

# 2018 Legislative Report

Hawaii State Senate District 5 Wailuku • Waihe'e • Waiehu • Waikapu • Kahului

*Dear Neighbors and Friends:*

*The 2018 Legislative Session adjourned sine die on May 3, 2018, with over 200 bills sent to the Governor for consideration.*

*The supplemental Executive Budget bill, HB1900 HD1 SD2 CD1, appropriates funds for Fiscal Year 2019 and reflects the Senate's priority to address housing and homelessness. The budget includes \$15 million for homeless programs, \$800,000 for chronically homeless individuals and families with severe substance abuse disorders, and \$450,000 for the State Rent Supplement Program. The bill also appropriates \$500,000 for the Early College High School Initiative, a permanent position for the Farm-to-School program, and \$800,000 to combat Rapid Ohia Death.*



*The legislature also dedicated \$50 million in SB2401 SD2 HD1 CD1 to homeless programs: establishing Ohana Zone pilots on all islands, a homelessness assessment pilot, a Medical Respite pilot, and a new family assessment center for homeless families. Here at home, the legislature approved a \$1 million Grant-in-Aid to Ka Hale A Ke Ola to renovate its facilities to provide sustainable, permanent housing units required to fully participate in Housing First.*

*In HB 2748 HD2 SD2 CD1, the legislature allocated \$600 million to housing needs: \$200 million to the Rental Housing Revolving Fund, \$10 million into the Dwelling Unit Revolving Fund, and increasing the general excise tax exemption for affordable rental housing to hopefully spur development of more rental units.*

*The legislature also passed several monumental measures, such as the creation of officially sanctioned living areas for homeless dubbed "Ohana Zones", a ban on certain sunscreens containing oxybenzone, a chemical responsible for coral bleaching in our oceans, an emergency appropriation of \$100 million for flood disaster relief on Kauai and \$25 million for the rest of the state, and funds to expand the Kula Forest Reserve by purchasing Erehwon Ranch.*

*In this newsletter, you will find summaries of other important bills that the legislature passed.*

*This year also marked my first session as Vice Chair of the Senate Ways and Means Committee. A large part of my responsibility in this role was overseeing all state Capital Improvement Projects—building repair and maintenance for existing schools, hospitals, and state offices, as well as plans, design, and construction for future projects—and capital Grants-in-Aid for non-profit organizations.*

*Mahalo for taking the time to contact my office at the State Capitol. I've been honored to represent our community and it continues to be a privilege to serve as your State Senator. I look forward to seeing you at one of Maui's community events in the coming months.*

*Aloha,*

Gilbert S.C. Keith-Agaran

# END OF SESSION HIGHLIGHTS

## Relating to Homelessness

### SB2401 SD2 HD1 CD1

Establishes the Ohana Zones Pilot Program, the Emergency Department Homelessness Assessment Pilot Program, and the Medical Respite Pilot Program.

## Relating to Affordable Housing++

### SB2293 SD2 HD3 CD1

Requires the Hawaii Housing Finance and Development Corp to institute proceedings to condemn the ground lease for the Front Street Apartments housing project; appropriates general funds for condemnation if Maui County provides matching funds. Also appropriates rental housing revolving funds for construction of the Leialii affordable housing project.

## Coordinated Statewide Homeless Initiative

### SB2027 SD2 HD1 CD1

Appropriates funds to the Dept of Human Services to procure the services of a master contractor to manage subcontracts for services provided through the initiative.

## Relating to Water Pollution

### SB2571 SD2 HD2 CD1

Beginning 1/2/21, bans the sale or distribution of any sunscreen that contains oxybenzone or octinoxate.

## Relating to Agriculture

### HB2306 HD1 SD2 CD1

Appropriates \$500,000 for the Food Safety Certification Costs Grant Program, effective 6/29/18.

## Restricted Use Pesticide

### SB3095 SD1 HD1 CD1

Prohibits the use of a restricted pesticide on or within 100 feet of a school during normal school hours; requires all users of restricted use pesticides to report on their use to the Dept of Agriculture; also prohibits the use of pesticides containing chlorpyrifos as an active ingredient; effective 1/1/2019.

## Relating to the State Budget

### SB192 SD1 HD1 CD1 – Act 12 (signed 5/10/18)

Appropriates \$125,000,000 in fiscal year 2017-2018 to the Dept of Defense for disaster and flood relief for the County of Kauai, Waimanalo and East Oahu.

## Our Care, Our Choice Act

### HB2739 HD1 – Act 2 (signed 4/5/18)

Establishes a regulated process under which an adult Hawaii resident with a medically confirmed terminal disease and less than six months to live may choose to obtain prescription medication to end one's life. Imposes criminal sanctions for tampering with a patient's request for a prescription or coercing a patient to request a prescription.

