

# 2009 Legislative Recap

## *Bills of Interest to our Community*



Dear Neighbors,

With the school year underway, parents and teachers have told me their concerns about the impacts of teacher furloughs on neighborhood schools. I agree that the loss of 17 school days for our students is unacceptable! Senate lawmakers are working to restore these educational days.

Let me know what you think are the best ways to save money or stretch state and federal dollars to provide urgent services. Please email me at [senfuknaga@capitol.hawaii.gov](mailto:senfuknaga@capitol.hawaii.gov) or call my office at 586-6890 with your ideas. We'll share some of the best proposals at [www.carolfukunaga.com/](http://www.carolfukunaga.com/).

Mahalo for allowing me to serve you,

  
Senator Carol Fukunaga  
District 11



### **Urban Noise Control - Act 25 (Special Session 2009)**

**Act 25** addresses nighttime noise levels in urban neighborhoods by adopting an additional decibel weighting system (dBC) to supplement the current decibel weighting system (dBA). It grants the Department of Health and county liquor commissions the authority to enforce these limits. The dBC weight system measures low frequency sound (causing rattling windows and structural vibration) generated by amplified music.

### **Condominium Dispute Resolution Pilot Project – Act 9**

Makiki is home to the largest number of condominium units in Honolulu. The condominium dispute resolution pilot project (*Act 244, Session Laws of Hawaii 2007*) commonly referred to as “condo court,” is intended to help resolve disputes between apartment owners and their condo associations. **Act 9** extends the condo dispute resolution pilot project until June 30, 2011.

### **Television Recycling – Act 183 (became law without Governor’s signature)**

Televisions are often the most difficult items to recycle, especially in transient, apartment/condo neighborhoods. To make it easier for residents to recycle televisions, **Act 183** establishes a statewide television recycling program. Starting January 1, 2011, TV manufacturers must recycle or arrange for the recycling of any televisions they sell in Hawaii.

### **“Complete Streets” Program - Act 54**

Makiki, Ala Moana and McCully mixed-use/residential communities, have lots of cars on the roads. These neighborhoods also have many residents who walk, bike, and run. To make neighborhoods safer for pedestrians and motorists, **Act 54** requires Department of Transportation and county transportation departments to adopt a complete streets policy. “Complete streets” means roadways that accommodate all travelers - particularly users of public transit, bicyclists, pedestrians, and motorists - to enable all users to use the roadway safely and efficiently.



*Royal School students face heavy morning traffic at Punchbowl/Vineyard.*

# Other Legislative Session Highlights

For additional info on 2009 legislation, go to [www.carolfukunaga.com](http://www.carolfukunaga.com) for FAQs on other key topics.

## Investing in Hawaii's Alternative Energy - Special Purpose Revenue Bonds

This year, the Legislature authorized over \$382 million dollars in special purpose revenue bonds (SPRBs) to accelerate local development of such renewable and alternative energy technologies as electric vehicles, biomass, non-fossil fuel carbon diversion, seawater cooling system, non-fossil fuel technology, and gasification.

## Renewable Energy Technologies Tax Credit - Act 154

The Renewable Energy Technologies Tax Credit is an income tax credit for "renewable energy technologies systems" (e.g., solar thermal energy systems and wind-powered energy systems). This measure clarifies the categories of qualifying systems and allows taxpayers to elect refundable treatment at a reduced rate for solar energy systems.

## Licensing of Home Care Agencies - Act 21 (Session Special 2009)

Home care is a growing segment of healthcare in which many elderly and non-elderly individuals with illnesses receive care in their homes rather than in institutional settings. Act 21 requires all home care agencies to be licensed by the Department of Health, beginning July 1, 2010. This measure establishes minimum standards of quality, safety, and responsibility for homecare agencies and for all employed by the agencies.

## Photos of Historic Buildings - Act 4

Act 228 was adopted in 2008 to document historical homes and buildings that were over 50 years old and listed on, or eligible for listing on the Hawaii or National Register

of Historical Places. Unfortunately, the language in Act 228 was too broad, and required archival photographs of all structures over 50 years old prior to issuance of county building permits. Act 4 repealed this photo requirement, and will help homeowners and other commercial property owners renovate or remodel their structures without delays.

