

Prevailing Winds

Special Edition Mid-Session Legislative Report

District 23 - Manoa, Punahou, University, Moili'ili

Spring 2013

Message From Representative Isaac Choy

This session, I was appointed Chairman of the House Higher Education Committee (HED) just before Opening Day, so I did not have much time to familiarize myself with the subject areas of: UH Manoa, UH Hilo, UH West Oahu, all the community colleges, intercollegiate athletics and the Waikiki Aquarium. The focus of HED appears narrow; however the issues of the entire University system are enormous.

Therefore, I decided to focus my committee's attention on two key topics: governance of the Board of Regents, and the immense backlog of long-neglected repairs and maintenance.

As many of you may remember, in 2000, there was a constitutional amendment on the ballot that granted autonomy to the University of Hawaii.

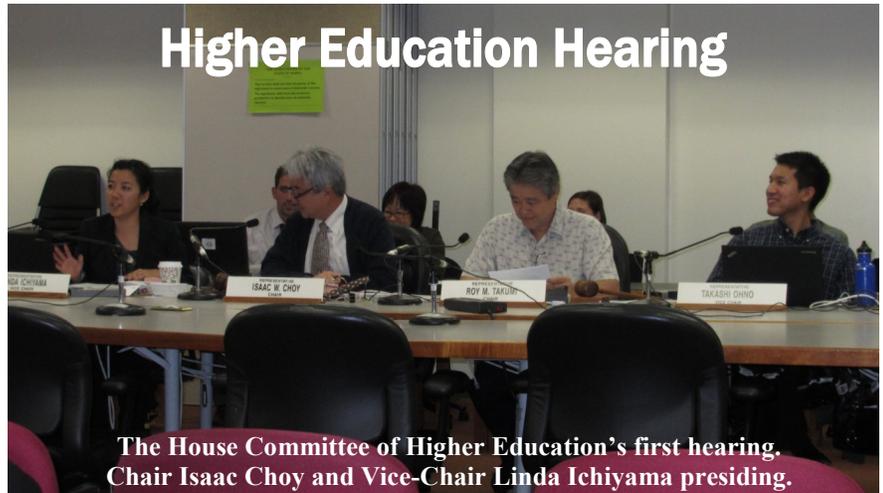
The amendment contained these two sentences:
"This section shall not limit the powers of the Legislature to enact laws of statewide concern. The Legislature shall have the exclusive jurisdiction to identify laws of statewide concern."

My interpretation is that the University is run by the Board of Regents, except when and where the Legislature believes there is cause for concern. At our community meeting in February, criticism of UH's recent "Wonder Blunder" was very loud and clear. Also, the *Final Report by the Senate Special Committee on Accountability* was disturbing.

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Higher Education Hearing



Dealing with governance in my professional career as a CPA for over 30 years, I consider this subject to be right up my alley. In researching the governance structure of UH, it became apparent that moving into a corporate governance structure will help the University to become more *"transparent and accountable."*

I introduced **HB114**, which recommends the formation of an Independent Audit Committee within the Board of Regents, whose duties would include enterprise risk-management, emphasizing *fraud, waste and abuse*. This concept is accepted by most Public Corporations. This bill requires annual reports to the Legislature, of not only significant findings of breaches in internal controls by the external auditor, but also the internal auditor. I am hoping this will change the culture of management. Transparency is the best protection against scandals and negative headlines. As predicted, the University is taking a defensive posture to my suggestions.

Another bill I introduced, **HB115**, addresses the long-ignored backlog of repairs and maintenance on all campuses, statewide. The more I probed, the more concerned I became. The backlog is estimated to be \$480 million and growing by \$40 million to \$60 million dollars a year. For over a decade, the University has closed their eyes to the shabby and often, dangerous conditions of the campuses. On my walks home from work, I tour the Manoa campus and am outraged at the extensive signs of neglect. A recent newspaper article reported that the Manoa campus was short 50 maintenance personnel.

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Mid-Session Highlights

Listed below are some of the measures that are making its journey through the 2013 Legislative Session.

