

2021 END-OF-SESSION LEGISLATIVE UPDATE REPRESENTATIVE NICOLE LOWEN

Kailua-Kona • Holualoa • Honokohau • Kalaoa



Aloha Neighbors,

With the conclusion of the 2021 legislative session, I wanted to update you on key actions taken by the legislature this year, including bills passed and budget highlights.

This year, I continued in my position as the Chair of the committee on Energy and Environmental Protection, and was also appointed as a member to the Agriculture and Judiciary Committees.

I look forward to continuing to work for our community, and I count on your input and ideas to help me do this. Please don't hesitate to contact me any time with your questions, ideas, or comments. It is a privilege to serve you.

Mahalo nui loa,

Nicole

Rep. Nicole Lowen

Focus on Pandemic Response, Economic Recovery, and Sustainable Tourism

This past year has been unlike any other in recent history, and the 2021 legislative session reflected these unique challenges. We started session facing massive budget shortfalls, the highest unemployment rate in the nation, thousands of closed businesses, travel restrictions, and COVID vaccines still nowhere in sight. The passage of the American Rescue Plan Act (ARPA) helped the legislature to shore up the state budget and prevent layoffs and worker furloughs. Funds were restored to many critical safety-net services like childcare subsidies, kupuna services, education, and homeless outreach.

HB 1376 was passed to establish a **landlord-tenant mediation process** and avert what would have been a flood of evictions following the expiration of eviction moratoriums. \$5 million of ARPA funds were allocated to establish a **Green Jobs Corps** (HB 1176) to create jobs in conservation, agriculture and clean energy, and \$5 million for a **Broadband Infrastructure Grant Program** (HB 1191) to bring internet service to underserved and rural areas of the State. HB 1278 was passed to help businesses to stay afloat. This bill, signed into law as **Act 1** in March, delayed what would have been a 100% increase in employer UI contributions, which would have forced business to close.

Although the pandemic's impacts to tourism were economically devastating, it also gave residents an opportunity to enjoy uncrowded beaches, less traffic, and to experience a Hawaii with fewer tourists and more room for residents. As travel and tourism resume, many would like to see a **more sustainable, managed approach to tourism** rather than one that seeks to continually increase the number of visitor arrivals each year. Several measures passed by the legislature this year will ensure that visitors are contributing their fair share. HB 1276 will allow State Parks to employ **dynamic pricing** and to adjust fees seasonally. HB 1023 establishes a **non-resident recreational fishing permit**, and HB 1019 imposes an **ocean stewardship fee** of \$1 per customer of ocean recreation businesses. The revenues from these two bills will be used to fund marine resource conservation and reef restoration efforts.

In addition to the measures above, the Legislature passed bills to bolster Hawaii's resilience in other ways—including support for local agriculture, investments in critical infrastructure, funds for public schools and human services, and bold climate action.



Big Island Reps on Opening Day of the Legislature

CIP & Budget Highlights for House District 6

Honokohau Harbor: \$2.25M for electrical system and other improvements

West Hawaii Veterans Cemetery: \$4.91M for capacity expansion

Kahakai Elementary School: \$2.5M for ADA compliance projects

Kealakehe Intermediate School: \$1.2M for various improvements

Palamanui Forest Conservation: \$60,000 for fencing of endangered lowland dry forest

Hulihee Palace: \$800,000 for infrastructure and improvements

Ellison Onizuka Kona International Airport at Keahole: \$18M for terminal improvements

DOE improvements lump sum, statewide: \$152M

Youth Challenge Academy: funding restored

Lifeguards: funding partially restored for Kua Bay & Hapuna

Affordable housing financing, statewide: \$45M

Homeless services statewide: \$14.3M

Hawaiian Home Lands : \$50M for the development of infrastructure on HHL lots

Hawaii region Hawaii Health Systems Corporation: \$14.5M for improvements and renovations

Watershed protection and restoration, statewide: \$8M

Moving to a Greener Future

There was a strong focus on environmental legislation this year, including providing greater protections for Hawaii's reefs, reducing greenhouse gas emissions, waste management, and planning ahead for sea level rise.

Clean Transportation

Clean Transportation Goals for State Fleets (HB 552)

Establishes a clean ground transportation target for state fleet vehicles to be 100% zero-emissions by 2030 for passenger cars and by 2035 for other light-duty vehicles

Electric Vehicle Charging (HB 1142)

Uses the barrel tax to fund rebates for the installation of electric vehicle charging stations at workplaces, multi-unit dwellings, and publicly accessible commercial areas

Sea Level Rise

Critical Infrastructure (HB 243)

Requires state agencies to identify facilities vulnerable to sea level rise impacts and to assess mitigation measures

Real Estate Disclosure (SB 474)

Requires that seller disclosures include identifying residential properties lying within sea level rise exposure areas

Marine Resource Protection

Lay Net Permits (HB 1018)

Ensures that lay nets are used responsibly and don't lead to the entanglement of marine life like sea turtles and monk seals

Conservation Enforcement (HB 1022) Allows DOCARE officers to conduct field inspections to ensure compliance with regulations

Litter, Balloon Release (HB 1102)

Prohibits the intentional release of balloons which land in the ocean and kill sea birds and marine life if ingested

Shark Protection (HB 553)

Provides protections for sharks, apex predators important for healthy reefs

Waste Management

Recyclable Waste (HCR 27/HR 20)

Ensures that out-of-state destinations to which Hawaii's recyclables are sent abide by certain environmental, health, and safety standards

Pandemic Silver Linings: Remote Testimony

When stay-at-home orders and other public health measures limiting in-person gatherings went into effect, State government had to move much of its operations into a virtual space. The State Legislature shifted to accepting only remote testimony via Zoom, and streamed all its hearings and floor sessions live to YouTube.

