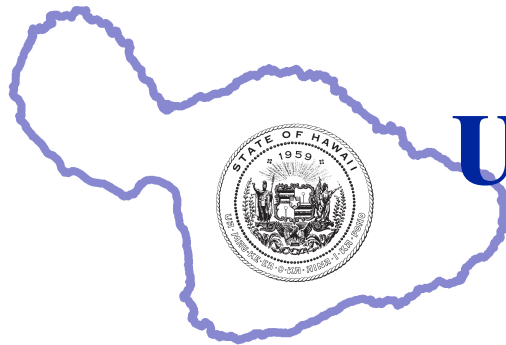




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# UPCOUNTRY UPDATE

2008 LEGISLATIVE SESSION  
 FROM REPRESENTATIVE KYLE YAMASHITA

*Thank you for the privilege of serving as your State Representative for 2007 and 2008. I am eager to share the accomplishments of the 24th Legislature.*

*The work of the Legislature and the people of Hawaii during this productive session resulted in legislation that responds to the people's needs, including measures that protect our precious natural resources, striving to make Hawaii more energy-independent through the development of renewable energy sources, supporting our vital agricultural industry, and providing funding to address the aging infrastructure of our public schools and improving University of Hawaii facilities.*

*We established an early learning system to give our children a head start in developing the education tools that will help them succeed. We also provided for the use of ignition interlock devices to prevent vehicles from being operated by intoxicated drivers.*

*I hope that you will find this Upcountry Update informative and useful. Please keep in touch with me about your concerns. Your participation in the democratic process is essential to make our government work for the people.*

*Kyle T. Yamashita*

## Upcountry Maui Water Reservoir

**State Funds Earmarked.** Dry conditions have always been a concern to Upcountry Maui residents and are especially important to our farmers whose crops and profits suffer during extra dry years. That is why I am especially pleased that \$3,750,000 in state capital improvement funds – an amount that needs to be met by Maui County – has been allocated to begin the joint county-state-federal project of planning and designing a water reservoir for Upcountry Maui. Federal funds are expected to pay for half of the \$15 million. At the beginning of the 2008 Legislative session, a joint meeting was held including Senator Daniel Inouye's staff, Mayor Charmaine Tavares and others to discuss ways to jumpstart the development of a much-needed 300 million gallon reservoir.

## Strengthening the Economy

**Creating a Fair Business Climate.** The most important thing government can do for business is to create an environment that is fair and allows businesses to operate efficiently. Business needs consistency, and while regulation is necessary, it need not be overly cumbersome.

This session, I introduced and the legislature passed HB2781 that establishes a **Small Business Bill of Rights**. The legislation recognizes the "rights" that small businesses should have to allow them to achieve success for themselves and their employees for the good of all the people of Hawaii.

The bill serves to reduce the burden placed upon small business by state regulations and outlines the rights of small business when they interact with regulatory agencies. If a regulatory agency seeks to impose stricter standards on small business, the bill requires them to perform a more rigorous examination and justification of the proposed rules.

In addition, it requires the existing Small Business Regulatory Review Board to convene a working group to review and make recommendations on whether the current statutes are adequate to meet the concerns of small business and the level of difficulty that businesses have in meeting the requirements of the statutes.

The next step will be to proceed with a comprehensive review of all state tax incentives, to establish their continued viability for Hawaii businesses and developing industries. While tax incentives provide a helpful boost to young businesses in the early years, they should not become a continuous subsidy at the expense of taxpayers.

Lastly, this bill requires agencies to justify any rule that imposes standards stricter than under existing county, state, or federal law and includes a list of matters that must be considered and included in the justification.



*The House honored Beverly Gannon of Hali'imaile General Store, who was awarded the 2008 SBA Small Business Person of the Year for the State of Hawaii.*



*Speaking on the floor during legislative session.*



# 2008 LEGISLATIVE SE

## Protecting Our Environment

Hawaii's dependency on imported fossil fuel is greater than any other state in the country at a time when oil prices are skyrocketing and expected to reach \$200 a barrel within the next few years. At the same time, our state is blessed with the greatest number of renewable energy resources in the nation, particularly the sun.

**Going Solar.** The Legislature passed SB644, a "first in the nation" bill that requires all new single family residences to include a solar water heater system, starting in 2010. The bill provides tax credits for the systems installed. While some may view the mandate as restrictive, it's important to recognize that the money saved through a solar water heater system will provide more disposable income for families, and that the overall impact is favorable to our communities. By increasing the use of renewable energy, we protect our environment, decrease pollution, and make housing more affordable. The positive economic impacts of this measure are significant and far-reaching.

