



Representative
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 State Capitol
 Honolulu, Hawaii 96813



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Legislative News

A newsletter from State Representative Kyle Yamashita

12th District • Upcountry Maui

2005 Session

Haleakala Highway Widening, Dual-Use Agricultural Water Line, Makawao Library

The Legislature has approved funds totaling \$12 million to improve Haleakala Highway. As many of you know, Haleakala Highway is the primary traffic artery to and from Upcountry. This project will benefit Upcountry residents by making Haleakala Highway a much safer thoroughfare.

In a separate appropriation, an additional \$10 million has been granted to the various counties to assist with fixing potholes, repairing and maintaining road conditions for the public's safety. Some of this money will go to improve the conditions of Maui County roadways.

Because water is vital to agriculture in Upcountry, another phase of the Kula Dual-Use Agricultural Water Line has been funded this year. We approved \$1.5 million for phase III, and we are working with our Congressional Delegation to capture another \$1.5 million in Federal matching funds.

Additionally, we approved funds for land acquisition to make it possible for future improvements to Makawao Public Library. The \$744,000 approved will make it possible to expand and improve library facilities



Representative Yamashita and other elected officials pass out American flags during the Makawao Parade.

Legacy Lands Preservation, Agricultural Products Protection Pass 2005 Legislature

During the 2005 legislative session, my colleagues and I were able to pass legislation important to our State.

Agricultural Theft

This year, the legislature passed a bill to strengthen the agricultural theft law. Under the new law, the possession of any agricultural products or livestock without the proper certificate will be considered "prima facie" (upon first sight) evidence that the items were stolen.

Thefts of agricultural products over 25 pounds, in value between

\$100 and \$20,000, will be considered an offense of theft in the second degree. Agricultural properties should be fenced or posted with adequate warning signs, or provide sufficient notice with a sign that reads "Private Property". Theft of livestock will remain a class C felony.

Agricultural Trespassing

The legislature also amended and strengthened the law to deter agricultural trespassing. The new law adds that a person will commit the offense

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Building a Better

Highlights of the 2005

The 2005 legislative session can be summarized as the year when lawmakers took bold steps to improve the quality of life for all of Hawaii's people.

Education A Top Priority

Education remained at the top of the agenda for the 2005 legislative session. Last year, the Legislature created a landmark initiative, Act 51 – The Reinventing Education Act of 2004.

This year, the Legislature followed through to monitor the implementation of Act 51. In addition, over the next two years, \$10.6 million will be provided to convert school principals to a 12-month schedule, \$20 million in general funds for school food services, \$10 million in general funds for students diagnosed with autism spectrum disorder, and \$280 million in capital improvement funds, including \$100 million for school repairs and maintenance.

Creating Safer Neighborhoods

The safety of our families and neighborhoods is a growing concern. The legislature amended the current registration and public access laws governing sex offenders and offenders against minors. The sex offender registry bill requires lifetime registration for the worst sex offenders, and automatically puts all offender information on-line. Less serious offenders may terminate registration and internet access after a specified length of time (<http://sexoffenders.hawaii.gov>).

Another bill passed requires DNA testing and hand impressions of all persons convicted of felony offenses, inside and outside of confinement. A database of DNA evidence will be developed and managed by the Honolulu Police Department. The system will link to the FBI for data sharing.

This bill also extends the statute of limitations for prosecuting a felony by up to ten years in cases where incriminating DNA evidence is recovered.



Representative Yamashita with DOE Maui District Superintendent Ken Nomura, DOE Official and Principal Susan Scofield at King Kekaulike High School 2005 Graduation Ceremonies.

Emergency Medical Services

Funding to continue 24-hour ambulance service for the Kula area was authorized in the State budget. Additionally, funds to assist Maui County's EMS helicopter was also included.

Providing Affordable Housing

The Omnibus Housing Bill takes a major step toward solving the affordable housing crisis in this state. This legislation encourages private developers to step up their efforts to build critically needed affordable rentals and housing.

The bill primarily targets affordable rental housing for working families earning about \$50,000 per year. Through an increase in the conveyance tax proceeds and other budget allocations, the state's Rental

Housing Trust Fund (RHTF) will receive approximately \$15 million next year (triple the funds available in



At the 33rd Lei of Aloha Seniors Luncheon.

etter Hawaii:

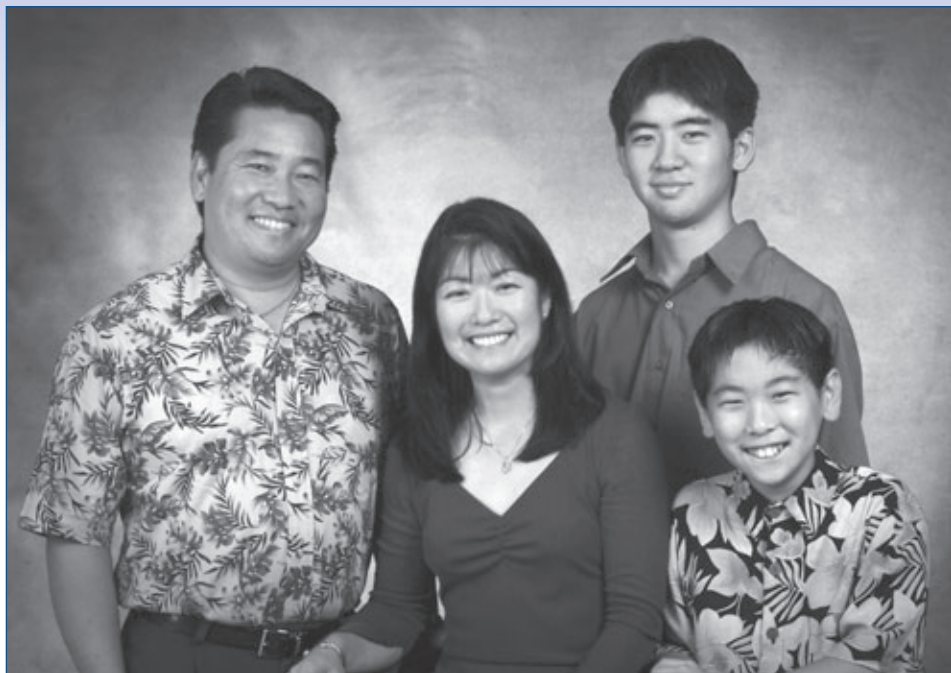
05 Legislative Session

previous years), and these monies will be available to developers to leverage financing programs to build rental housing.

The bill also addresses the housing issues for the homeless and the most needy among us, creating a special grant program in the RHTF as a further incentive to developers to build units for families earning less than \$20,000 per year. About \$1.65 million has been appropriated in each of the next two fiscal years for homeless services.

Protecting Our Environment

Alien invasive species have become a threat to Hawaii's natural environment, our economy and our quality of life. The legislature appropriated \$300,000 statewide, to be expended by the counties, to control and eradicate invasive species, including the coqui frog.



Kyle, Karen, Dustin and Tyler Yamashita.

Fighting Substance Abuse

The legislature remains committed to wiping out the effects on families and communities caused by the use and abuse of crystal methamphetamine, or "ice."

This year, the legislature approved \$15.4 million in new money over the next two years for anti-drug programs. A substantial part of this money will be directed to our schools, to assess and treat children with substance abuse problems in all our high schools and 15 middle schools with the greatest need.

Bottle Law

Changes were made to the deposit/redemption program for beverage containers, allowing consumers to crush cans for recycling. In addition, the legislature passed a bill to provide a rebate to certified redemption centers for the cost of purchasing reverse vending machines.

Campaign Spending

The legislature amended political campaign fundraising and contribution restrictions, including prohibiting contributions by any contractor doing business with the state or county for the time period between the execution and completion of the contract.

Military Appreciation

The legislature was successful in passing a package of bills, resolutions and appropriations in support and appreciation of Hawaii's military community. The 2005 Military Appreciation package includes 6 bills, 5 resolutions, over \$2.2 million in programs and services over the next two years, and over \$26 million in capital improvement funds to build or improve facilities. The package includes the establishment of the Hawaii Medal of Honor, in deep appreciation for military personnel with Hawaii ties who have been killed in action since 2003.



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of criminal trespass in the second degree if he/she enters or remains on agricultural land without the permission of the owner, and these lands are fenced or secured in order to exclude intruders.

The land should have a sign or signs displayed along the boundary of the property, in letters more than two inches in height, and read "Private Property" giving sufficient notice. Or, absent a sign, if there is a visible crop in cultivation, being harvested, or having been harvested, at the time of the intruder's entry.

Legacy Lands Act

The Legacy Lands Act is not only one of the most important pieces of legislation passed in 2005, but it has the potential to shape and preserve Hawaii's cultural and scenic landscape for generations to come.

This act will establish permanent and adequate funding for land conservation and the preservation of open spaces and scenic resources. This includes watershed protection, coastal lands, flood prevention, parks, habitat protection, cultural preservation and agricultural production.

The source of funding for the preservation of legacy lands is a modest increase in the conveyance tax. The development, sale and improvement of real estate in Hawaii add pressure upon our natural areas, and threaten access to and sustainability of some of the state's most treasured lands. The legislature determined a clear link between the conveyance tax and providing funds for land conservation.

Public Schools Repair and Maintenance for 2005 – 2007

King Kekaulike High School	\$237,000
Kalama Intermediate School	\$317,000
Kula Elementary School	\$208,000
Makawao Elementary School	\$130,000
Pukalani Elementary School	\$78,000



Assessing Kahului Harbor needs.

Capital Improvement Projects For 2005 - 2007

Upcountry Maui

Haleakala Highway widening	\$12 million
Upcountry Maui watershed project	\$1.5 million
Makawao Public Library expansions	\$744,000

Maui County

Maui Memorial Medical Center parking structure	\$22 million
Maui Memorial Medical Center helipad	\$750,000
Maui Memorial Medical Center roof improvements	\$750,000
Molokai General Hospital expansion	\$1.6 million
Kahului Airport access road	\$18 million
Kahului Airport fuel storage site preparation	\$2 million
Kahului Airport heliport improvements	\$1 million
Kahului Airport perimeter road improvements	\$1.7 million
Kahului Airport runway improvements	\$10.3 million
Maui Community College science facility	\$3.4 million
Maui Community College student center renovation	\$3.5 million
Baldwin High School library expansion	\$10.3 million
Maui Waena Intermediate School classroom building	\$623,000
Maui Lani Elementary School	\$7 million
Nisei Veterans Center	\$1.5 million
Hale Makua renovation	\$1 million
Hana affordable housing project	\$1.5 million
Hana Community Health Center indigent care	\$750,000
Hui No'eau Center land acquisition	\$500,000
Hana Highway improvements (Uakea Rd. to Keawa Place)	\$765,000
Hana Highway rockfall mitigation	\$4.7 million
Traffic operational improvements	\$1 million
Kahului Harbor improvements	\$1 million
Kaunalapau Harbor improvements (Lanai)	\$500,000
Lanai, Molokai ferry system improvements	\$3.3 million
Planning study for new harbor	\$1 million

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