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### MESSAGE FROM KALANI

Our district is growing and changing, we are now District 7, yet our values still remain the same. I have worked diligently to provide the resources ensuring our rural lifestyle is preserved. Over the last decade of service as your Senator, I have grown very familiar with the complex needs of our district. From microclimates to cultural variety, ours is a uniquely diverse area rich with talented and motivated individuals, families, schools, farms, faiths and businesses.

In this issue, we review legislation that passed the 2012 Legislative session, we get an in depth look at all the 2012/2013 Capital Improvements Projects for our district, a new skate park for Hana and the 1st Hawai'i invasive Species Council meeting on Maui.

J. Kalemi English

#### Vol.12 Issue 7 pg.1 • May 31, 2012

# SENATOR J. KALANI ENGLISH

HAWAI'I STATE SENATE · 7TH DISTRICT
HANA · EAST & UPCOUNTRY MAUI · MOLOKA'I · LANA'I · KAHO'OLAWE



### 2012 LEGISLATIVE SESSION IN REVIEW

The Governor signed more than 50 Senate bills into law before the end of the 2012 Legislative session. The Legislature passed 345 bills, 166 of which were Senate bills. Below are statistics of measures from the Hawai'i State Legislature's 2012 Regular Session as of May 3, 2012.

	Introduced	Passed	Acts	Vetoes
House bills	1,219	179	45	0
Senate bills	1,072	166	53	1
Total	2,291	345	98	1

<sup>\*</sup>Act total includes HB 1868 HD1 & HB 2537 HD2 which became law without the Governor's signature.

<sup>\*\*</sup>Passed total includes HB 2594 HD2 SD1 CD1 & SB 650 HD1 which propose to amend the Constitution of the State of Hawaii.

Resolutions	Introduced	Adopted
<b>House Concurrent Resolutions</b>	229	39
<b>House Resolutions</b>	200	91
<b>Senate Concurrent Resolutions</b>	176	34
<b>Senate Resolutions</b>	108	51
Total	713	215

#### 2012 LEGISLATIVE SESSION IN REVIEW CONTINUED

The Hawai'i State Senate adjourned on May 3, 2012, the final day of the 2012 Legislative session, passing many bills in support of its priorities set at the beginning of the session. The Senate Majority, remained committed to improving the quality of life for the people of Hawai'i. Here are some highlights of the bills that the Legislature passed for the 2012 session:

# Bills Introduced by Senator English:

#### Senate Bill 3010, Relating to Transportation

The Hawai'i State Department of Transportation is charged with the implementation of the bridge rehabilitation and replacement program for bridges with a sufficiency rating of less than eighty to be designed and constructed. There are currently seven hundred fifty-six State-owned bridges, of which two hundred fifty-six are functionally obsolete and thirty-nine are structurally deficient. Functionally obsolete bridges are defined as bridges with geometric deficiencies such as being too narrow. Structurally deficient bridges are defined as bridges with a poor assessment of the structural condition of the bridge, including the waterway opening adequacy.

The purpose of <u>Senate Bill 3010</u> is to expedite construction projects for the bridge rehabilitation and replacement program by providing temporary exemptions from State and County requirements, but only to the extent to make the bridges safe and structurally sound.

#### **House Bill 1984**, Relating to Hawaiian Language

This measure designates the month of February as Ōlelo Hawai'i Month to celebrate and encourage the use of Hawaiian language. The measure further requires that all letterheads, documents, symbols, and emblems of the State and other government departments include accurate and appropriate spelling and punctuations of Hawaiian names and language.

In 1978, the Hawai'i Constitution was amended to recognize the Hawaiian language as one of the two official languages of the State. Since then, great strides have been made to bring about a renaissance of the Hawaiian language.

#### Senate Bill 2341, Relating to Land Use

There are many examples across the country of agricultural tourism incorporated within productive farms and ranches. For example, several sites in Napa valley in northern California are agricultural tourism destinations. Agricultural tourism serves as a means to provide not only additional income for farmers and ranchers but also serves as a learning experience for many people who do not have a connection to agriculture.

This bill authorizes, within an agricultural district, agricultural tourism activities, including overnight accommodations of twenty-one days or less, for any one stay within a county; provided that the activities coexist with a bona fide agricultural activity and the county includes at least three islands and has adopted ordinances regulating agricultural tourism activities.