## Relating to Health Insurance

### SB2340 SD2 HD1 CD1

Ensures certain benefits under the Federal Affordable Care Act are preserved under Hawaii law, including: extending dependent coverage for adult children up to 26 years of age and prohibiting health insurance entities from imposing a preexisting condition exclusion or using an individual's gender to determine premiums.

## Medical Cannabis

### HB2729 HD2 SD2 CD1

Establishes standards and criteria for reciprocity for qualifying out-of-state medical cannabis patients and caregivers including limitations, and safeguards. Authorizes extension of written certifications of a debilitating condition for up to three years for chronic conditions.

## Related to Workers' Compensation++

### SB2244 SD1 HD2 CD1

Requires health care providers in the workers' compensation system authorized to prescribe opioids to adopt and maintain policies for informed consent to opioid therapy in circumstances that carry elevated risk of dependency.



*Deliberations during the final day of Conference on April 27, 2018.*





First day of Conference Meetings on Budget Bill HB1900 HD1 SD2.

**Opioid Antagonists++**  
**SB2247 SD1 HD2 CD1**

Authorizes pharmacists to prescribe and provide related education on opioid antagonists to individuals at risk of opioid overdose and to family members and caregivers of individuals at risk of opioid overdose without the need for a written collaborative agreement.

**Prescription Drugs++**  
**SB2646 SD1 HD3 CD1**

Requires prescribers of certain controlled substances to consult the State's Electronic Prescription Accountability System before issuing a prescription for the controlled substance, under certain circumstances; repeals 6/30/2023.

**Unlicensed Care Facilities**  
**HB1911 HD2 SD1 CD1**

Authorizes the Dept of Health to investigate care facilities reported to be operating without appropriate certificate or license; establishes penalties for violations and for knowingly referring patients to uncertified care facilities.

**Relating to Firearms++**  
**SB2046 SD1 HD1**

Prohibits possession, sale, transfer, manufacture and importation of bump fire stocks, multiburst trigger activators and trigger cranks.

**Surrender of Firearms**  
**SB2436 SD2 HD1 CD1**

Requires voluntary surrender of firearms and ammunition, upon disqualification from ownership, possession or control, within seven days of disqualification.

**Violation of Privacy**  
**HB2134 HD1 SD1 CD1**

Amends the offense of violation of privacy in the first degree to prohibit threats or acts to disclose an image or video; requires that any recording or image disclosed be destroyed or sealed and remain confidential.

**Relating to Aeronautics+**  
**SB2619 SD2 HD2 CD1**

Replaces fines for criminal penalties for certain airport offenses addressed in the State's aeronautics laws or in certain administrative rules or orders.

**Relating to School Buses**  
**HB1938 HD1 SD2 CD1**

Increases the fine to not more than \$1,000 for passing or overtaking a school bus on a state highway while the bus is stopped and its visual signals are turned on.

**Relating to Service Animals**  
**SB2461 SD1 HD1 CD1**

Defines a service animal; establishes a civil penalty for knowingly misrepresenting an animal as a service animal. First offense will be \$100 to \$250, with subsequent offenses at \$500.

**Relating to Lifeguards**  
**HB2097 HD1 SD2 CD1**

Requires the Attorney General to defend any civil action or proceeding against a county and any person employed by the county to provide contracted lifeguard services at a designated state beach park; appropriates funds to the Dept of Land and Natural Resources to contract with the counties for county lifeguard services.



Talking story with members of Ka Ipu Kukui Fellows along with Senator Roz Baker.



Closing the Budget Bill during Conference Meeting on April 20, 2018.



Senators and Representatives singing "Hawai'i Aloha" at Sine Die on May 3, 2018.

**Emergency Rescue Devices**  
**SB2087 SD2 HD2 CD1**

Amends Hawaii's Good Samaritan Law to provide civil liability exemption for persons who in good faith attempt to rescue a person with a rescue tube and for owners of any premises that is adjacent to navigable waters, where rescue tubes are located.

**Youth Suicide Prevention**  
**HB2169 HD1 SD1 CD1**

Appropriates funds for youth suicide early intervention, prevention, and education initiatives in Maui County.

**Relating to Elections**  
**HB1401 HD1 SD1 CD1**

Authorizes a pilot program to conduct the 2020 primary and general Elections by Mail in Kauai County.

**Relating to Liquor+**  
**SB2945 HD1 CD1**

Eliminates the requirement of a federal tax clearance certificate for an applicant for a liquor license or renewal of a license, or in the case of transfer of a liquor license, both the transferor and the transferee.