## Rights of Publicity - Act 28

To protect local entertainers and celebrities against unauthorized uses of their names or persona, Act 28 affirms that every individual or personality owns a property right to the use of their name, voice, signature, and likeness for a period extending to 70 years after their death. This measure creates various criminal offenses and civil penalties for those who infringe upon the property right of a

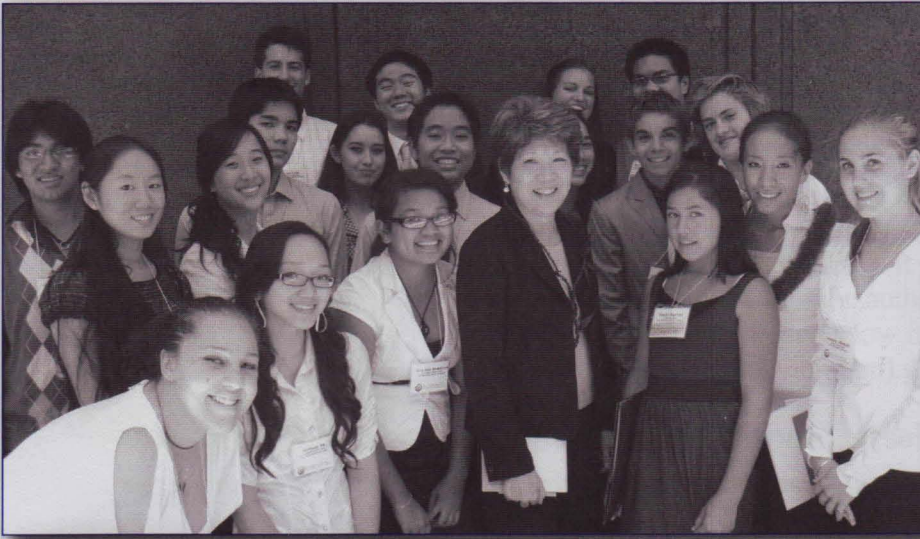
celebrity or personality, subject to exceptions, for Internet search engines. It allows individuals to register with Department of Commerce and Consumer Affairs Business Registry Division.

## Preventing Traffic Fatalities - Act 88

In 2006, 52% of Hawaii's traffic fatalities involved alcohol; this figure exceeded the national average of 41%. Act 171 was adopted in 2008 to require use of an ignition interlock device to prevent drivers previously arrested for driving under the influence of intoxicants from starting or operating a motor vehicle while their case is pending or while their license is revoked. Act 88 amends the law to clarify the authority of the Director of Transportation, and extends the Hawaii Ignition Interlock Implementation Task Force for another year.



In other historic preservation news, the "Aquarius" mosaic has been restored at the State Capitol; check out SFCA's explanation of the restoration at <http://hawaii.gov/sfca/>. Joining artist Tadashi Sato's family and well-wishers in celebrating the restoration was retired Judge James Burns.



Hawaii Secondary Student Conference students talked story with Sen. Fukunaga during their October summit.

## Precinct Closures hit Home

Over the past few months, residents have contacted Senator Fukunaga regarding the closure of three precincts in Senate District 11: Papakolea Playground (26-02), Punchbowl Homes (26-04), and Roosevelt High School (25-01). Area officials now seek the following changes to the Office of Elections proposal:

1. Retain the current polling site at Papakolea Playground (26-02) for the 2010 elections to accommodate the large *kupuna* voting population.
2. Retain the existing polling site at Punchbowl Homes (26-04) to address the needs of elderly and disabled voters residing in Punchbowl Homes.

The Office of Elections is checking the feasibility of redirecting Makiki Heights/Tantalus residents to the polling site at Christ United Methodist Church (25-02) rather than directing them to the Lincoln School site.

## Whatever Happened to the Lunalilo On-ramp Project?

In 2006, the State Legislature appropriated \$24.3 million for a 24-hour, permanent solution for users of both the Lunalilo On-ramp and Vineyard Boulevard Off-ramp. This solution would replace the morning rush-hour closure of Lunalilo On-ramp to Makiki, Punchbowl and other westbound motorists between 6:00-9:30 a.m.