**Managing E-waste.** The Legislature passed an environmental bill to establish a program to recycle computers, computer printers and monitors, and portable computers with a screen size larger than 4 inches diagonally.

These devices are often loaded with mercury and other potentially harmful substances and impact our limited landfill space.



*Kula Elementary School's May Day program shows the entire fifth grade class participating in the court.*

This bill requires manufacturers to collect and recycle electronic devices. It also establishes a working group that includes TV manufacturers to develop a similar program to recycle televisions.

**Updating the Environmental Review System.** Appropriated funds for the Legislative Reference Bureau to contract with the University of Hawaii to conduct a study of the State's environmental review process, such as its effectiveness; environmental, economic, social, and cultural issues unique to Hawaii; and larger concerns and interests related to sustainable development, global environmental change, and disaster-risk reduction.

## Supporting Farmers and Agriculture

**Preserving agricultural lands.** SB2646 is a comprehensive bill to protect and preserve prime agricultural land in Hawaii. It is critical to our farmers, and the future of farming that this bill be enacted.

For over 30 years, the state has been unable to fulfill a constitutional

mandate to identify and designate the Important Agricultural Lands in Hawaii. In the past 30 years, we have seen hundreds of acres of agricultural land developed, some would say over-developed, for residential and commercial purposes. Without this bill, the status quo would enable even further erosion of agricultural land, with no stability or benefits for farmers.

SB2646 provides various incentives and significant tax credits for agricultural landowners to protect these lands for farming, including the permission to develop farm dwellings for employees. It requires that 85% of the land remain in agriculture, and if the landowner chooses, they may seek to reclassify the other 15% for urban, rural or conservation designations.

Without this legislation, Hawaii will continue to lose agricultural land and open space, to the detriment of farmers and local food production.

**Helping agribusiness.** I introduced a bill to help farmers and agricultural businesses located in the state enterprise zones. To encourage the growth of Hawaii's agriculture industry, we amended the State Enterprise Zones (EZ) Law to recognize the unique challenges faced by this industry and allow more



*Celebrated Ag in the Classroom at the Ag Park.*



*The May Day Court at Makawao Elementary School.*



# SESSION HIGHLIGHTS



*Together with Councilman Mike Molina on Memorial Day honoring veterans at the Veterans' Cemetery in Makawao.*

farmers to qualify for EZ tax incentives.

The bill extends their eligibility by an equivalent length of time.

**Agribusiness Development Corporation.** HB2085 improved the Agribusiness Development Corporation Board decision making by requiring board members to have experience and expertise in agricultural product retailing, wholesaling, and distribution; packaging and processing; and transportation and shipping; or in venture capital for agricultural businesses. The Board shall prepare a five-year strategic plan.

**Biosecurity Program.** Funding provided to the Department of Agriculture's Biosecurity Program for comprehensive efforts to prevent and control the spread of invasive species.

**Irrigation.** HB2965 helps to ensure the security of the agricultural water supply by authorizing emergency measures to be taken in response to damages caused by disasters.

**Capital Improvement Projects.** To ensure a stable source of water for Hawaii's farmers, the Legislature appropriated \$3,000,000 for each year of fiscal biennium 2007-2009 for the installation of pipeline for the Upcountry Maui Watershed Project.

**Infrastructure.** HR 293 will assist Maui farmers by requesting the Department of Agriculture to develop a plan to optimize the use of the Kula Vacuum Cooling Plant in Upcountry Maui.

**Alternative Energy.** HB 2502 (Act 31, SLH 2008), will facilitate productive use of marginal agricultural lands by including solar energy facilities as permitted uses within certain classes of land in the agricultural district.

SB 2849 encourages efficient use of agricultural lands and the development of renewable energy by permitting on agricultural lands, agricultural-energy facilities provided that the primary activity of the agricultural-energy enterprise is agricultural activity.

**Loans.** To provide financial assistance for farming operations across the state, HB 2261 establishes farm and aquaculture sustainable project loans for projects, such as photovoltaic energy and wind power generation that improve the viability of the farming operation.

To assist farming activities on Hawaiian Home Lands, HB 3126 increases the loan ceiling for the development of farm, ranch, and

aquaculture operations on Hawaiian Home Lands from \$50,000 to \$200,000.

## Taking Care of Our Students

**Early Learning.** To help Hawaii's children reach their full potential as individuals and citizens, legislation was passed to:

- Establish the Keiki First Steps early learning system to ensure a spectrum of high-quality early learning opportunities for children throughout the state, from birth until the time they enter kindergarten, with priority given to underserved or at-risk children;
- Create the Early Learning Council to develop and administer the system;
- Establish the Keiki First Steps Grant Program component of the system to increase early learning opportunities that meet high standards of quality through the awarding of grants to certain public or private programs and services; and
- Promote the development of early learning facilities.

