

2008 Legislative Accomplishments

The 2008 Regular Session of the Legislature was highlighted by the successful passage of several key initiatives in areas such as the environment, energy, agriculture, education, and transportation.

To improve stewardship over the environment, the Legislature:

- Supported a comprehensive initiative to prevent and control the spread of invasive species by establishing, and providing funding for, the Department of Agriculture's (DOA) Biosecurity Program (Act 236, Session Laws of Hawaii (SLH) 2008);
- Expanded the items subject to the pest inspection, quarantine, and eradication service fee to include any freight, including air freight, brought into the state. This measure also required the fee to be assessed based on the net weight of the imported freight (Act 3, Special SLH 2008); and
- Protected valuable lands in the North Shore of Oahu by authorizing the Governor to conduct negotiations for the acquisition of lands in and around the Turtle Bay Hotel & Resort (Act 140, SLH 2008).

To encourage energy conservation and renewable energy use, the Legislature:

- Included solar energy facilities as a permitted use on marginal agricultural lands (Act 31, SLH 2008);
- Required the installation of solar water heater systems in all new residential development projects constructed after January 1, 2010, unless a variance is approved (Act 204, SLH 2008); and
- Expedited state and county permit processing for renewable energy projects that generate at least 200 megawatts of electricity, with certain environmental safeguards (Act 207, SLH 2008).

To support Hawaii's agricultural industry, the Legislature:

- Provided a comprehensive set of incentives to assist our farmers and jumpstart the important agricultural lands (IALs) designation process, including an income tax credit, certain priority permit procedures for owners of IALs, an agricultural loan guaranty program, permitting certain types of farm dwellings and employee housing, and providing for combined designation of IAL and reclassification to other land use districts. This measure also required DOA and the Department of Land and Natural Resources (DLNR) to identify and designate prime state-owned agricultural lands as IALs and transfer management authority over those lands to DOA (Act 233, SLH 2008);

- Established farm and aquaculture sustainable project loans for projects, such as photovoltaic energy and wind power generation, that improve the viability of farm operations (Act 209, SLH 2008);
- Revised the provisions governing Hawaii's Enterprise Zones (EZ) program to make it easier for farmers to qualify for the EZ tax incentives (Act 143, SLH 2008); and
- Provided additional flexibility for the Agribusiness Development Corporation (ADC) and supported efforts to preserve valuable agricultural lands by:
 - Allowing ADC to purchase, accept, and maintain permanent conservation easements, and to contract with certain financial institutions to provide lease-management services when leasing ADC-controlled lands;
 - Specifying that the Legislature may authorize ADC to acquire agricultural lands for the protection of agricultural lands, public land banking, or promotion of farm ownership and diversified agriculture;
 - Allowing ADC to issue revenue bonds for the acquisition of agricultural lands; and
 - Authorizing ADC to acquire specific agricultural lands located on Oahu and owned by the Galbraith Estate; and
 - Requiring DLNR to exercise eminent domain to acquire the Galbraith Estate lands if an agreement to acquire the lands is not reached within a reasonable time (Act 234, SLH 2008).

To invest in the education of our youth, the Legislature:

- Established the Keiki First Steps early learning system, to include a grant program, to provide a range of early-learning opportunities for children, from birth until kindergarten, with priority for underserved or at-risk children (Act 14, Special SLH 2008);
- Supported online learning opportunities by requiring the Department of Education to implement the recommendations of the Online Learning Task Force and systematically establish the infrastructure for online learning based on institution type (Act 152, SLH 2008); and
- Provided over \$150,000,000 in capital improvement funding for various projects at the University of Hawaii (UH), including repair and maintenance, new classroom building at UH-Manoa, regional biocontainment laboratory facility on Oahu, and a science building at Maui Community College (Act 158, SLH 2008).

To enhance traffic safety and address traffic infrastructure, the Legislature:

- Improved and modernized commercial harbors by establishing the Harbors Modernization Group to implement specific harbor projects that constitute the Commercial Harbors Modernization Plan. This measure also transferred jurisdiction over Hana Harbor, from DLNR to the Department of Transportation, and authorized the issuance of \$20,000,000 in revenue

bonds to finance improvements to the harbor (Act 200, SLH 2008);

- Addressed inter-island air travel by establishing a statutory framework for the regulation of inter-island air carriers in Hawaii through an Air Carrier Commission (Act 1, Special SLH 2008);
- Encouraged pedestrian safety by appropriating \$1,000,000 for the Department of Transportation to conduct a study to identify intersections where the time to cross is insufficient for elderly pedestrians, and to implement immediate improvements to high-risk crosswalks and road crossings (Act 232, SLH 2008); and
- Required the installation of an ignition interlock device, which prevents the starting or operating of the motor vehicle of a person with more than a minimal alcohol concentration, into the motor vehicles of persons arrested for driving under the influence, while their cases are pending and while their licenses are revoked (Act 171, SLH 2008).