nonresidential temporary or permanent structures used for agricultural or aquacultural operations from county building permit requirements under certain conditions. Low-risk buildings such as storage structures and greenhouses for growing plants are much

needed by farmers and ranchers.

The unused and improved farm and agricultural lands are often compromised by individuals encroaching or residing on such property. **House Bill 227** addresses the issue and makes it a crime for trespassers to enter unimproved land or unused agricultural lands. The owner of the agricultural land would also not be held liable for any injury, death, loss or damage suffered by trespassers.

The Senate also brought forward legislation this year, **Senate Bill 1555**, which will create a Public Land Development Corporation tasked with making optimal use of public property for the economic and social benefit of the public. Under this legislation, public lands that are suitable for development will be identified; a marketing analysis will be conducted to determine the best use of those lands; and the State may enter in public-private agreements to finance, improve or enhance the selected development opportunities.

### **Environment**

The installation of photovoltaic systems on existing homes can be hindered by design features. **Senate Bill 181** establishes a working group attached to the Department of Accounting and General Services to study the feasibility of requiring new single-family residential construction to provide accommodations for the addition of photovoltaic systems. This would encourage widespread adoption of photovoltaic systems in the future.

# District 24 Talk Story Town Hall Meeting

Hosted by Senator Jill Tokuda,  
Representative Ken Ito,  
Representative Pono Chong, and  
Representative Chris Lee

**Thursday, July 28, 2011**  
**Windward Community College,**  
**Hale Akoakoa 105**  
**7:00pm-8:30pm**

You're invited to hear from your  
area Legislators about the  
2011 session and to share your  
thoughts and concerns  
about our community.

For more information, please  
contact our office at 587-7215.



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## Envisioning Kawainui

In April, Senator Tokuda and the Harold K.L. Castle Foundation hosted their 4<sup>th</sup> community meeting on Kawainui Marsh. Building upon the successes of the meetings held in 2009 and 2010, the meeting provided members of the community and stakeholder groups an opportunity to talk with Dept. of Land and Natural Resources (DLNR) and Herbert, Hastert and Fee, who have been awarded the contract to update the 1994 Kawainui Marsh Master Plan and provide input to the process.

We have created a facebook page about Kawainui Marsh for events, activities and updates. If your group has an event that you'd like to promote or pictures that you'd be willing to share, please contact our office and we can post the information.

## High School Athletics

Recognizing the important role our athletic fields and facilities play in both our schools and the greater windward community, Senator Tokuda has worked hard to increase field space and improve infrastructure and equipment to keep our athletes safe.

### Castle High School

In February, Governor Abercrombie released **\$5 million** to begin the design and construction process of Castle's All Weather Track, including a new synthetic turf field, track and press box. Construction is scheduled to begin as soon as possible and be completed by May 2012, in time for graduation. Governor Abercrombie released **\$578,000** in April for additional track upgrades.

### Kailua High School

With safety a concern, Senator Tokuda worked with Representative Chong to bring home **\$2.5 million** for the removal and replacement of storage facilities and bleachers at Kailua High School's soccer and football field.

### Kalaheo High School

For 30 years, the Kalaheo High School community has been fighting for updates and improvements to be made to their "Field of Dreams". Continuing to advocate for funds, Senator Tokuda was able to get **\$1.5 million** for the plans, design, construction and equipment for improvements to Kalaheo's athletic field, which includes bleachers, field lights, and improvements to the field.



*Senator Tokuda being interviewed by Kalaheo student, Shauna Santos, for Hiki Nō's story about their "Field of Dreams".*

## STAR Program Continues to Showcase Student Artwork

Senator Tokuda's Art Review Program (STAR) continued for its 5th year in showcasing the artistic talents of students from Windward Oahu. This year over 280 pieces of art from more than 250 students was displayed at the State Capitol. Those students represent 10 schools, including: Aikahi Elem, Ben Parker Elem, Enchanted Lake Elem, Kaelepuu Elem, Kailua High, Kailua Inter, Kapunahala Elem, King Inter, Mokapu Elem and Olomana School.



*Senator Tokuda with King Intermediate artist, Jasmine*

Since its establishment in 2007, the STAR Program has showcased the art of over 1,000 Windward Oahu students.