



From the office of your State Representative

May 2023

Legislative Update Representative David A. Tarnas

Representative David A. Tarnas
Hawai'i State Capitol
415 South Beretania Street, Room 442
Honolulu, HI, 96813

Phone: 808-586-8510
E-mail: reptarnas@capitol.hawaii.gov

Aloha!

The 2023 Legislative Session has now adjourned, with 274 bills approved by the Legislature now enrolled to the Governor.

We passed legislation to address affordable housing, financial relief for low-income families, mental health services, and protect Hawai'i's natural resources.

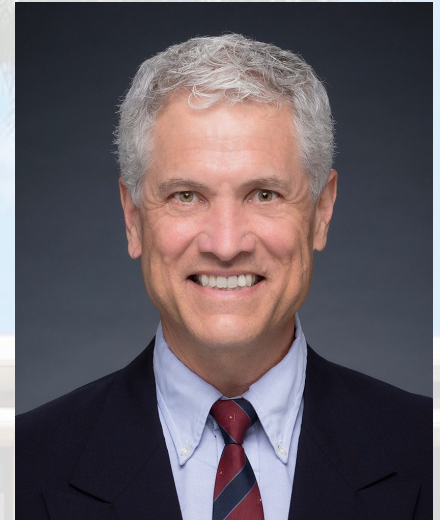
In addition, the House Judiciary and Hawaii Affairs Committee passed ethics reform legislation that reinforces the Legislature's commitment to transparency, accountability, and improving public trust.

In this newsletter, I report on the highlights of this session for our community and State, including key legislation and funding for Waikōloa, Waimea, and North Kohala. Please contact me any time with your feedback about these or other legislative matters.

To stay up-to-date on the latest news from State government and our community, please sign up for my email newsletter at bit.ly/reptarnas-signup.

Mahalo for your support and advice this legislative session. I am grateful to serve as your State Representative and welcome hearing from you by email at reptarnas@capitol.hawaii.gov and by phone at 808-586-8510. Please keep in touch!

Mahalo,



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2023 Legislative Session Highlights

This legislative session, we made important progress in addressing the most pressing needs in our community and State. The following are highlights from the 274 bills passed by the Legislature:

“A Banner Year for Ethics”

This Session, I served as Chair of the House Judiciary & Hawaiian Affairs Committee. In my role as Chair, I took the lead in addressing one of the House’s highest priorities for the 2023 Session, ethics reform. Our Committee heard numerous measures that will increase transparency in our State and County governments, with many of these measures having passed the Legislature. My counterpart in the Senate, Judiciary Chair Karl Rhoads, aptly described the 2023 Session as a “banner year for ethics,” and I agree. While the Legislature passed many government reform measures, I would like to focus on our efforts in addressing the recommendations of the Commission to Improve Standards of Conduct.

The Commission to Improve Standards of Conduct ("CISC") was convened during the 2022 Legislative Session by the State House after two members of the Hawai'i State Legislature plead guilty to corruption charges related to taking bribes to influence policy matters. The CISC was composed of representatives of the Ethics Commission, Campaign Spending Commission, Office of Elections, Common Cause, League of Women Voters, and other stakeholders.

The CISC made 33 recommendations that were introduced in bills either in whole or part. Many other bills were introduced with the same or similar language from the CISC recommendations addressing ethics and government reform issues. The legislature considered these good government bills related to government transparency and preventing public corruption proposed by CISC, the Ethics Commission, Campaign Spending Commission, Office of Elections, the Office of the Attorney General, Office of the Honolulu Prosecutor, individual legislators, and other State agencies.

Of the 33 recommendations in the Commission to Improve Standards of Conduct's Finding and Legislative Proposals, 20 were addressed fully by the legislature and two were partially addressed. Of the eleven that were not addressed by the Legislature, six were passed by both the House & Senate but died in conference, one was not approved by the House, two can be implemented at the discretion of Committee Chairs, one was addressed through changes to the House Rules, and one was determined to be the responsibility of the counties.