#### Senate Bill 2335, Relating to Special Management Areas

The purpose of this measure is to clarify an amendment to the

Hawai'i Revised Statutes to require the counties to concurrently process subdivision and special management area use permits to ensure that a special management area use permit is processed before final subdivision approval.

# Bills Passed From the Transportation and International Affairs Committee:

#### House Bill 2030, Relating to Emergency Vehicle; Move Over

This bill requires motorists to move over and slow down their vehicles when passing a stationary emergency vehicle on a highway. If this measure becomes law, a violation against it will result in a fine, which will not impact the driver's car insurance rates.

#### Senate Bill 2871, Relating to Commercial Driver's License

This bill prohibits a person from using a mobile electronic device, including using the device for texting, while operating a commercial motor vehicle. This measure exempts certain drivers and calling "911".

#### House Bill 2608, Relating to Driver Licensing

This bill directs the director of transportation to select a Statewide driver's license reciprocity committee to evaluate foreign countries' requests for driver's license reciprocity to ensure the standards of the foreign countries' driver's license testing is equivalent to those of Hawai'i. House Bill 2608 is the first step in allowing drivers with licenses from different countries the opportunity to drive in the State of Hawai'i.

#### **Other Notable Bills:**

#### Senate Bill 2247, Known as Kelsey's Law, Act 94 (2012)

The measure will require cell phone or communication service providers to assist law enforcement agencies in determining the location of a cell phone in emergency situations. The bill was named in honor of Kelsey Smith, an 18-year-old Kansas woman who was kidnapped, raped and murdered in 2007. It is believed that if Verizon Wireless had turned over cell phone records on the day Smith was kidnapped, she may be alive today.

#### Senate Bill 490, Relating to the Hawai'i Tourism Authority

This bill develops and implements new initiatives to significantly increase travel and tourism in the State, taking advantage of an executive order signed by President Obama to ease access for international travelers. The expanded visa programs would help provide up to an estimated 154,000 jobs in Hawai'i. China in particular is a rising market for Hawai'i's tourism industry, with unprecedented growth potential.

#### 2012 LEGISLATIVE SESSION IN REVIEW CONTINUED

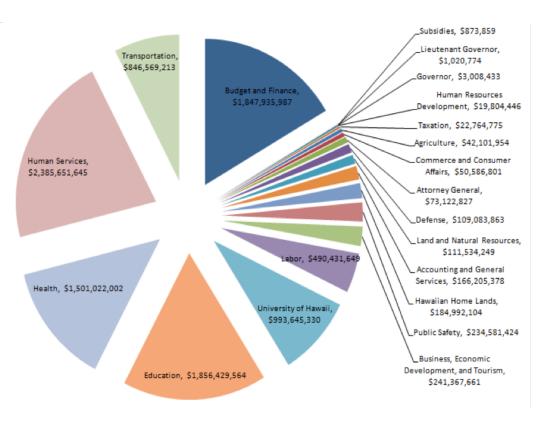
#### Senate Bill 112, Relating to Tourism

Looking ahead into the future of Hawai'i's tourism, the Senate supports an emerging market, Space Tourism, which has the potential of being a billion dollar global industry that could significantly increase State revenues, provide new aerospace jobs, and rejuvenate economic development in the Kalaeloa area. The ground work for the industry is established through **Senate Bill 112**, which appropriates funds for the application for a spaceport license from the Federal Aviation Administration.

# **Senate Bill 2783**, Relating to the Public Trust Lands, Act 15 (2012)

This act conveys Kaka'ako Makai lands to the Office of Hawaiian Affairs (OHA). The State and OHA agreed that an approximately \$200 million settlement represents a reasonable compromise of the disputed claims. To satisfy that \$200 million amount, the State is conveying contiguous and adjacent parcels in Kaka'ako Makai. Under this law, all disputes and controversies relating to OHA's portion of income and proceeds from the public trust lands will be extinguished and discharged as well as bar all claims, suits and actions for the period November 7, 1978 through June 30, 2012. Governor Abercrombie signed Senate Bill 2783 into law in April. Senate Bill 2783 does not address a global Hawaiian settlement.

The projects will focus on smaller repairs and maintenance to address aging infrastructures and to extend the useful life of existing state owned assets and facilities, energy conservation and sustainable improvements and health, safety and code requirements. Not only the state departments, but everyone in the State will benefit from this funding. All trades in the construction industry will prosper, as well as businesses that provide goods and services to the industry.