Senator Fukunaga has monitored the progress of Department of Transportation's feasibility analysis of fly-over, underground and other solutions for over 2 years. In December 2008, Department of Transportation consultants R.M. Towill provided preliminary analyses of at least two fly-over alternatives - the one with a left-hand 'off-ramp' lane and fly-over to the Vineyard Boulevard Off-ramp appears to have the least impact on adjoining properties along the Vineyard Boulevard corridor. Please check [www.carolfukunaga.com/](http://www.carolfukunaga.com/) for November updates regarding this key transportation corridor.

## WHAT DO THESE NEIGHBORHOODS HAVE IN COMMON?

After extensive community analyses, the Transit-Oriented Community-based Development Project (TOCBD) funded by area legislators will brief Ala Moana-Sheridan, central Kaka'ako and McCully-Mo'ili'ili residents and businesses on Phase 2 of the regional planning project.

DATE/TIME:

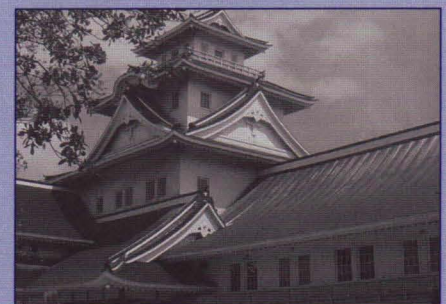
**Monday, November 30, 2009  
6:00 - 7:30 p.m.**

PLACE:

**Neal Blaisdell Center,  
Aloha Suites  
777 Ward Avenue**

During Phase 1 of the project, the University of Hawaii (UH) and Hawaii Alliance for Community-based Economic Development (HACBED) team surveyed area businesses and residents, and explored planning scenarios for economic revitalization of the three urban Honolulu neighborhoods.

Phase 2 of the project will help State and county policymakers develop a regional plan to balance transit development opportunities with long-term community and social benefits. These communities' close proximity to University of Hawaii at Manoa and the John A. Burns Medical School (JABSOM) in Kaka'ako may offer new approaches for programs to meet the needs of new Asian/Pacific immigrants and aging residents and their families.



## McCully Recreation Center Meeting

Come and discuss the future of McCully Recreation Center (which has been closed for lengthy pool repairs) with area legislators Fukunaga, Kobayashi and Saiki on **November 17, 2009** at the Lunalilo Elementary School Cafeteria from **6:00-7:30p.m.** What would you like the Center to be used for?

## Aloha Aina and Schools Spearhead Recycling Day

Join Kaahumanu Elementary and Washington Middle volunteers, area legislators and Schnitzer Steel Hawaii Corp. at a community recycling event on **Saturday, December 19, 2009** from **8:00 a.m. to 2:00 p.m.** at **Washington Middle School.**

Drop off or schedule a bulky item pick-up with your area legislators for recyclable trash and raise funds for Kaahumanu Elementary School and Washington Middle School. The schools will be paid for scrap metal, newspaper, cardboard, beverage containers, cellular phones, printer cartridges and cooking oil. Call 586-6890 for information.



2008: UH and Apple collected millions of pounds of computers during their e-waste recycling drive.



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# 2009 District CIP and School Repairs

*The following Repair and Maintenance projects for Fiscal Year 2010 and Capital Improvement Projects (CIP) were approved for District 11 in Act 162, Session Laws 2009.*

### **Kaahumanu Elementary**

Replacement of Air Conditioning Systems	\$489,000
Campus Replacement of Bell/PA System	\$105,000
C Building Installation of Railings	\$32,000

### **Roosevelt High School**

Various Re-roofing Renovations	\$541,000
Auditorium Renovations	\$53,000
Repair and Waterproofing of Bleachers	\$95,000

### **Royal Elementary**

D Building Re-roof and Renovation	\$153,000
Replacement of Cafeteria Windows	\$97,000
Front Lawn Improvements (CIP)	\$96,000

### **Stevenson Middle**

Multipurpose Recreational Facility (CIP)	\$4,000,000
Various Re-roofing Renovations	\$502,000
Campus-wide Replacement of Water Fountains	\$84,000

### **Washington Middle School**

Installation of Wheelchair Ramps	\$63,000
Various Campus-wide Renovations	\$419,000