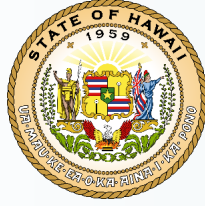

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District 7 - North Kohala, South Kohala, North Kona

LEGISLATIVE UPDATE

Representative David A. Tarnas

May 2021

Aloha,

The State Legislature has concluded the 2021 session with the successful passage of over 200 measures addressing public health, environmental protection, and a sustainable reopening of the economy.

When the legislative session began in January, we faced a nearly \$2 billion shortfall in the State Budget, which threatened furloughs and devastating cuts to social services. Utilizing \$1.6 billion of federal funds directed to the State through the American Rescue Plan Act, alongside careful budgeting and efficiency measures across the State government, we were able to pass a balanced budget without cutting funding to critical services. The State Budget passed in House Bill 200 (HB 200) restored \$81 million in funding to key safety net services, including sex abuse treatment, HIV and tuberculosis prevention and care, homeless services, and child protective services. It also included funding for many capital improvement projects (CIP) in our district. Please read inside this newsletter for details on these projects.

The Legislature also passed many bills to help shape a future of greater economic and environmental sustainability. Among the legislation I supported which the Legislature passed is [HB 862](#), which reforms the Hawai'i Tourism Authority to support sustainable tourism as our economy reopens and allows counties to levy Transient Accommodations Tax; [HB 1191](#), which supports broadband infrastructure expansion and equity; and [HB 552](#) and [HB 1142](#), which set clean transportation goals and support electric vehicle infrastructure. We also passed legislation to prevent dramatic increases in unemployment insurance rates for employers ([HB 1278](#)).

As Chair of the House Committee on Water and Land, I amended and approved over 60 bills and resolutions which went on to pass the full Legislature, including measures affecting land use policy, marine resource management, boating, forestry, climate change adaptation, and local agriculture. Please read inside this newsletter for highlights of bills that passed the Water and Land Committee and other measures I supported this session.

I am encouraged by what the State Legislature was able to accomplish this session. And, there is much more to do. I welcome your feedback about the legislation which passed this session, as well as your input as we prepare for the 2022 session.

I am very grateful to serve as your District 7 Representative. Please reach out with your questions, comments, and feedback any time.

Mahalo,

A handwritten signature in black ink that reads "David".



2021 Legislative Highlights

As Chair of the House Committee on Water and Land, I led the Committee's efforts to review, amend, and approve legislation on a range of issues related to Hawai'i's land, water, fisheries, marine resources, boating, forestry, and wildlife. The following summarizes the work of the Water and Land Committee and other legislation I introduced or supported this session.

Land use planning for sustainable development

Administrative reform and capacity building

We consolidated the Land Use Commission and Office of Environmental Quality Control into the Office of Planning, renaming it the **Office of Planning and Sustainable Development** (HB 1149, HB 1318). We amended the process to transfer property records from Land Court to the Regular System (HB 244), and authorized boards to **remotely conduct meetings** under the open meetings law (HB 1034).

Land lease policy reform

We authorized rent reductions for properties **where lessees have invested** in infrastructure or demolition (HB 1166) and lease extensions where lessees commit to **significant property improvements** (HB 499). We also made the sale of fee interest in certain affordable leasehold developments by HHFDC exempt from legislative approval (HB 77).

Coastal land management and sea level rise adaptation

We required State agencies to identify existing and planned facilities vulnerable to sea level rise, assess mitigation options, and report on this annually (HB 243). We also required seller disclosures in real estate transactions to identify when residential property is within the **sea level rise exposure area** (SB 474). For certain **small-scale beach restoration projects** authorized by DLNR, we waived the requirement for section 401 water quality certification (SB 367).

Land management planning and working groups

We directed the Office of Planning to report on **State lands** leased to the federal government (HB 1352) and develop a plan to establish a **state geological survey** in Hawai'i (HCR 102). We set up working groups to assess implementation of **Act 14 of 1995 and the Hawaiian Homes Commission Act** (HCR 76), consider governance and management frameworks for **Mauna Kea** (HR 33), and address **flooding** around Oahu (HCR 147, HCR 96, HR 81).

Land use approvals

We approved a land exchange **with Parker Ranch** (HCR 66) and passed 14 concurrent resolutions authorizing **submerged land leases** for storm drains, beach access stairways, groins, and piers, and existing seawalls around the State.

Marine resource management for sustainable fisheries, resource protection, and boating

Resource conservation enforcement

To strengthen resource conservation enforcement, we allowed the State to enter into the **Interstate Wildlife Violator Compact** (HB 1021), allowed enforcement officers to conduct **natural resource inspections** of fishers and hunters (HB 1022), and established **specialty license plates** to raise money for the resource conservation special fund (SB 772).

Licensing and regulating gear and take of species

We established a **recreational fishing license for nonresidents** (HB 1023) and a **Commercial Marine Vessel License** (HB 1016), regulated **lay nets** (HB 1018), protected **sharks** (HB 553), and removed **crab and lobster management** from statute because it is now covered under DLNR rules (HB 1017).