# **House Bill 2806**, Relating to Native Hawaiians

This measure protects Hawai'i's environment, promotes sustainability and preserves the Hawaiian culture. If enacted, this measure would establish the Aha Moku Advisory Committee within the Department of Land and Natural Resources (DLNR). Consisting of eight members appointed by the Governor and confirmed by the Senate, the committee may advise the chairperson of DLNR on issues related to land and natural resources management through the Aha Moku system. The system consists of best practices that are based upon indigenous resource management.

#### **House Bill 2012**, Relating to the State Budget

Although Hawai'i is experiencing a steady economic recovery, many people are still unemployed or under-employed, especially in the construction and trade industries. Realizing this grim reality, the Senate made job creation and creating a sustainable economy top priorities through its flagship initiative, The Invest in Hawai'i Act of 2012. To accomplish this goal, the Senate was able to include in excess of \$414M for repair and maintenance projects in the Capital Improvement Program portion of the budget for fiscal year 2013, pursuant to <a href="House Bill 2012">House Bill 2012</a>. The funding will allow for the creation of more than 4-thousand shovel-ready jobs for all trades in the construction industry and help put money in workers pockets and give companies confidence to begin hiring again.

#### **2012 SUPPLEMENTAL STATE BUDGET:**

This year the Legislature passed an \$11.2 billion supplemental budget for the State of Hawai'i, House Bill 2012. Following three years of budget cuts totaling more than a billion dollars each year, this year's budget provided the Senate with a refreshing opportunity to reinforce the safety net where needed, reinstitute core services that have been decimated over the past three years and make strategic

investments in key areas that can help us grow the economy and sustain a more prosperous future for Hawai'i. The above chart depicts funding allocation by department.

Hawai'i State Legislature adjourns for the year 2012. Sen. English, Sen. Roz Baker, Senate President Shan Tsutsui. May 5, 2012.



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# BLESSING OF THE NEW HANA SKATE PARK

Senator J. Kalani English recently attended the blessing ceremony for the new Pa'animai Skate Park in Hana, Maui. "The construction of this skate park is truly a labor of love," said Senator English, "I commend everyone in the community – the parents, families, organizations, individuals and the County of Maui – for coming together for this great

"The children now have a place right in their neighborhood to meet their friends, skate, play, grow and develop for many years to come," continued Sen. English, "this new skate park is a symbol of our continued investment and commitment to the younger generations as we strive to provide a better life they deserve."

effort."



Above - Rick Rutiz with his students of Ma Ka Hana Ka 'Ike Program. Below - Sen. English, Maui County Councilmember Bob Carroll and Mayor Alan Arakawa in Hana. May 10, 2012.



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# Maui Senate Delegation Discuss the 2012 Legislature Highlights

State Senators J. Kalani English, Roz Baker and Senate President Shan Tsutsui ended the **Maui Mana'o** season by discussing the 2012 Legislative highlights with host Alan Texeira. The discussion included the following:

- Passage of **HB1875 CD1** that improves the mortgage foreclosures law affecting condominium and planned community associations. The bill makes the mortgage foreclosure dispute resolution program permanent and the judicial foreclosure process equitable.
- The Budget Bill that represents the Senate commitment to invest in Statewide repair and maintenance projects in which \$430 million was secured for 2013. Funds were appropriated for shovel ready project at schools, hospitals, and other State owned facilities and properties. Sen. English noted that a new auditorium will be built at King Kekaulike High School and a sidewalk will be constructed leading to the school making it safe for students and other pedestrians.
- Transportation appropriations for major upgrades at Kahului airport and its access road; at Hana airport to meet federal standards for commercial flights; more than \$35 million for Lana'i airport and upgrades to Moloka'i airport. Funds were also released to fix roads and bridges that were damaged during the recent storms.
- A "Safe routes to school" bill that provides funds for buses in Counties helping those in areas without public transportation.
- The justice reinvestment initiative in which a 3rd party evaluates the Public Safety Dept. and Judiciary Branch to recommend ways to improve the delivery of service. One of its goals is to bring Hawai'i prisoners back from the mainland.
- The Hawaiian language bill that finally passed after 6 years. This bill requires the reintegration of the Hawaiian language into state documents since it is one of the 2 official languages in Hawai'i.
- Settlement of money owed to the Office



of Hawaiian affairs from 1978 to the present. In this economy, OHA accepted land in lieu of cash. Sen. English mentioned a possible Obama Library on the site.