**Online Learning.** Online learning opportunities were expanded for students across the state by requiring the Department of Education to:

- Implement the recommendations of the Online Learning Task Force;
- Assess the digital literacy of teachers, students, and other personnel to ensure maximum success of online learning programs; and
- Systematically establish the infrastructure for online learning based on institution type.



*Watched the talented students at Pukalani Elementary School perform during the May Day program*



*At Kula Hospital with employees and families during their May Day celebration.*



*Visiting with Project East students at King Kekaulike High School.*

## Investing in Higher Education

### UH statewide; Capital Improvement Projects.

We ensured that the University of Hawaii (UH) remains a premier institution of higher learning by providing safe and modern facilities for its students, including much-needed improvements, by appropriating among other things:

- \$71,207,000 for repair and maintenance projects at UH campuses statewide, including community colleges;
- \$25,000,000 for a science building at Maui Community College;
- \$35,883,000 for the renovation of and additions to the UH-Manoa Campus Center Complex;
- \$7,518,000 for a new classroom building at UH-Manoa; and
- \$22,000,000 for a regional bio-containment laboratory facility on Oahu.

*The House of Representatives recognized Leighton Nakamoto of Kalama Intermediate School who was the 2008 Maui District Teacher of the Year. To Leighton's left is Kalama's principal, John Costales.*



### Contact Information

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### Capital Improvement Projects for Fiscal Year 2008

#### UPCOUNTRY MAUI

Upcountry Maui Watershed	\$ 3,000,000
King Kekaulike High School Auditorium Design	\$ 410,000
Pukalani Elementary School, Electrical Upgrades	\$ 909,000
Haleakala Highway Widening at Milepost 0.8	\$ 150,000

### Capital Improvement Projects for Fiscal Year 2009

#### UPCOUNTRY MAUI

Upcountry Maui Watershed	\$ 3,000,000
Pukalani Elementary School, Classroom Renovations	\$ 400,000
Kula Hospital, Replace X-Ray System	\$ 414,000
<b>Upcountry Maui Water Reservoir</b>	<b>\$ 3,750,000</b>
Haleakala Highway Widening at Milepost 0.8	\$ 40,000

### Lump Sum Appropriations for School Repair & Maintenance Fiscal Year 2008-2009

#### UPCOUNTRY MAUI

Kalama Intermediate School	\$ 2,191,000
King Kekaulike High School	\$ 411,000
Kula Elementary School	\$ 225,000
Makawao Elementary School	\$ 116,000
Pukalani Elementary School	\$ 225,000

Funds appropriated for Makawao and Kula Schools for cesspool removal.

### Capital Improvement Projects for Fiscal Year 2008-2009

#### MAUI COUNTY

Maui Economic Development Board, Inc.	\$ 300,000
La'a Kea Foundation	\$ 448,000
Hale Makua	\$ 750,000
Maalaea Small Boat Harbor	\$ 6,000,000
Mala Boat Launching Ramp	\$ 200,000
Hana Boat Ramp Improvements	\$ 906,000
Maalaea Small boat Harbor, Electrical Improvements	\$ 1,300,000
Bike and Pedestrian Trail	\$ 100,000
Maui Community Arts and Cultural Center	\$ 500,000
Friends of Old Maui High School	\$ 200,000
Maui Memorial Medical Center	\$ 3,538,000
Maui Economic Opportunity	\$ 1,000,000
Maui Family YMCA	\$ 500,000
Ahihi-Kinau Natural Reserve	\$ 100,000
Kahului Airport	\$ 27,709,000
Kahului Airport, Access Road	\$ 35,313,000
Kahului Airport, Parking Lot Expansion	\$ 17,105,000
Guardrail and Shoulder Improvements on State Highways	\$ 1,250,000
Kahului Harbor Land Acquisition and Improvements	\$ 35,000,000
Honoapiilani Highway Widening and/or Realignment	\$ 54,800,000
Traffic Op. Improvements to Existing Intersections and Highway	\$ 1,100,000
Hana Highway Improvements, Huelo to Hana	\$ 675,000
Waiehu Beach Road, Rehabilitation of Iao Stream Bridge	\$ 6,500,000
Hana Highway Widening, Kaahumanu Ave. to Haleakala Hwy.	\$ 1,300,000
Puunene Avenue Widening, Wakea Ave. to Kuihelani Hwy.	\$ 525,000
Maui Community College, Science Building	\$ 25,000,000