



Senator Michelle Kidani

District 17- Mililani/ Mililani Mauka/ Waipi'o/ Waipi'o Gentry

Committees: Vice Chair- Education and Housing
Ways and Means, Public Safety and Military Affairs, Tourism

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Aloha!

The 2010 legislative session adjourned on April 29. I've summarized key bills that the Legislature passed beginning on page 2. Unless indicated with an Act number, the bill is still under consideration by Governor Lingle and may still be vetoed. To view a full list of all the bills passed, please visit: <http://capitol.hawaii.gov/session2010/lists/RptMeasuresPassed.aspx>.

Community comments and suggestions are always welcome. I am dedicated to serve you in any possible way. Please feel free to visit me at my office or contact me by phone, fax, or email. Thank you for the privilege to serve you.

Me ke Aloha Pumehana,

MILILANI HIGH SCHOOL BAND TRIP TO CHINA



In March, the Mililani High School band visited China and Japan. The students marched in a parade at Tokyo Disney and held a joint concert with students from a Chinese music school. MHS band members shared the aloha spirit with the Chinese students through hula, singing Aloha 'Oe and giving each of their 80 Chinese hosts a lei. **Above:** Mililani High School Principal Dr. Brummel with trip chaperones on the Great Wall of China.

MEET MY STAFF: PARK KALEIWAHEA



Park joined the staff as my Office Manager soon after my election in 2008. With her 7 years of experience in the Legislature she has much to offer our team.

Park has a varied work experience, including working for Eddie Flores, Jr. as an administrative assistant, over 5 years with the Filipino Chamber of Commerce as the Executive Assistant, and 6 years in the State House of Representatives as an office manager.

Park also enjoys volunteering her time in organizations in her community. She has been a mentor for the Center for Tomorrow's Leaders, a Leadership program for High School Juniors and Seniors, since 2007. With her husband, Parish, Park has facilitated "Growing Kids God's Way" and "Reaching the Heart of your Teen" at their church for 10 years. She was also the PTSO President for Pearl Harbor Elementary School for two years.

However, Park would say that her greatest accomplishment is her family. She has been married to her husband, Retired Navy Chief Parish Kaleiwahea, for 24 years. They have 3 children. Daughter, Leilani, Graduated from Notre Dame de Namur University in 2009, and is currently working for AmeriCorps. Son, Parish "Keoni", is currently a senior in the Coast Guard Academy in New London, Ct. And youngest, Payton "Kainoa" is a junior at Kamehameha Schools Kapalama.

EDUCATION

SB 2120—Alternative Certification in DOE—Act 034, Requires DOE to determine alternative certification routes for school principals and vice principals.

HB 2376—Appointed Board of Education— BOE to be appointed by Governor and confirmed by the Senate rather than elected.

HB 2486—Minimum Classroom Instruction Days; Requires all public & charter schools to have at least 180 classroom days or equivalent number of instructional hours per school year. Requires phasing in of these instructional hours & requires DOE to consider pick-up & drop-off times for transportation services.

SB 2124—Restoring Instructional Days; Uses Hurricane Relief Fund to restore classroom days for the 2010-2011 school year. Unused funds to lapse back to Hurricane Relief Fund.

SB 2434—Raises salary cap for DOE Superintendent, Deputy Superintendents and State Librarian beginning with 2011-2012 school year.

SB2395—VEBA Trust— Act 106;; Extends the sunset date for the Voluntary Employees Beneficiary Association for teachers' health care until the end of December, instead of this July.

HUMAN SERVICES

HB 2061—Child Custody; Allows for expedited and electronic hearings for child custody resolution when a military single parent is deployed.

HB 2157—Adult Care Homes; Allows three nursing facility level residents in Type I Expanded Adult Residential Care Homes.

SB 2473—Elderly Housing; Allows grandchildren of elderly housing residents to temporarily live with them in certain family crisis situations.

HEALTH

SB 2599—Colorectal Cancer Screening; Mandates coverage of colo-rectal cancer screening.

SB 2390—UH Hilo College of Pharmacy—Act 050; Broadens pharmacist license experience requirements to include that obtained in US territories & District of Columbia.

SB 1178—Medicaid Emergency Appropriation—Act 033; Appropriates \$40 million in general funds and \$80 million in federal funds for the Medicaid deficit.

SB 2770—Remote Dispensing Pharmacy—Act 051; Removes certain restrictions on the types of drugs that may be dispensed from remote dispensing pharmacies.

HB 2349—Emergency Room; Extends protection from assault & terroristic threatening to persons providing services in a hospital emergency room.

HB 2086—Clinical Lab Test Privacy — Act 72; Allows results to be provided to authorized persons or covered entities for purposes permitted under federal HIPAA law.

