



2018 Legislative E-Newsletter

February 2018

In Support of Better Roads in Puna

Rep. San Buenaventura is always looking for ways to improve roads in Puna. This session, she introduced HB2570 that would establish a 3-year pilot program to require Hawaii County to identify private subdivision roads needing repair, to assess, collect fees (instead of the HOA) and to repair/maintain.

This bill is based in part on the results of a 2017 survey the Representative did of Puna residents to see whom they thought should be in charge of road repairs in subdivisions. The results showed 57% were in favor of the County taking over subdivision maintenance and repair (see chart below).

The Hawaii Supreme Court in 1983 held in *Paradise Hui Hanalike v. Hawaiian Paradise Park Corp.* that property owners are legally required to contribute to necessary maintenance of abutting private roads. However, the court did not find whom the lot owner should pay. That case found Paradise Park Hui Hanalike's bylaws to be deficient. Indeed there have been many complaints about HPPOA's use and assessments of HPP's road dues even though the HPPOA board is doing their best.

The [original bill](#) would add oversight. HPPOA collects \$328 in 2018 per lot. HPP has a total of 8,850 lots. Its site mentions "close to 6000 houses," which would bring in close to \$2 million per year. HPP also collects \$500 per lot sale yet HOA's like HPPOA is not subject to government audits nor oversight.

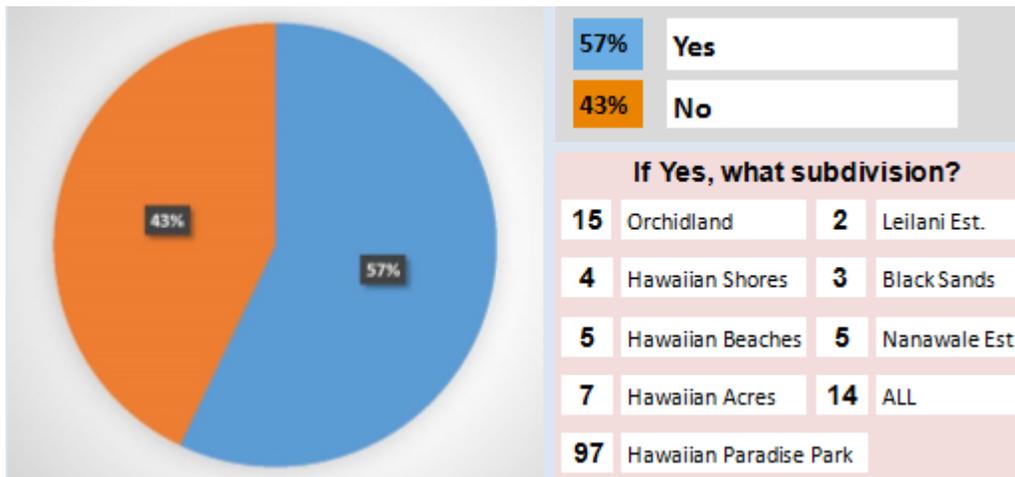
Other subdivisions collect general fees, some of which is dedicated to roads. Leilani Estates: \$110; Nanawale Estates: \$99; Hawaiian Shores: \$385, with \$20 to roads. Ainaloa: \$160; Hawaiian Acres: \$60.

Joy has heard various complaints against associations and questions about their actions. Homeowners Associations have spent thousands of dollars in legal fees due to infighting. This bill hopes to prevent that.

Most everyone wants good roads. The lack of paved roads have prevented timely emergency response like Dana Ireland's case or home losses from fires because emergency vehicles cannot drive fast enough

If you have any questions, please email sanbuenaventura2@capitol.hawaii.gov. Thank you.

Should the County take over the maintenance and repair of subdivision roads by collecting homeowner association fees as part of property taxes? (2017 Survey)



Ag Day at the Capitol



February 12 was Agriculture Awareness Day at the Capitol. The event showcased the state's diverse agricultural industry, with exhibits ranging from produce and flower farmers to information on how to prevent the spread of [Rapid Ohia Death](#).

The Representative learned about agriculture and met some of the organizations who are involved in the industry. Many people sampled local products like sorbet, honey and beef. Many thanks to all the participants!

Resolutions Introduced by the Representative This Session

Adult Dental Care: Requests Medicaid funds for adult dental services. Adult dental services were funded previously but funding ended during the recession and it has not been restored so Medicaid-eligible people do without and use costly ER (which is covered) services (sometimes using the ambulance too) when issues get severe.

Alternative Dispute Resolution: Requests a task force to study mandatory alternative resolution to resolve Homeowners Association disputes.

Community Outreach Courts: Asks the Judiciary to study the possibility of re-opening Community Outreach Courts in Puna and Kau, as on Oahu. Prior to 2003, there were Puna, Kau and Honokaa courthouses.

Medical Cannabis Federal-State: Urges state law enforcement and other agencies to decline to enforce federal laws with regard to medical cannabis.

Net Neutrality: Requesting the United States Congress to oppose the Federal Communications Commission's decision to overturn Net Neutrality.

Plastic Cap Recycling: Asks for a study to look into ways to recycle plastic bottle caps, which are currently not recyclable.

Prearrest Diversion: Requests alternatives to traditional incarceration, which costs the state of Hawaii \$151/day per inmate. Other states like Washington have cut down their incarceration rates and also reduced recidivism. For more information, see this [link](#) on Law Enforcement Assisted Diversion (LEAD).