Affordable Housing

- Establishing a supportive housing pilot program within the Statewide Office on Homelessness and Housing Solutions. This initiative aims to provide innovative solutions and support to individuals and families experiencing housing challenges (HB1397)
- Strengthening Hawai'i's housing availability by depositing \$100 million in fiscal year 2024 and \$180 million in fiscal year 2025 into the Rental Housing Revolving Fund. In addition, \$170 million has been appropriated for the planning and construction of statewide teacher housing (HB300)



Tax Relief for Local Families

- Assisting local families by increasing the household and dependent care services tax credit for five years. It will also increase the refundable earned income tax credit and the income thresholds and credit amounts of the refundable food and excise tax credit for five years (HB954)

Energy Investment

- Appropriating \$100 million for the Hawai'i Green Infrastructure Authority to provide solar loans to low-income families (HB300)



Mental Health

- Establishing a two-year child and adolescent crisis mobile outreach team pilot program on O’ahu and one neighbor island site to expand existing crisis response services (HB948)
- Authorizing psychiatrists or advanced practiced registered nurses to request assistance from the attorney general to file an assisted community treatment petition (HB950)

Natural Resources

- Appropriating \$194 million to protect, manage, and restore natural resources, including native forests, native plants and animals, aquatic resources, coastal lands, and freshwater sources. The Legislature also appropriated \$44 million in CIP funding for state parks, public land management, and conservation activities and \$60 million for boating and ocean recreation renovation and improvements (HB300)



Judiciary & Hawaiian Affairs Committee

The House Judiciary and Hawaiian Affairs Committee considers legislation related to Hawai'i's courts, crime prevention, civil law, firearms, the Attorney General, the Judiciary, persons of Hawaiian ancestry, including programs administered by the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs. Here are highlights of the bills and funding considered by our Committee, which succeeded in passing the Legislature this session:

Government Reform

- **Prohibiting lobbyist contributions and expenditures**, and promises of contributions or expenditures, to or on behalf of any elected official, candidate, candidate committee, or individual who is required to file an organizational report (SB1493)
- Establishing the class C felony of official misconduct to prohibit a public servant **from acting or refraining from performing an official duty** with the intent to obtain a benefit other than the person's lawful compensation, or submitting or inviting reliance on any false statement, document, or record (HB986)
- Establishing the class B felony offense of fraud to prohibit schemes or artifices to obtain financial or other gains **by means of false or fraudulent pretenses**, representations, or promises. Establishes the class C felony offense of making a false, fictitious, or **fraudulent claim against the State or a county**. Establishes the class C felony offense of the use of false statements or entries in matters within the **jurisdiction of the executive, legislative, or judicial branches** of the State (SB228)

Elections

- Requiring the Office of Elections to publish an **accessible digital voter information guide** with explanations of proposed constitutional or charter amendment ballot questions (SB1076)
- Requesting the Office of Elections for a proposal with the cost and personnel required **to prepare and distribute** an accessible voter information guide in a printed format, digital format, and screen reader-accessible format and a translation of the digital voter information guide in 'Ōlelo Hawai'i, Chinese, Ilocano, and Tagalog, and any other language as required by federal or state law on the Office of Elections' website. (HCR87/HR94)

Firearms

- **Establishing the statewide system for concealed carry licensing** to mitigate the serious hazards to public health, safety, and welfare associated with firearms and firearm violence, while respecting and **protecting the lawful exercise of individual rights** (SB1230)



Office of the Governor / Governor Green signing Act 1 into law

- Studying the existing **mandatory relevant insurance laws** for firearms ownership (HCR86/HR93)
- Establishing **standards of conduct** for firearm industry members. Authorizing any person who has suffered harm because of a firearm industry member's violation of the standards of conduct **to bring an action** (HB426; Act 28)