ECONOMY

HB 2200—State Budget; Provides \$10.2 billion in overall state spending for the fiscal year that starts in July, including \$4.9 billion in general-fund spending. The budget relies on \$794 million in general fund spending cuts. \$58 million in tax increases, \$185 million in tax adjustments, and \$275 million in delayed tax refunds to help close a \$1.2 billion deficit through June 2011.

HB2000—Provides money for the operations of the Judiciary and adds \$1.3million for specialty courts, such as drug courts and purchase of service contracts. The specialty courts guide offenders toward treatment and probation and are considered more cost –effective than incarceration.

SB 2389—UH Commercial Enterprises Revolving Fund—Act 042; Allows UH to continue to transfer funds to finance establishment of new commercial enterprises.

HB 2421—Food & Energy Security; — Act 73; Establishes initiatives for economic development in local food & energy businesses to promote self-sufficiency. Increases the barrel tax on petroleum products from 5 cents to \$1.05 but exempts aviation fuel. Devotes the \$22 million in new revenue to the state's budget deficit and to food security and renewable energy programs. This equates to a 2-3 cent per gallon increase.

HB 2197—Renewable Energy at Condominiums—Act 053; Gives directors authority to install or allow installation of solar or wind energy on common elements.

SB 2187—Hawaii Tourism Authority; — Act 102; Authorizes HTA to maintain confidentiality of competitively sensitive information. Extends autonomy.

SB 2921—Escrow Depositories—Act 049; Requires escrow depositories to be properly licensed in Hawaii.

SB2806— Rainy Day Fund; Requires the state finance director, after two years of budget surplus, to deposit 5% of surplus money into the state's rainy day fund. Caps transfers if the rainy day fund grows too large.

HB 2289—Gift Certificates; Extends minimum expiration period for gift certificates to 5 years except for paper gift certificates. Allows for limited issuance or activation fees & defines —"service fee" to exclude these.

HB1985— Cigarette Tax; — Act 59; Increases the tax on cigarettes and little cigars, generating about \$10 million a year to help with the budget deficit.

TRANSPORTATION

SB 549 — Motorcycles, Warranty, Lemon Law — Act 005; Clarifies that motorcycles are covered by Hawaii's Lemon Law.

HB 1190—Highway Safety, Traffic Accident Investigation— Act 104; Each county's police department required to identify roadways most critical to free movement & establish protocols needed to coordinate major accident investigations, including notifying medical examiner in fatal accident cases.

HB 1978—Towing; Requires towing companies to operate 24/7 on Oahu.

SB 520—Motor Vehicle Dealers; — Act 003; Requires motor vehicle dealers to possess or have the right to possess legal ownership certificate for vehicle before selling or advertising a new or used vehicle.

PUBLIC SAFETY

SB 1059—Illegal Fireworks; Counties allowed to enact more stringent fireworks ordinances. Establishes a task force to stop the importation of illegal fireworks and explosives. Task force to report a preliminary plan to the legislature no later than January 10, 2011.

HB 1987—Illegal Fireworks; Includes samples in definition of fireworks and creates nuisance abatement and forfeiture actions to discourage illegal importation, sale and transfer of fireworks.

SB 2054—Statewide Civil Defense Communications; Creates a statewide communications interoperability coordinator.

SB 2702—Major Disaster Trust Account— Act 87; Allows federal reimbursement moneys for disaster relief to be deposited into a trust account for future disaster relief. Prohibits lapsing into general fund.

HB 2129—Graffiti; — Act 99; Requires a person convicted of criminal property damage involving graffiti to remove it within 30 days of sentencing and remove graffiti within 100 yards of the site of the offense for up to 2 years.

HB 1818—Corrections; Allows prison programs to offer cognitive behavioral theory with cultural and other interventions to address domestic violence, addictions, self-mastery through identity, and community connections for successful community re-entry.

HB 415—Audit of Mainland Prisons; Requires audit of contracts for out-of-state prison contracts.

SB 2045—Human Trafficking; Creates felony offenses of sexual human trafficking. Includes such cases in those that are to be given greatest priority for witness protection programs.

SB 2165—Guards; Establishes registration and licensure requirements, including training, instruction, and continuing education for guards and those acting as guards.

OTHER

HB 2397—Primary Elections; Moves up primary election to the second Saturday in August beginning in 2012.

HB 1808—Public Access in Coastal Areas; Requires Dept. of Land & Natural Resources to maintain beach transit corridors by prohibiting landowners' vegetation that interferes with access.

SB 2137— Deployed Military Health Club Membership-Act 045; Allows military personnel on active duty out of state to cancel or suspend their health club contracts.

SB 2139 — Veterans Rights and Benefits; Burial—Act 027; Requires Director of Office of Veterans' Services to act on behalf of deceased, indigent veterans who have no surviving immediate family members to ensure burial or cremation & inurnment of veteran's remains in a state veterans cemetery.

