

Legislative Wrap Up from...

Summer 2011

# Senator Mike Gabbard

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### **CHAIR**

**Energy and Environment**

### **MEMBER**

**Judiciary and Labor**

### **MEMBER**

**Transportation and International Affairs**

### **District 19**

**Waialeale, Royal Kunia, Village Park, Makakilo, Kapolei, Kalaheo, Honokai Hale, and portions of Waipahu and Ko'Olina**



## *Aloha Friends and Neighbors,*

The 2011 Session came to a close on May 5<sup>th</sup>. It was another tough session, given that we had to close a \$1.3 billion budget gap. I got a lot of feedback and know many of you are pleased that we didn't raise the general excise tax, tax pensions, or eliminate Medicare Part B benefits. We were also fortunate to get \$40 million in the state budget for Kapolei II Elementary School and \$24.8 million for future improvements to the Kapolei Interchange Complex.

As many of you know, I've been the Senate's Energy and Environment Chair for the last 3 legislative sessions and I'm committed to working toward reducing our state's dependence on imported fossil fuels. Also, I will continue to hold my monthly community "listen-story" meetings in the district to hear your concerns, and to get your input on issues that are important to you.

Please contact me if I can help you or your ohana in any way. My phone number is 586-6830 and email is [sengabbard@capitol.hawaii.gov](mailto:sengabbard@capitol.hawaii.gov)

Here's a quick rundown of some of the highlights for District 19 and other things happening around the state.

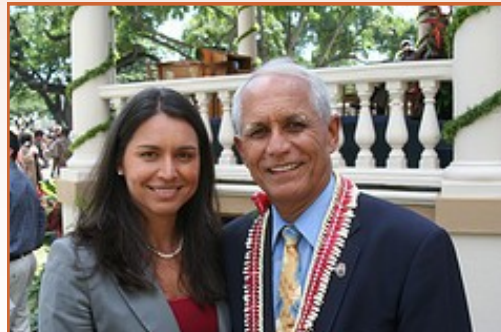


## *Listen-Story Meeting*

My next "Listen-Story" community meeting will be at Kapolei Starbucks (next to the Chevron Station) on Saturday, June 18<sup>th</sup> from 9am to 10am.



**Waialeale Listen Story Meeting  
November 2010**



**Sen. Gabbard & daughter, Councilmember Tulsi Gabbard, at Gov. Abercrombie's inauguration**



**SB 704 Signed into Law  
April 2011**

## 2011 State Budget Overview

The Legislature passed an \$11 billion budget for 2012 and a \$10.9 billion one for 2013. In order to close the \$1.3 budget shortfall, we went along with \$616 million in across the board department cuts recommended by the Governor. We also raised revenue by suspending general excise tax exemptions for certain business activities, capped itemized tax deductions, repealed state income tax deductions for higher earners (more than \$100,000 in income), capped transient accommodation taxes going to the counties & the Hawai'i Tourism Authority, diverted rental vehicle surcharge money & put it into the general fund, and increased both the vehicle weight & registrations fees.



## Energy & Environment Bills Important for Hawai'i's Future

Here's a quick summary of some of the energy and environment bills that I helped steer to passage this session:

- **HB 1015 (Act 28)** – makes an emergency appropriation of \$2 million from an EPA grant for the Department of Hawaiian Home Lands to clean-up a contaminated site in East Kapolei.
- **HB 1520** – requires the Public Utilities Commission (PUC) to investigate an on-bill financing program, where electric utility customers could finance a renewable energy system and make the payments on their utility bills.
- **SB 181** – a bill I authored which directs the Department of Business, Economic Development, and Tourism (DBEDT) to establish a working group to study the feasibility of establishing a new requirement that all new homes in the state be photovoltaic-ready.
- **SB 631** – allows solar energy facilities on class B and C agricultural lands, as long as the facility occupies no more than 10% of the parcel or 20-acres.
- **SB 704 (Act 9)** - a bill I authored which clarifies our laws by allowing companies to lease PV systems to homeowners in order to mitigate up-front costs and exempt those businesses from being treated as a utility by the PUC.
- **SB 1244** – qualifies biofuel production facilities with an annual output of 100,000 gallons or more for expedited permitting under DBEDT's Renewable Energy Facility Siting Process.
- **SB 1482** – a bill I authored which requires the PUC to consider the need to reduce the state's reliance on fossil fuels when making decisions regarding renewable energy projects.
- **SB 1493** – addresses problem of light pollution by requiring all new and replacement light fixtures (100 watts or higher) to be fully shielded – meaning no light is emitted or directed above the horizontal plane. There are exemptions for construction, film production, and agricultural operations.

## Bag Bill Key for 2012 Session

I was very disappointed that we weren't able to get a bill I authored, SB 1363, to the finish line this past session. This bill would have required retailers to charge a 10 cent fee for every single use plastic or paper bag. The basic idea behind this bill is that both plastic and paper bags are bad for the environment and a wasteful product that we can do without. It's important to note that SB 1363 isn't a tax because all we have to do to avoid paying the fee is bring our own bags or use a shopping cart, like many of us already do at Costco and Sam's Club.

It's incredible to consider the fact that Americans go through 100 billion plastic bags each year. That translates to 12 million barrels of oil. Here in Hawai'i we go through over 400 million plastic bags a year and also 20 million paper bags every year. Cities like Washington D.C. and countries such as Ireland have taken this step and have dramatically reduced their use.

What surprised me most about the failure of the bill is that both retailers and environmentalists were on-board. Another important fact is even with a 50% reduction in the use of plastic/paper bags, SB 1363 would have still generated \$21 million. This money would have been helpful for us in balancing the budget. On a positive note, SB 1363 did pass both the House and Senate, and made it to Conference Committee. So we'll have another crack at it in 2012. I hope you'll join me in supporting this "green" bill.