In many cases, the move to online processes made a lot of sense, and several bills were passed to enable these to continue. **HB 941** allows an electronic filing process for the Public Utilities Commission, **SB 1034** allows State boards and commissions to meet virtually, and **SB 873** authorizes contested case hearings to be conducted with interactive conference technology.

When it is possible to safely open the State Capitol building up to the public again, there are plans to maintain the option to testify remotely, which will greatly improve the ability of neighbor island residents to participate in the legislative process.

Supporting Local Agriculture

The events of the past year have sharpened the focus on Hawaii’s need to diversify its economy. One sector with potential for growth is local agriculture, the expansion of which will create jobs, increase resilience, and reduce reliance on imported food. Some key actions were taken this session to support local farmers and grow diversified agriculture in the State.

- **SB 512** removes the \$10 cap on the **Double Up Food Bucks** Program, which provides a dollar-for-dollar match for SNAP benefits used to purchase local produce at farmers’ markets and grocery stores.
- **HB 817** requires **local food procurement** for all State agencies, with a goal of 10% by 2025 increasing to 50% by 2050, and **HB 767** establishes a higher goal for school meals to be 30% locally sourced by 2030.
- **SB 336** increases the dollar amount of **micro loans** that the DOA can authorize for the first time since 1982, raising it from \$25K to \$50K.
- **SB 855** provides assistance to **coffee farmers** for treatment of both Coffee Leaf Rust and Coffee Berry Borer.



Rep. Lowen during a committee hearing



Rep. Lowen with HSTA Kona members

Promoting Economic Justice, Education, and Affordable Housing

- **HB 1192** ends predatory “**payday lending**” by capping rates and fees so that borrowers can access short term capital and build up their credit.
- **SB 793** repeals the law that allowed a **sub-minimum wage** to be paid to individuals with disabilities.
- **HB 613** allocates funds for air conditioning in schools and provides a one-time teacher stabilization payment to help retain Hawaii’s education workforce.
- **SB 242** requires that public and charter schools offer **computer science classes**.
- Capital improvement allocations include **\$88 million for deferred maintenance projects** and **\$15 million for broadband infrastructure** at DOE schools.
- **HB 79** creates the **Affordable Homeownership** Fund, which will work in tandem with appropriations to the rental housing revolving fund to finance development of affordable housing.



Zoom Bill Signing



The Women’s Legislative Caucus Easter Basket donations

Other Highlights

- **SB159** allows **automatic voter registration** for eligible applicants when applying for a driver’s license unless they opt out.
- **SB345** bans the sale of products cruelly **tested on animals**.
- **HB1283** mandates **dementia training** for police, firefighters, and EMTs.
- **SB244** increases food security and **reduces food waste** by making it easier for food to be donated if a donor makes a good faith judgement that it is safe to consume.



Attending virtual meetings



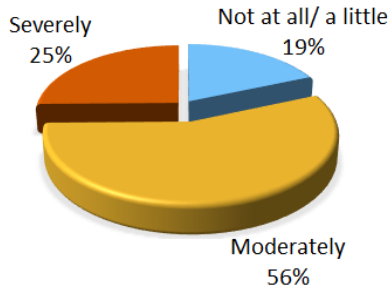
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Your Voice: Community Survey Results

How has COVID-19 affected you and your family?

Some respondents chose to annotate that the impacts they faced were the emotional toll the pandemic has had, while others noted fiscal impacts.

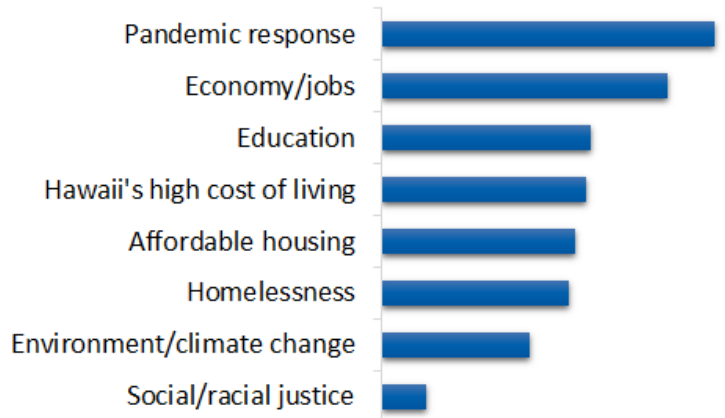


What should the state's pandemic response priorities be? Rate 1-6, with 1 being the highest priority.

Your responses were weighted so that those marked as #1 priority received the most weight, #2 the second-most weight, and so forth.

- #1 Vaccines**
- #2 Food Assistance**
- #3 Testing & Tracing**
- #4 Direct Financial Assistance**
- #5 Extended UI**
- #6 Assistance for Businesses**

Of the list of important issues, please select your 3 highest priorities for the Legislature to work on this session.



It is important to remember that the community survey results capture a moment in time; this survey was disseminated beginning in December 2020 through February 2021, and we compiled the data early this year. A survey disseminated today might result in different responses.