Agriculture

HB174 HD2: Relating to Food Labeling.

Imposes labeling requirements and restrictions on imported genetically engineered produce, authorizes labeling on non-genetically food, and creates a private right to enjoin violations. [Transmitted to the Senate.](#)

Consumers, Business and Labor

HB846 HD2: Relating to the Owner-Builder Exemption.

Limits owner-builder exemption to residential and farm structures, specifies responsibilities for compliance with construction and labor laws, and amends penalties for non-compliance. [Transmitted to the Senate.](#)

HB396 HD2: Relating to Toxic Products.

Prohibits the manufacture, sale or distribution of reusable drink and food containers, which contains bisphenol A, which are intended for use by children under the age of 3. [Transmitted to the Senate.](#)

HB713 HD2: Relating to Social Media.

Prohibits employers from requiring, requesting, suggesting, or causing employees & potential employees to grant access to personal account usernames or passwords for a social networking website.

[Transmitted to the Senate.](#)

SB331 SD2: Relating to Labor.

Increases minimum wage to \$8.25 starting 01/01/14, \$8.75 starting 01/01/15, & \$9.25 starting 01/01/16 & ending 12/31/16. Authorizes DLIR to adjust the minimum hourly wage thereafter in accordance with the Honolulu region consumer price index. [Transmitted to the House.](#)

Economic Development

HB858 HD1: Relating to the Hawaii Growth Initiative.

The purpose of this measure is to provide appropriations for the Hawaii Strategic Development Corporation to implement the recommendations of the Governor's New Day Plan to reinvigorate state efforts to fuel an innovation economy and advance research innovation and commercialization. [Transmitted to the Senate.](#)

HB1419 HD2: Relating to the Pacific International Space Center for Exploration Systems (PISCES).

Appropriates funds to support the development and expansion of Hawaii's aerospace and related industries in Hawaii. The funding will capitalize upon Hawaii Island's lunar-like terrain to build aerospace technology research and development park industries. Supplemental funding will be provided to help attract aerospace technology and corporations that will create new high paying technology-related jobs. [Transmitted to the Senate.](#)

Environment

HB357 HD3: Relating to the Environment.

Establishes single-use checkout bag program and fee. Directs use of fee revenues to mitigate the effects of single-use checkout bags and protect Hawaii's fresh water supply. Appropriates funds. [Transmitted to the Senate.](#)

Improving Our Schools

HB865 HD1: Relating to Public School Redevelopment.

Establishes framework, and makes an appropriation, for the twenty-first century schools through the redevelopment of public school lands by the DOE. [Transmitted to the Senate.](#)



L-R: Former Rep. Colleen Meyers, Honoree Ralph Inouye, President Roz Burton-Torres, Honoree Russell Oda, Honoree Randal Hiraki, Rep. Isaac Choy, Board Chair Ben Nakaoka.

Health Services

HB892 HD2: Relating to Parking for Disabled Persons.

The purpose of this measure is to increase the state motor vehicle registration fee by an unspecified amount, to be deposited into the Disability and Communication Access Board Special Fund, to cover the costs of administering the parking program for persons with disabilities. [Transmitted to the Senate.](#)

HB65 HD2: Relating to Prescription Drugs.

The purpose of this measure is to allow, among other things, prescription drug benefit plan beneficiaries to opt out of a requirement to purchase prescription drugs from a mail-order pharmacy. [Transmitted to the Senate.](#)

Renewable Energy

SB19 SD1: Relating to Renewable Energy.

Exempts landlords and lessors who install renewable energy systems to their property from the definition of "public utility." [Transmitted to the House.](#)

2013 Hawaii State Legislature

	Introduced	Passed	Acts	Vetoes
House Bills	1,484			
Senate Bills	1,388			
TOTAL	2,872			

- Bills not heard or passed by committee(s), have failed to move forward.
- Bills passed by committee(s), voted and passed on the floor will "crossover" to the other, non-originating chamber to go through the same process of committee hearings and chamber readings.

Our Community

HB31 HD1: Relating to Disorderly Conduct.