Setting mooring fees, ocean tourism fees, managing abandoned vessels

We created an **ocean stewardship user fee** for ocean tourism customers to support marine resource conservation and ocean recreation infrastructure (HB 1019). We allowed DOBOR to fund boating facility maintenance by setting **harbor fees** at fair market value (SB 795), and expedited the process for dealing with **abandoned vessels** (SB 791).

Capital Improvement Project funding

We provided **\$40,000,000** for **Kawaihae Commercial Harbor** improvements and **\$1,600,000** for **Kawaihae North Small Boat Harbor** dock and breakwater (HB 200).



Housing and transit-oriented development

Affordable Housing

We funded loans to nonprofit-run **affordable homeownership housing projects** (HB 79). Anticipating the end of the Governor's eviction moratorium, we revised the process for rental evictions, including requiring and providing funding for **landlord-tenant mediation** (HB 1376).

Transit Oriented Development (TOD)

We set up a TOD zone program (SB 140) and specified funding and review requirements (SB 225) to facilitate the development of infrastructure improvements supporting TOD projects.



Agricultural land management for sustainable food production

Agricultural land property management

We set up a working group to facilitate transfer of pasture and agricultural land from DLNR to DOA as required by Act 90 of 2003 (HB 469). We allowed larger **greenhouses** to be built without having to obtain a building permit (HB 489). And to **protect agricultural land for agricultural uses**, we amended condo property regime (CPR) laws to ensure projects in ag districts are used for ag (HB 247) and disallowed re-recorded homeowners' association rules from restricting agricultural activities on ag land (SB 186).



Strengthening the Farm to School program and local produce purchasing

We set minimum benchmarks for State departments' **local food purchasing** percentages, **up to 50% by 2050** (HB 817). We set up an audit of the Department of Education Food Services Branch to determine the current amount of local produce purchased and served in schools (HB 515) and set a goal that, **by 2030, public school cafeterias will serve at least 30% locally-sourced food** (HB 767).

Investment in processing, irrigation, and agricultural lands

We provided **\$750,000** for Kamuela Vacuum Cooling Plant upgrades and **\$500,000** for Waimea Irrigation System upgrades (HB 200). We also funded site surveys for a **black cinder** quarry to supply local growers (HB 834) and urged the State to approve a water lease for the Wai'oli Valley Taro Hui on Kaua'i (HCR 163).



State Parks and forestry management

Capacity building for State Parks management

We allowed State Parks to implement **adaptive management** and adjust fees based on resource conditions and visitor demands (HB 1276). We also allowed designated non-police County staff to issue citations for parking violations (HB 601).

State Parks infrastructure improvements in District 7

We funded **\$2.3 million** in Hapuna Beach State Park water system and roadway repairs (HB 200).

Forestry management

We strengthened forest management through changes to the **State Forest Stewardship Program** (SB 1162) and provided **\$750,000** to build and expand the program's **tree nurseries** (HB 863).

Protecting native forests and ecosystems

We provided **\$875,000** to combat **rapid 'ohia death** and **\$8 million** for **watershed management** and restoration (HB 200). We urged the State to use Wolbachia-infected mosquitoes for **landscape-scale mosquito control** to protect native forest birds (HR 95).



Education

Supporting public schools

We provided **\$7.4 million** for **school-level programs** in our school complex area (Honoka'a-Kealakehe-Kohala-Konawaena), which can include social, emotional, mental, and physical health services; STEM and sustainability projects; and career and technical education. We also included a **\$2,200 bonus** to each full-time and half-time public school teacher (HB 613).

Economic diversification and workforce development

We established and funded a **Green Jobs Youth Corps Program** to offer work and training opportunities for young adults (HB 1176), set up data reporting by the State Career and Technical Education Board to facilitate more effective and targeted **career-readiness programs** (SB 516), required every public school - now including elementary and middle schools - to offer quality **computer science courses** by the 2024-2025 school year (SB 242), and formally adopted the goals and recommendations of the Hawai'i Broadband Hui's Digital Equity Declaration, which aims to achieve **universal access to high-speed internet and educational technology** and **close the digital equity gap** by 2030 (HCR 161).

Investments in public education facilities

We funded **\$2.5 million** to begin work for a new gym at **Kohala High School**; **\$460,000** for a campus fire alarm system at **Kohala Middle School**; and **\$1.8 million** for planning and construction of a multi-purpose building, including a certified commercial kitchen space, at **Kanu o ka 'Āina New Century Public Charter School**. We also allocated **\$900,000** for University of Hawaii to remove the **Hoku Kea Telescope observatory** structure from the Mauna Kea summit and remediate the site (HB 200). UH plans to relocate the telescope to Hale Pohaku for teaching use.

State Highway Improvement Funding

We provided **\$8 million** for the **Waiaka Stream Bridge** replacement and Kawaihae Road and Kohala Mountain Road intersection realignment and safety improvements (HB 200). The **Waimea Regional Safety Improvement Project**, which we allocated **\$22 million** during the 2020 Legislative Session, is now being implemented and the project's Draft Environmental Assessment can be viewed online at: <https://bit.ly/3vEKqgk>.

To Learn More

Detailed information about these and other measures is available on the Capitol webpage. Please visit www.capitol.hawaii.gov to learn more.