- The appointment of three Maui women judges to the District courts. (Sen. English notes that Judge Adrianne Heely is a respected member of the community he serves.)
- A Public Utilities Commission regulatory framework for an inter-island cable in the event that such a cable would be built in the future. The Senators noted that 30% of power on Maui comes from wind and a cable to O'ahu may be feasible there. However, they noted that the people of Lana'i and Moloka'i will not be forced to accept anything.
- SB 3010, the Bridges Bill that seeks to expedite the repair of 11 of the more than 250 State bridges that are structurally unsound or failing. The bill also includes the Hana Bridges Plan. The state allocates only 20 million a year for bridge repair, enough to fix only one or two bridges at most. Currently, the State has to meet both State and Federal environmental standards, this bill seeks a Federal requirement only. Language in the bill also ensures that bridges will keep its historical integrity.
- Grant-in-aid resources for healthcare and human services programs for domestic violence, kupuna care, young children and other programs that reach out to the widest part of the population.

Please tune into in the final episode of Maui Mana'o 2012 parts 1-3 here: http://bit.ly/M4Ndlr and please share with your friends. We look forward to producing more Maui Mana'o next year. A hui hou.

# \$387,703,285.00 TOTAL FOR 7TH DISTRICT 2012/2013 CAPITAL IMPROVEMENT PROJECTS

MAUI		TOTAL: \$339, 327,000.00	
Kaupakalua Roping Club And Youth Rodeo (Design & construction of a certified kitchen; repair, replacement & maintenance of arena)	250,000	King Kekaulike High  (Design and construction for a new auditorium & reroof)	12,370,000
Ha'iku Elementary (Reroof)	345,000	Hana High & Elementary (Reroof, resurface play court, add steps, ramp & sidewalks)	800,000
<u>Kalama Intermediate</u> (Add Lockers, rails, steps & sidewalks)	235,000	<u>Kula Elementary</u> (Add Ramps & gutter)	285,000
Makawao Elementary (Replace porch surface, replace kitchen light fixtures, add outlets & ramp)	175,000	Pa'ia Elementary (Reroof, add solar and special ed. preschool portable)	665,000
Pukalani Elementary (Reroof)	440,000	Kula Hospital (Elevator upgrades & add a new nurse call system)	2,505,000
Makawao Avenue and Haleakala Highway* (Provided that the County of Mauishall provide matching funds) (Land acquisition, design & construction to extend left turn lane)	2,500,000	<u>Upcountry Watershed Project</u> (Land acquisition, design & construction for installation of a pipeline)	6,000,000
Hana Highway, Uakea Road to Keawa Place (Widening of existing roadway)	290,000	Hana Highway, Huelo to Hana (Improving, upgrading & repairing roadways, bridges, walls and drainage)	2,340,000
Hana Highway Rockfall Mitigation, Huelo to Hana (Construction to mitigate rockfall and potential landslide areas)	4,382,000	Hana Highway, Drainage Improvements, Ho'olawa Bridge Area (Design & construction to regrade the roadway to redirect runoff)	1,280,000
Hana Highway Bridge Preservation Plan (Plans for developing a bridge preservation plan for Hana Hwy. in the Hana Preservation District)	1,600,000	Hana Highway Improvements Milepost 28.1 (Land acquisition, design and construction for road widening/realignment and other improvements)	830,000
Haleakala Highway Improvements (Construction to install right turn lane on West Bound Haleakala Highway, install walkways & paved shoulders)	1,500,000	Old Haleakala Highway (Plans, design, construction of sidewalk along one side of old Halekala Highway from Kula Hwy to Pukalani St.)	1,000,000

