



# COMMUNITY NEWSLETTER

FROM THE OFFICE OF REPRESENTATIVE JO JORDAN

HOUSE DISTRICT 44 · WAIANAE, MAKAHA, MAKUA, MAILI · JANUARY 2016

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## Aloha Neighbors,

The 2016 legislative session is underway and was preceded by House Finance and Senate Ways and Means Committee informational briefings on the budget. These informational briefings with the different departments can be viewed at [http://olelo.granicus.com/ViewPublisher.php?view\\_id=13](http://olelo.granicus.com/ViewPublisher.php?view_id=13).



In this newsletter, the Governor's release of his budget late last year is highlighted in the column to the right. The Legislature will continue to review the budget throughout this session.

A substantial portion of this newsletter is dedicated to the Hawaii Supreme Court's oral arguments held last month at Waianae High School providing a great opportunity for students to see first-hand how the judicial system works. I'm grateful for the Judiciary's selection of Waianae High School as a site to participate in its Courts in the Community program.

Finally, I'm co-hosting a Community Workshop regarding the Lualualei Flood Mitigation Study on Tuesday, January 26 from 7-8:30pm at the Kamehameha Schools Community Learning Center at Maili at 87-790 Kulauku Street. The purpose of the Lualualei Flood Mitigation Study is to propose feasible alternatives to the larger capital improvement projects recommended by the 2001 Lualualei Flood Study. This community workshop is your opportunity to discuss options for minimizing the flooding problems in the Puuhulu, Paakea, Illili, Mikilua and Hakimo areas.

It is my honor to continue to serve you. Feel free to contact me if I can be of assistance.

**Mahalo,**

Jo Jordan,  
District 44 Representative



## The Executive Biennium Budget

Governor Ige's Administration is focused on ensuring the State's fiscal stability now and in the future. Although the State's current economic conditions are favorable—the lowest unemployment rate since February 2008 with the visitor and construction industries leading the way—they cannot be taken for granted. There are significant and pressing demands on State resources. Public schools need additional funding at the school level, where it can make the most impact. The Administration also must support the development of housing which is affordable by leveraging resources and facilitating the development of low-income rental units. Programs that were severely curtailed during the Great Recession must be rebuilt. Thus, the Administration must manage the State's resources to provide for the State's priorities and near- and long-term financial commitments, while building the State's budget reserves and broadening the State's economic base.

In recent years, the State's fiscal situation has fluctuated significantly and general fund revenue growth trends have often not been clearly reflective of economic activity. Although the Great Recession officially ended in 2009, the State is just beginning to experience the positive effects of economic recovery. Of note, the State's general fund balance as of June 30, 2015 was \$828.1 million. The Executive Supplemental Budget includes amendments for FY 17 that total \$433.1 million from all means of financing for operating costs. This represents an increase of 3.3% over FY 17 appropriations in the biennium budget approved last year.

For more details on the Budget, visit <http://budget.hawaii.gov/wp-content/uploads/2015/12/Budget-in-Brief-FY-17-BIB.pdf>.

# HAWAII SUPREME COURT IN WAIANAЕ



Members of the Hawai'i Supreme Court, from left to right: **Justice Richard W. Pollack, Justice Paula A. Nakayama, Chief Justice Mark E. Recktenwald, Justice Sabrina S. McKenna, and Justice Michael D. Wilson.**

## **Courts in the Community: Hawaii Supreme Court Takes Oral Argument to Waianae**

As part of the Judiciary's Courts in the Community outreach program, the Hawaii Supreme Court heard an oral argument at Waianae High School. 325 students from Waianae, Campbell, Pearl City and Waipahu High Schools, as well as Island Pacific Academy had the opportunity to learn more about the Judiciary's role in government and its function in resolving disputes in a democratic society.

Under the program, the court convenes in schools to hear oral argument in cases pending before the court. This is the seventh argument in the program, which began in 2012.

To prepare for the oral argument, the participating juniors and seniors from each high school studied a curriculum developed by the Kamehameha V Judiciary History Center and the Students for Public Outreach and Civic Education of the University of Hawaii's William S. Richardson School of Law. Attorneys from the Hawaii State Bar Association (HSBA) volunteered their time and facilitated a moot court activity in the participating classrooms.

The HSBA and the Hawaii State Bar Foundation generously provided the students with lunches and transportation to and from their schools in Leeward Oahu.

The court heard an oral argument for *In re Garcia v. Robinson*, which is a case that involves what a patient

# HAWAII SUPREME COURT IN WAIANAE

must establish in proving a violation of a doctor's duty of disclosure. The case was initiated by Mr. Edwin Garcia, a security guard, who suffered a lower back injury at work. Mr. Garcia was referred to Dr. Bernard Robinson and claims that Dr. Robinson made certain representations during his initial consultation regarding the success rate of lower back surgery, pain expectations, and recovery time from the surgery. Dr. Robinson disputes that these statements were made and indicated that he disclosed all the risks before performing surgery, including the risk that the surgery might not be beneficial to Mr. Garcia, and that Mr. Garcia signed an informed consent form. Dr. Robinson performed lower back surgery on Mr. Garcia and Mr. Garcia's condition didn't improve after the surgery. The lower courts ruled in favor of Dr. Robinson concluding that Mr. Garcia didn't meet the requirements to establish an informed consent claim and Mr. Garcia appealed.



Legislators with justices at the Waianae High School library: (from left to right: **Justice Richard Pollack**, **Rep. Jo Jordan**, **Rep. Marcus Oshiro**, **Chief Justice Mark Recktenwald**, **Sen. Maile Shimabukuro**, **Justice Sabrina McKenna**, Hawaii State Bar executive director **Patricia Mau Shimizu**, **Justice Wilson**, **Justice Paula Nakayama**, and moderator **Derek Kobayashi**.)

The oral argument was followed by two separate question-and-answer sessions for the students; one with the attorneys and another with the five justices. <



**Representative Jo Jordan**  
House of Representatives  
415 S. Beretania St., Room 323  
Honolulu, HI 96813

# Community Workshop

*regarding the*

## Lualualei Flood Mitigation Study

**Tuesday, January 26, 2016**

7:00 – 8:30 p.m.

Kamehameha Schools  
Community Learning Center at Mā'ili  
87-790 Kulauku Street, Wai'anae  
Refreshments will be served from 6:30 p.m.



*Photo courtesy of Kamehameha Schools.*