## District 19 Comes Up Big in Construction Funding

In addition to the new school, District 19 also did very well in other construction funding for our community. We were able to secure a total of \$179.7 million for schools, roads, and other infrastructure improvements. Here's a list of those projects:

### Roads:

Interstate Route H-1, Makakilo to Palailai IC (Kapolei Interchange Complex Improvements) - \$24,808,000

### Schools:

East Kapolei High School (Design of New School) - \$3.3 million

East Kapolei Middle School (Design of New School) - \$2.5 million

Kalei'opu'u Elementary School (Electrical Upgrades) - \$550,000

Kapolei II Elementary (Construction of New School) - \$40 million

### Kalaeloa Development:

Kalaeloa Airport Improvements - \$18.65 million

Minor Military Construction and Renovations Army Guard Facilities (Kalaeloa) - \$9,790,000

Renovation of Building 117 (Kalaeloa) - \$41,876,000

29<sup>th</sup> Infantry Brigade Combat Team Readiness Center (Kalaeloa)- \$33.9 million

### UH West Oahu:

UH West Oahu Photovoltaic Panel Array - \$2.5 million

### Grants-In-Aid to Non-Profits:

Seagull Schools Preschool (Kapolei Elementary Pre-Plus Program) - \$300,000

Special Olympics Hawai'i, Inc. - \$1.5 million

## Kapolei Getting New Elementary School

Our district was very fortunate to be the only one in the state to receive \$40 million in construction funding for a new school in the 2012-2013 budget. This will make a big difference for our already overcrowded schools. Kapolei II Elementary will be located adjacent to DR Horton Schuler Division's Mehana residential project off Ft. Barrette Road, across the street from Kapolei High School. In 2009, we appropriated \$3.5 million for the design of the school, which Governor Abercrombie is expected to release soon. These funds will allow the Department of Education (DOE) to begin the process of selecting a consultant, who will head up the planning and design of the new school. The DOE will also be working with the Leeward Oahu District Complex on the "visioning process" to determine what the school will look like. We are hoping for a 2015 completion date.



**Kalaeloa Tennis Association  
Work Party  
January 2011**



**Dedication of Royal Kunia  
Community Center  
January 2011**



**Read Across America  
Mauka Lani Elementary  
March 2011**

## 2011 Legislative Overview

There were 3,224 bills introduced during the 2011 Session (1,559 Senate bills, 1,665 House bills). Of those, 252 passed the Legislature (7.8% of the total). This compares to 250 bills that were passed last session. Governor Abercrombie has until June 27<sup>th</sup> to notify the Legislature about his intent to veto any of those bills. If the Legislature decides to override the Governor's vetoes, it must hold a special session on July 12<sup>th</sup>.

I encourage you to contact Governor Abercrombie at [governor.abercrombie@hawaii.gov](mailto:governor.abercrombie@hawaii.gov) or call 586-0034 if you have any input on legislation.

### Don't Miss "Hawai'i: The State of Clean Energy" TV Show

I was interviewed recently for the *Hawai'i: The State of Clean Energy* TV show. The 30-minute program is a 6-part series sponsored by the Hawai'i Energy Policy Forum and Hawai'i News Now. The focus of the program is to educate, excite, and energize viewers to action on our efforts to move toward a clean energy future. My interview focused on my recent decision to purchase a new all-electric Nissan Leaf car and my thoughts on how this relates to us meeting our goal of powering our economy through renewable energy and energy efficiency. The Clean Transportation Show will air on KGMB on June 22<sup>nd</sup> at 6:30pm and KHNL on June 23<sup>rd</sup> at 6:30pm. You can check out this link to see past shows and find out more information about the program:

<http://www.hawaiienergypolicy.hawaii.edu/hnn-clean-energy/index.html>



## Papahānaumokuākea Celebrated at State Senate for 10<sup>th</sup> Anniversary

On April 7<sup>th</sup>, I organized a floor presentation at the State Senate to honor the men and women who have been instrumental in the creation and protection of the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, better known as Papahānaumokuākea, which celebrated its 10<sup>th</sup> Anniversary on December 4, 2010. Those individuals are: Buzzy Agard, William Aila - Chairperson of DLNR, Laura Thompson of the Polynesian Voyaging Society, Tim Johns - CEO of Bishop Museum, Dave Raney of the Sierra Club, Rob Toonen of the Hawai'i Institute of Marine Biology, Robert Smith - the former Superintendent of the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, Linda Paul of the Hawai'i Audubon Society, and 'Aulani Wilhelm and Andy Collins of Papahānaumokuākea Marine National Monument.

Here's some background to illustrate the importance of this occasion: On December 4, 2000, the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve was created by President Bill Clinton making it the single largest conservation area ever established in the U.S. and providing the strongest level of protections ever enacted for the ocean at the time. This ecological treasure chest is almost 2 million acres of submerged coral reefs which are home to over 7,000 species of coral, algae, mollusks, fish, and crustaceans, as well as over 30 species and 14 million breeding sea birds.

The Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, which continues to exist as an organizational entity, was overlaid by the establishment of Papahānaumokuākea Marine National Monument, by President George W. Bush in 2006, which covers nearly 140 thousand square miles. The protection and management of Papahānaumokuākea aims to forever protect and perpetuate ecosystem health and diversity and Native Hawaiian cultural significance as its vision. Ten years after this first designation focused on marine conservation of the region, on July 30, 2010, delegates to the United Nations Educational, Scientific and Cultural Organization (UNESCO) inscribed Papahānaumokuākea Marine National Monument as one of only 26 mixed natural and cultural World Heritage sites in the world. It was the first site to be nominated by the U.S. in over 15 years.