# \$387, 703,285.00 TOTAL FOR 7TH DISTRICT 2012/2013 CAPITAL IMPROVEMENT PROJECTS CONTINUED

Hana Boat Ramp & Wharf (Plans, design, construction for improvements and other related work.	3,125,000	Heritage Hall, Inc. (Plans, design, construction for Heritage Hall to include multipurpose hall, kitchen and 2 cultural resource centers)	1,500,000
Veteran's Cemetery (Land acquisition, plans, design & construction for expansion of burial space)	5,300,000	Kahului Airport, Re-roof Terminal Bldgs. (Design, construction for re-roofing of terminal building & other related improvements)	7,500,000
Kahului Airport, Passenger Information System (Construction of information system improvements)	2,500,000	Kahului Airport, Loading Bridge Modernization (Construction of new loading bridges & removal of old bridges)	9,620,000
Kahului Airport, Runway Improvements (Construction for structural of runway 2-20)	150,000,000	Kahului Airport, Fire Sprinkler System (Construction for replacement of the fire sprinkler system & other related improvements)	4,000,000
Kahului Airport, Restroom Reconstruction (Construction for renovation of restrooms)	6,000,000	Kahului Airport, Elevator & Escalator Improvements (Construction for elevator & escalator replacement & other related improvements)	6,465,000
Kahului Airport, Access Road (Construction for a new access road from Hana Highway incuding: site work, paving, electrical drainage, utilities & other related improvements)	59,525,000	Kahului Airport, Parking Lot Expansion (Construction of additional parking spaces & other related improvements)	17,000,000
Kahului Airport, Environmental Impact Statement (EIS) (Plans for separate State & Federal EIS & other related improvements)	5,000,000	Kahului Airport, Terminal Improvements (Design & construction of conference rooms, restrooms, holdrooms and security	3,000,000
		Hana Airport (Design and construction for improvements to meet 14 CFR, Part 139 requirements)	19,000,000

Sen. English and Sen. Ryan at the budget conference. April 27, 2012.

## \$387,703,285.00 TOTAL FOR 7TH DISTRICT 2012/2013 CAPITAL IMPROVEMENT PROJECTS CONTINUED

IANA
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Lana'i Community Health Center

(Plans, design, & construction for new community health center)

500,000

TOTAL: \$38,337,000.00

Lana'i Community Hospital

(Plans & design for emergency room expansion; fire suppression & exhaust ventilation system; repairs, installation of hurricane window upgrade; master planning & new photovoltaic system)

2,040,000

Lana'i Airport, Runway Safety Area **Improvements** 

(Construction of runway safety area

improvements including: site work, drainage system, new service road, relocation of perimeter fencing other related improvements)

35,111,000

Lana'i High & Elementary

(Renovate restrooms, replace parking lot lights, renovate interior, & ceiling)

686,000

1,000,000

200,000

1,250,000

1,575,000

**MOLOKA'I** 

**Kualapuu Elementary School** 

(Design & construction of a new waterline for fire suppression)

Kaunakakai Elementary

(Add campus waterline)

320,000

2,750,000

TOTAL: \$10,039,285.00

Moloka'i Ohana Health Center

(Plan & construction for renovation and relocation of the center)

Kilohana Elementary

**Maunaloa Elementary** 

(Roof Replacement)

(Add campus fence and valves) 75,000

Moloka'i High

(Replace grease trap, renovate restrooms, upgrade electrical panel, renovate classroom. Renovation of existing science lab to meet safety, work space, utility infrastructure, and

storage requirements)

**Upgrades** 

Moloka'i Airport, Electrical

(Design for electrical upgrades)

Kamehameha V Highway, Vicinity

1,179,285

150,000

450,000

Kualapuu Elementary 160,000

(Reroof)

Moloka'i Irrigation System (Plans, design & construction for

improvements to the system)

Guardrail & Shoulder **Improvements on State Hwys** 

(Design & construction to build paved shoulders & upgrade guardrails)

930,000

of Mile Post 12.5 (Construction to upgrade culvert and

other drainage facilities)

Kalaupapa Settlement **Improvements** 

(Design & construction to close solid waste landfill, reroof buildings and other improvements)

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### HAWAI'I INVASIVE SPECIES COUNCIL MEETING HELD ON MAUI

The Hawai'i Invasive Species Council met for the first time on Maui earlier this month at the Mayor Hannibal Tavares Community Center in Pukalani.

Members of the Council, along with Legislators, Mayor Alan Arakawa, representatives from the Federal government and State departments attended the meeting. Topics discussed included: Axis Deer on Maui, invasive species, weed risk assessment and the Council's priorities for the 2013 fiscal year.





Warren Watanabe (MADW), Teya Penniman (MISC) and Lori Buchanan (MoMisc) report on the agricultural and environmental impact of Axis Deer on Maui and Moloka'i. May 8, 2012.

"It is important for us to discuss and assess the status of invasive species on Maui in order to protect and preserve our island and the rest of Hawai'i's ecosystem," said Sen. English, who is a member of the Invasive Species Committee.

The Hawai'i Invasive Species Council (HISC) was established for the special purpose of providing policy level direction, coordination, and planning among state departments, federal agencies, and international and local initiatives for the control and eradication of harmful invasive species infestations throughout the State as well as preventing the introduction of other invasive species that may be potentially harmful.