**Temporary Liquor Licenses**  
**HB2414 HD2 SD1**

Requires the county liquor commissions to reduce submission requirements for the issuance of one-day permits for fundraising events by nonprofit organizations. Permits nonprofit organizations with the temporary liquor license the ability to auction off, at a live or silent auction, liquor in sealed or covered containers or services that provide liquor.

**Audiologists Licensing+**  
**SB2258 SD1 HD2 CD1**

Clarifies that the licensing requirements for hearing aid dealers and fitters shall not apply to audiologists licensed pursuant to HRS chapter 468E.

**Relating to Liquor Licenses+**  
**SB2612 SD1 HD1 CD1**

Allows social clubs granted federal tax-exempt status to sell wine from the social club's inventory to club members for off-premises consumption; enables Class 10 special licensees to auction off liquor in sealed or covered containers or services that provide liquor.

**Class 2 Restaurant Licenses+**  
**SB2613 HD1 CD1**

Authorizes the county liquor commissions to issue new class 2 restaurant licenses before restaurants commence operation; requires applicant to certify that the applicant intends to and shall derive no less than thirty per cent of the establishment's gross revenue from the sale of foods.

**Relating to Taxation+**  
**SB2868 SD3 HD1**

Beginning 1/1/19, imposes registration requirements and the transient accommodations tax on brokers, travel agencies and tour packagers that enter into arrangements to furnish transient accommodations at noncommissioned negotiated contract rates on their share of the proceeds.

+ Introduced by Senator Keith-Agaran  
 ++ Co-sponsored by Senator Keith-Agaran

**Governor's Deadlines**

Please note that some of the bills described in this newsletter are still pending Governor David Ige's action.

**June 25, 2018 - Notice of Intent to Veto**  
 (35th day after sine die)

**July 10, 2018 - Veto Deadline**  
 (45th day after sine die)





Mural unveiling at Maui High School. L-R Kahului Councilmember Don Guzman, Maui Mayor/MHS alum Alan Arakawa, MHS alum/donor Don Takaki, Maui artist Phil Sabado, MHS alum Sen. Gil Keith-Agaran, Rep. Justin Woodson, and Maui High Principal Jamie Yap.

## Capital Improvement & Repair Projects & Grants-In-Aid

### Airports and Harbors

<b>Kahului Airport</b>	
Facility improvements .....	\$24.5M
<b>Hana Airport</b>	
Renovations to the baseyard building.....	\$1.5M
<b>Kahului Harbor</b>	
Facility improvements.....	\$34.6M

### Community

<b>Boys &amp; Girls Club of Maui, Inc.</b>	
Clubhouse at Paukukalo (grant-in-aid).....	\$250K
<b>Habitat for Humanity, Maui, Inc.</b>	
Affordable housing (grant-in-aid).....	\$300K
<b>Hale Makua Health Services</b>	
Support system for residents (grant-in-aid) .....	\$175K
<b>Hawai'i Nature Center, Inc</b>	
Renovations to facilities (grant-in-aid).....	\$500K
<b>Hawaiian Kamalii, Inc.</b>	
Facility improvements (grant-in-aid).....	\$60K
<b>Hoapili Hale</b>	
Security improvements to 2nd Circuit Court.....	\$1.6M
<b>Ka Hale A Ke Ola Homeless Resource Centers, Inc.</b>	
Permanent supportive housing (grant-in-aid).....	\$1.0M
<b>Ka Lima O Maui, Ltd.</b>	
Multi-purpose building (grant-in-aid).....	\$250K
<b>Kahului Civic Center</b>	
Mixed Use Project and new Maui Bus Hub .....	\$2.5M
<b>Kahului Library</b>	
Roof renovations and lighting upgrades .....	\$700K
<b>Maui Arts &amp; Cultural Center</b>	
Master plan implementation (grant-in-aid) .....	\$750K