Judiciary

- Appropriating funds for the **operating and capital improvement costs** of the Judiciary for each year of fiscal biennium 2023-2025 and establishing position ceilings (HB382)
- Requesting the Judiciary to **prepare a master development plan** for the South Kohala District Court complex (HCR 88/HR 95)
- Appropriating funds to **establish a centralized statewide criminal pretrial justice data reporting and collection system** and requiring the Criminal Justice Research Institute to submit an annual report to the Legislature for two years. (HB 68)
- Clarifying that a person may be tried and sentenced for felony offenses **through the complaint process** upon a finding of probable cause after a preliminary hearing (SB36; Act 1)
- Providing that a person commits a class B felony offense of obstruction of justice if the person **intentionally influences; obstructs; impedes; or endeavors to influence, obstruct or impede**, the due administration of justice by means of force, threat of force, coercion, fraud, or deception (HB710)
- Expanding the jurisdiction for **where petitions** for domestic abuse protective orders and temporary restraining orders and injunctions from harassment may be filed (SB1267)
- Requiring the family courts to allow petitioners who allege domestic abuse to **attend temporary restraining order hearings remotely** (SB933)
- **Excluding fentanyl testing strips** from the definition of "drug paraphernalia" in the Uniform Controlled Substances Act (SB671)

Law Enforcement

- Providing that a law enforcement officer (LEO) has a **duty to intervene** if the LEO reasonably believes that another LEO is using unnecessary or excessive force on an arrestee (SB372)



JHA Chair Tarnas (right) and Vice Chair Takayama (left) in committee

Office of Hawaiian Affairs

- Appropriating \$3 million in general revenues and the same amount in trust funds for **each year of fiscal biennium 2023-2025** for beneficiary advocacy (HB133)

Hawaiian Homes

- Requiring an adopted individual to be **considered a child of both the adopted and natural parent** for determining familial relationships as it relates to DHHL (HB1058)
- Requesting DHHL to report on the resources needed to execute a **plan to repair DHHL properties** (HCR125/HR126)
- Urging Hawaii's congressional representatives to **reintroduce and support** the Hawaiian Home Lands Preservation Act, H.R.9614, 117th Cong. (SCR104)

Illegal Fireworks

- Establishing a two-year Illegal Fireworks Task Force within the Department of Law Enforcement to **stop the importation of illegal fireworks and explosives** into the State, promote compliance with state fireworks control laws, and ensure the safety and security of facilities and institutions in the State against the discharge of illegal fireworks and explosives (SB821)

Driver's License

- Beginning July 1, 2025, allowing for the **renewal of driver's licenses online**, in addition to by mail (SB1166)

Funding for Our District

Capital Improvement Projects

Public Education

- **Waikōloa Public Library** - \$13 million for planning, design, and construction of a new public library
- **Kanu o ka 'Āina NCPCS** - \$1.2 million for construction and equipment for completion of a multipurpose building, to include a certified commercial kitchen space

Infrastructure

- **North Kohala agricultural water** - \$1.5 million for design and construction for 'Upolu Well for pump installation, connecting pipeline, controls, and related improvements to develop an existing well to provide agricultural water in North Kohala
- **Kohala Ditch System** - \$10 million for construction for repairs to restore and reactivate the Kohala Ditch System
- **Waimea-Kohala Airport** - \$2.8 million for design and construction of waterline upgrades

Waimea Transportation Safety Improvements

- **Waimea Town** - \$9.6 million for the Waimea Regional Safety Improvements, including multimodal improvements in operational improvements at Kawaihae Rd. and Lindsey Rd., and a bypass between Kawaihae Rd. and Mamalahoa Hwy



Questions? Comments? Feedback?
Please contact me at
reptarnas@capitol.hawaii.gov or 808-586-8510.
Mahalo!

Community Grants

This year marked another successful return of State Grant-in-Aid funding, which was suspended in 2020 and 2021 due to declining State revenues during the pandemic. Grant-in-Aid funds support nonprofit organizations working to benefit the community.

- **West Hawai'i Mediation Center** - \$60,000 for the Victim Offender Conferencing program
- **Habitat for Humanity Hawai'i Island** - \$350,000 to support the construction of 14 new homes
- **Hamakua-Kohala Health Center** - \$300,000 to support the construction of a facility at the new Kohala Health and Wellness Center
- **Kahua Paa Mua** - \$200,000 to support food security and community resilience by educating middle and high school natural science instructors through the KPM Statewide Food Alliance project
- **Hawaii Island Humane Society** - \$150,000 to increase access to veterinary care for pet owners in the County of Hawai'i
- **People for Active Transportation Hawaii** - \$89,000 for equipment and 1400 bicycle helmets to be used for PATH's Bicycle Education Program