SB 466— Leaf Blowers; Restricts the use of leaf blowers between 8 a.m. to 6 p.m. within a residential zone or 100 feet of a residential zone, except Sundays and holidays, when they can only be operated between 9 a.m. and 6 p.m. Violations would carry fines of up to \$500.

HB444— Civil Unions; Grants same-sex and heterosexual partners who enter into civil unions the same rights, benefits and responsibilities as married couples under state law. Recognizes same-sex marriages, domestic partnerships and civil unions performed in other states as civil unions in Hawaii.

HIGHWAY LIGHTING TO BE RESTORED

In response to constituent concerns regarding out-of-service highway lighting on H-1 and H-2, Senator Kidani has been in contact with the Hawaii Department of Transportation (DOT) since February 2010.

In a letter dated May 5, 2010, DOT Director Brennon Morioka informed Senator Kidani that the highway lighting was initially deactivated in 2006 by copper thieves. The wiring was immediately replaced, only to be stolen and replaced twice more at significant cost to the State. Federal guidelines do not require highway lighting in the subject areas and the DOT decided to suspend reconductoring until they could identify a feasible and secure alternative to reactivate the system.

The repair and replacement work is not eligible for federal funds, however, through reprioritization of Oahu maintenance program, the lights will be restored through the DOT's fiscal year 2011 maintenance budget at a cost of approximately \$4.5 million. DOT anticipates the work to take approximately twelve months to complete and the lights will be operational again by the end of 2011 to early 2012.

AIRCRAFT UPDATE

Senator Kidani has been working with the Federal Aviation Administration in response to constituent concerns that airplanes are flying over residential areas during peak daytime hours despite complaints of constant noise in the area.

Mr. Ed Santa Elena, Principal Operations Inspector with the Honolulu Flight Standards District Office (FAA) explained that the South Practice Area (SPA) is not a designated flight path from which the FAA can restrict or prohibit anyone from flying. Any aircraft can fly in a non-designated area as long as they meet basic flight standard rules.

For the Mililani area, pilots cannot fly below the minimum altitude of 1,000 feet above a highest obstacle, within a horizontal radius of 2,000 feet of the aircraft. *Thus, there is no violation for recreational and/or flight training activities in the SPA unless they are flying below the minimum altitude.*

Senator Kidani was further advised that the North Practice Area (NPA) and Aerobatic Box Area (ABA) are both used for recreational and training flights, in addition to military use.

The use of airspace is subject to various rules depending on its designation, flying altitude, type of aircraft, congested area, or whether it is a civilian or military aircraft. In order to be responsive to constituent inquiries about aircraft activities, my office also contacted the State Department of Transportation (DOT) Airports Division, the Army Public Affairs Office and the FAA Flight Standards Office that handles aircraft complaints.

These offices network with each other to ensure that complaints are heard and that pilots are sanctioned accordingly when violations occur with low-flying aircraft.

Important contact info include:

State DOT Airport Division - Noise Complaints:
General Aviation Officer Hank Bruckner
Phone: 838-8701

Federal FAA Flight Standards Office - Low Flying Aircraft: Phone: 837-8300 (follow menu for complaints)

Army Public Affairs - Schofield Barracks - Army Aircraft: Kayla Overton; Hotline Phone: 656-3159

State-wide Airport Hotline - 24 Hour Operator; 1-888-697-7813

When filing a complaint, it is important to include all relevant information such as date, time, location, address (if possible), weather conditions, identifying marks on aircraft, type and color of aircraft, etc. Tape recordings of noise and videotapes would also be helpful.

SPELLING BEE CHAMP VISITS STATE CAPITOL



Hawaii's best speller, Brysen Pasion, from our own Mililani Middle school, visited the State Capitol with his family on April 30, 2010. Brysen won the Hawaii State Spelling Bee in March and will be representing Hawaii at the national spelling bee in Washington DC this June.

MAY IS AMERICAN STROKE MONTH

Stroke is a medical emergency that can strike ANYONE.
EVERY MINUTE MATTERS.

Know these warning signs of stroke and teach them to others.

- **Sudden numbness or weakness of the face, arm or leg, especially on one side of the body**
- **Sudden confusion, trouble speaking or understanding**
- **Sudden trouble seeing in one or both eyes**
- **Sudden trouble walking, dizziness, loss of balance or coordination**
- **Sudden, severe headache with no known cause**

In the past, doctors couldn't do much to help stroke victims. That's not true today.

Now stroke doesn't have to lead to disability or death...
...*IF* you recognize a stroke and get to the hospital immediately. The clot-dissolving drug tPA can reduce disability if it's given within three hours after an ischemic stroke starts. (Ischemic strokes are caused by clots and are by far the most common type of stroke.) Unfortunately, tPA isn't used as often as it could be because many people don't seek care quickly. Don't make that mistake. If you or someone near you has any warning signs of a stroke, call 9-1-1 immediately!

Call 9-1-1 at the first sign of stroke.
Time lost is brain lost.

From the American Heart Association