The purpose of this measure is to improve passengers' access to bus stop shelters. Makes it a disorderly conduct offense to impede or obstruct bus stop use or access by laying on a bus stop bench or across more than two seats, or sleeping on ground within or abutting a bus stop. Makes engaging in this conduct for at least 60 minutes, prima facie evidence of the offense. [Transmitted to the Senate.](#)

HB37 HD1: Relating to Noise.

The purpose of this measure is to allow private individuals to bring a civil action for injunctive relief or damages arising from an alleged private nuisance due to excessive noise. [Transmitted to the Senate.](#)

HB90: Relating to Emergency Response Vehicles.

The purpose of this measure is to establish a temporary Emergency Response Vehicle Noise Task Force within the Department of Health to examine the use and effectiveness of lights and sirens by emergency response vehicles when these vehicles respond to calls. [Transmitted to the Senate.](#)

HB493 HD1: Relating to Animal Cruelty.

The purpose of this measure is to protect animals from unnecessary suffering and cruelty. [Transmitted to the Senate.](#)

HB1189 HD1: Relating to Transportation.

The purpose of this measure is to prohibit excessively loud moped mufflers. [Transmitted to the Senate.](#)

SB1357 SD2: Relating to Transportation.

Allows state agencies that assume maintenance of roads to improve the condition of the disputed roads without incurring liability. Specifies that if a county accepts by resolution the dedication of a road in limbo, the county shall not be liable for injury or damage sustained while using that road for ten years, after acceptance of that road by resolution. Specifies that a county agency maintaining or repairing a road whose ownership is in dispute, shall not be liable to any person for injury or damage, sustained when using that road. [Transmitted to the House.](#)

District-Elected Officials



**Senator
Brian Taniguchi**
Senate District 11



**Councilmember
Ann Kobayashi**
Council District 5



**Representative
Isaac Choy**
House District 23

Online Directory



Includes: State Government Numbers, Congressional Members, State Executive Officers, Senate and House Members, Committees, City and County offices, etc.

View Measures Online

SUBMIT TESTIMONY

TRACK MEASURES

**SIGN UP TO TRACK
YOUR MEASURES BY
LIST**

**LIST OF ALL HOUSE &
SENATE BILLS**

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The irony here is that the University continually asks the Legislature for more money to build new buildings. As I listen to the testimony of University officials, whose salaries are in excess of \$200,000 a year, they are explaining to me that they have no plan on how to address the repairs and maintenance backlog, or why this problem is not their budget priority. Perhaps, I have taken on a task that will outlast my lifetime.

We are at the halfway point in this session. I have included in this issue some measures that reflects some of the concerns and issues brought to my attention by you through emails, letters, and at town meetings. The final dispositions of these bills have not yet been determined.

If you have questions about any bills moving through the legislature, please feel free to contact me at 586-8475 or email: repchoy@capitol.hawaii.gov. On page 3 are simple instructions on how you can track measures, view all House and Senate bills still alive, and also participate in the legislative process.

During the summer, in my End-of-Session Newsletter, I will highlight a wrap-up of accomplishments of the 2013 legislative session, updates on community issues and concerns brought up at past town meetings and more.

Aloha,




Rep. Choy visits with 390 Punahou 8th Grade Students at the Capitol and participates in a Mock Hearing.



Visit My House Member Web Page

<http://www.capitol.hawaii.gov/memberpage.aspx?member=choy>

My Newsletters, Bills Introduced, Community Events, Photos, Bill Status & Documents, Legislative Information, Links, etc.

MY LEGISLATIVE PARTICIPATION

House of Representatives

- CHAIR: Higher Education (HED)
- Member: Agriculture (AGR)
- Economic Development & Business (EDB)
- Education (EDN)
- Tourism (TOU)
- Veterans, Military & International (VMI)
- Affairs & Culture and the Arts

My 2013 Legislative Staff



Top: Carole Hagihara, Legislative Office Manager
 L-R: Pam Seeney, Committee Clerk
 James Skizewski, Intern/Asst. Committee Clerk
 Jenny Quezon, Legislative Aide