Community Forum on Disaster Preparedness

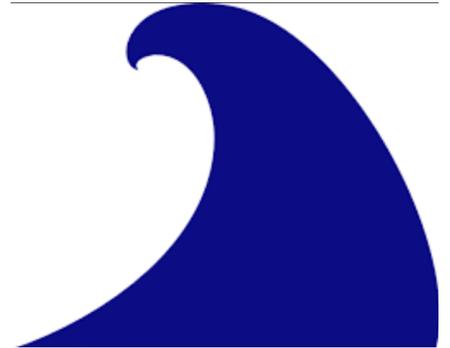
Saturday, April 28

1:00 to 3:00 pm

Pahoa Community Center

Speakers: HI EMA

County of Hawaii Civil Defense

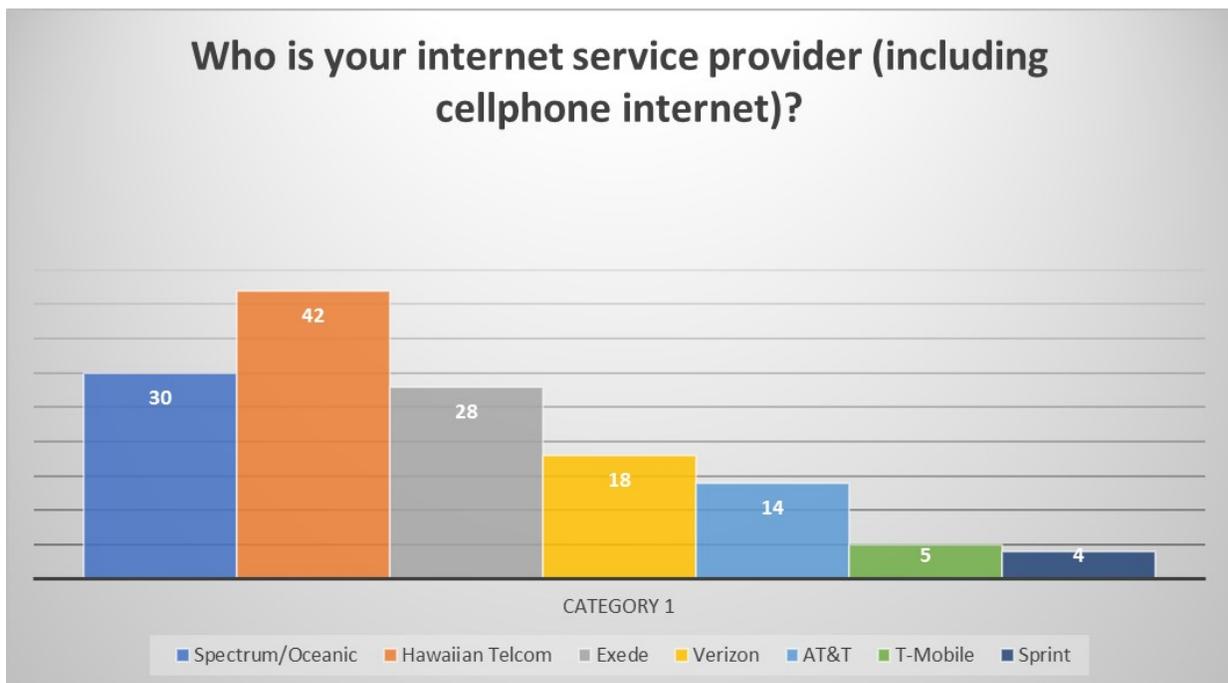


Broadband Survey Reflects Growth Opportunities

Aloha! Rep. San Buenaventura’s office sent out broadband surveys to Puna - about 7,500 households. We received only 168 responses. According to these results, 152 households have Internet service and 16 do not.

Hawaiian Telcom was the most used service provider, serving 42 of 141 households. Six other providers were also named, with Spectrum (formerly Oceanic) providing service to 30 homes. The Representative is

pleased that after urging Hawaiian Telcom since 2015, the company expanded broadband service in Dec. 2017 to such areas as Hawaiian Acres, Leilani Estates, Nanawale Estates, Hawaiian Ocean View and Orchidland. She is also looking into an Internet co-op because of Puna’s terrain challenges. Since survey participation was limited, the results capture just a snapshot of broadband conditions. The Representative knows this is an important issue.



Next: March 10th

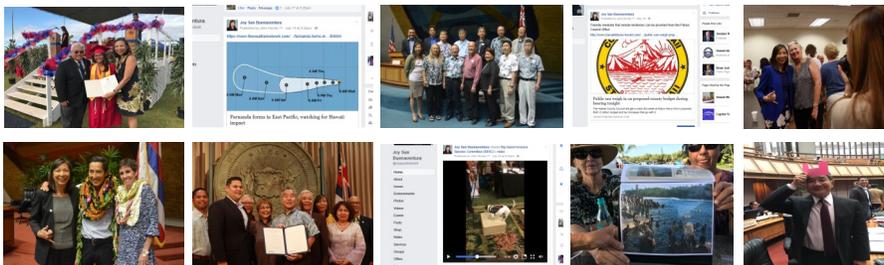
Pahoa 2nd Saturday Music & Artwalk

Second Saturdays on Mainstreet

No cover charge! Free!



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If you have a community event that you want featured in our newsletter/e-newsletter, e-mail sanbuenaventura2@capitol.hawaii.gov. We will do our best to include it.

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