The Council heard reports from Warren Watanabe, representing the Maui's Axis Deer Working Group; Teya Penniman, Manager of the Maui Invasive Species Committee (MISC); Lori Buchanan of the Moloka'i



Invasive Species Committee, (MoMisc); Randy Bartlett, Manager of the East Maui Watershed Partnership and Rob Parsons, Maui Environmental Coordinator. They reported on the latest assessments of Axis Deer on Maui and Moloka'i, the differences in their impact on each island as well as the varying community attitudes toward the problem. The axis deer are wreaking havoc with Maui's farmers and ranchers. The exploding deer population threatens to desiccate rare native plant species in the Natural Area Reserve System (NARS) as well as upsetting the already fragile function of the islands watersheds.

Following the meeting, the Council visited the MISC office where Council members had a handson demonstration of Herbicide Ballistic Technology (HBT) and an innovative approach to targeting invasive plants in hard-to-reach areas. HBT, developed by Dr. James Leary of the University of Hawai'i, College of Tropical Agriculture and Human sources, uses herbicide capsules and paintball-type guns to precisely deliver



Sen. English takes a shot, (or ten) at Miconia weed ballistic shooting demo, hitting the target with paintball capsules. May 8, 2012.

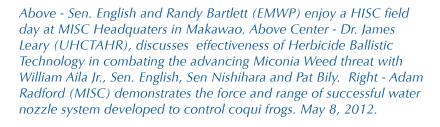
measured doses of herbicide. HBT is proving highly effective as an additional tool for protecting our forested watersheds. The Council also observed a high-pressure water nozzle system that is being used in Maliko Gulch to control coqui frog infestation. The Council then visited Wayne Omura's property, which has been hit hard by axis deer, that munched his recently planted avocados to nubs.

"It was an honor and privilege to have the HISC choose Maui for its first visit to a neighbor Island," said Teya Penniman, Manager of the MISC. "The idea of a

#### HAWAI'I INVASIVE SPECIES COUNCIL MEETING HELD ON MAUI CONTINUED









cabinet-level council focused on invasive species issues recognizes the need for thinking outside of traditional 'silos.' I am very encouraged by this Council's enthusiasm and creative approaches. I hope that what they saw while on Maui not only strengthened their commitment, but also gave them a sense of hope. We can and are making a difference by pulling together. Mahalo to Senator English for his longstanding support on this issue."

"I am very excited our HISC meeting was held in my district", said Sen. English, "This proved to be a very informative and enlightening adventure and I am grateful to my colleagues for making the trip to Maui. I felt there was consensus throughout the group of the severity of threat and imperative need to combat alien species. It's one thing to read about the damage of the deer on our farms but another to see it first hand."



Wayne Omura gave HISC members a tour of his property in Kula where, despite fencing, Axis Deer have destroyed a number of recently planted trees. May 8, 2012.

#### **Resources:**

The Invasive Species Committees of Hawai'i (ISCs) http://www.hawaiiinvasivespecies.org/iscs/

East Maui Watershed Partnership http://www.eastmauiwatershed.org/

West Maui Mountains Watershed Partnership http://www.westmauiwatershed.org/

Department of Land and Natural Resources <a href="http://hawaii.gov/dlnr">http://hawaii.gov/dlnr</a>

Maui Natural Area Reserves http://hawaii.gov/dlnr/dofaw/nars/reserves/maui

Moloka`i Natural Area Reserves http://hawaii.gov/dlnr/dofaw/nars/reserves/molokai

CTAHR Invasive Weed Management Dr. James Leary

http://www.ctahr.hawaii.edu/LearyJ/index.html

The Nature Conservancy

http://www.nature.org/ourinitiatives/regions/ northamerica/unitedstates/hawaii/



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# STATE SENATOR J. KALANI ENGLISH

7TH DISTRICT
COMMITTEES

Chair, Senate Committee on Transportation and International Affairs

Vice Chair, Senate Committee on Energy and Environment

Member, Senate Committee on Hawaiian Affairs

Member, Senate Committee on Ways and Means



Hawai'i State Legislature Bill Status and Documents http://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 Lana'i, toll free 1-800-468-4644 + 77225 e-mail: senenglish@capitol.hawaii.gov

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# May Day Festivities of the 7th District







"I enjoyed watching the keiki put on their best for us at each of the Elementary School May Day Festivities. Each school event was unique and spectacular," said Sen. English. "I'm so proud of all the keiki, their families and their teachers. Can't wait to see what they'll do with festival themes next May Day."