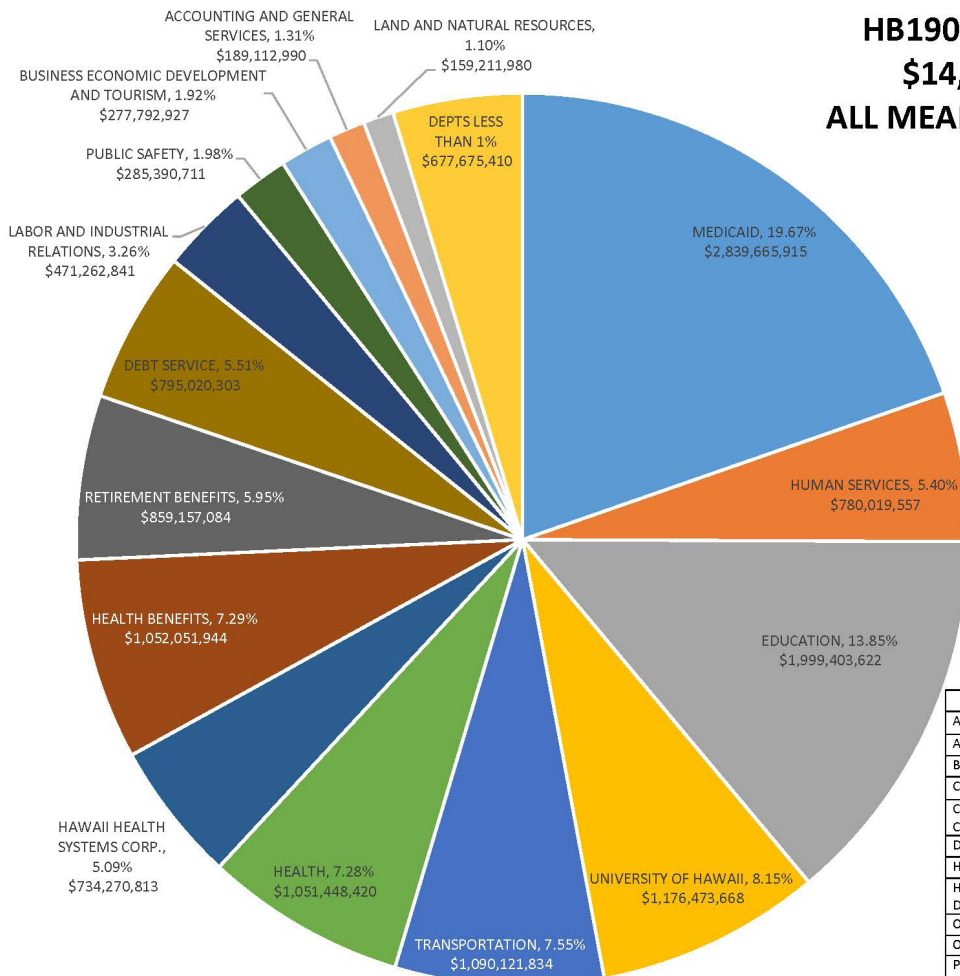
<b>Maui Community Correctional Center</b>	
Plans/design/construction of Bldgs 1, 2 & 3.....	\$500K
<b>Maui County Council of the Boy Scouts of America</b>	
New Dining Hall at Camp Maluhia (grant-in-aid)....	\$500K
<b>Maui Economic Opportunity, Inc.</b>	
Transit facility maintenance shop (grant-in-aid) .....	\$500K
<b>Maui Family Young Men's Christian Association</b>	
New gymnasium (grant-in-aid) \$200K	
<b>Maui Health System</b>	
Repairs/renovations to MMMC, KH and LCH .....	\$12M
<b>Education</b>	
<b>Baldwin High School</b>	
Reroof Buildings C and D.....	\$3.2M
<b>Iao School</b>	
Security improvements and renovations.....	\$200K
<b>Kihei High School (New School)</b>	
Plans/design/construction/equipment .....	\$103M
<b>Lokelani Intermediate School</b>	
Design/site improvements Library/Admin Bldg..	\$1.2M
<b>Maui High School</b>	
Weight training/wrestling facilities construction .....	\$2.8M
Design/construction for a new STEM building....	\$12M
<b>UH Maui College</b>	
Culinary Arts Program facility expansion .....	\$400K
<b>Parks &amp; Highways</b>	
<b>Iao Valley State Monument</b>	
Flood damage reconstruction/restoration .....	\$3M
<b>Puunene Avenue (vicinity Kuihelani Highway)</b>	
Improvements to intersections .....	\$3.25M

**Senator Gilbert S.C. Keith-Agaran**

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**HB1900 CD1 – FY2019**  
**\$14,438,080,019**  
**ALL MEANS OF FINANCING**



DEPTS LESS THAN 1%	FY19 \$	%
AGRICULTURE	\$ 54,292,642	0.38%
ATTORNEY GENERAL	\$101,128,756	0.70%
BUDGET AND FINANCE	\$ 72,890,575	0.50%
CHARTER SCHOOLS	\$ 91,069,503	0.63%
COMMERCE AND CONSUMER AFFAIRS	\$105,360,395	0.73%
DEFENSE	\$ 92,300,831	0.64%
HAWAIIAN HOME LANDS	\$ 41,529,120	0.29%
HUMAN RESOURCES DEVELOPMENT	\$ 3,462,635	0.02%
OFFICE OF THE GOVERNOR	\$ 57,204,500	0.40%
OFFICE OF THE LT. GOVERNOR	\$ 25,539,778	0.18%
PUBLIC LIBRARIES	\$ 940,566	0.01%
SUBSIDIES	\$ 942,000	0.01%
TAXATION	\$ 31,014,109	0.21%