

STAND. COM. REP. NO.

507

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 1493
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Energy and Environment and Economic Development and Technology, to which was referred S.B. No. 1493 entitled:

"A BILL FOR AN ACT RELATING TO LIGHT POLLUTION,"

beg leave to report as follows:

The purpose and intent of this measure is to require every new and replacement outdoor light fixture, whether commercial or residential, to be fully shielded, with certain exceptions.

Your Committees received testimony in support of this measure from Richard Wainscoat, University of Hawai'i System; Richard Wainscoat, Starlight Reserve Committee; Bob Parks, International Dark-Sky Association; Robert Harris, Sierra Club, Hawai'i Chapter; Natalie Iwasa; and Dr. David Crawford. Your Committees received testimony in opposition to this measure from the Department of Transportation. Your Committees received comments on this measure from Richard Lim, Department of Business, Economic Development, and Tourism; William J. Aila, Jr., Department of Land and Natural Resources; Collins Lam, City and County of Honolulu, Department of Design and Construction; Karen Nakamura, Building Industry Association of Hawaii; and C. Mike Kido, The Pacific Resource Partnership.

Your Committees find that the night sky is a valuable natural and cultural resource for the State. Your Committees also find that the dark night sky has tremendous scientific value for astronomy and is of vital importance for endangered species

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including birds and turtles. Your Committees further find that unnecessary light pollution is threatening the dark night sky over the entire State and that much of this light pollution is caused by improperly shielded lights. Act 161, Session Laws of Hawaii 2009, formed a temporary advisory committee to assist in the development of a statewide starlight reserve strategy to preserve the quality of the night sky and its associated values. This measure is intended to implement the recommendations of that temporary advisory committee.

This measure provides an exemption for light sources of three thousand lumens or less, approximately the brightness of a one hundred fifty watt incandescent bulb, which exempts most outdoor residential lighting in the State. Your Committees recognize that in addition to the exemption for light sources of three thousand lumens or less, there are other practical issues and exemptions that need to be considered in the implementation of this measure.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the qualifying term "whether commercial or residential" to make the provisions of the measure applicable to government lighting as well;
- (2) Inserting language to provide an exemption for outdoor athletic lighting, such as lighting at ballparks, under certain conditions;
- (3) Inserting language to provide an exemption for night-time film production activity;
- (4) Deferring the implementation of this measure to July 1, 2013; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Economic Development and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1493, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1493, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committees on Energy and
Environment and Economic
Development and Technology,



CAROL FUKUNAGA, Chair



MIKE GABBARD, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

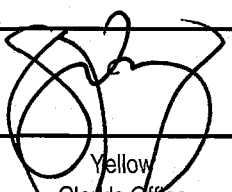
Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 1493	Committee Referral: ENE/EDT	Date: 2-24-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
ENGLISH, J. Kalani (VC)				✓
GREEN, M.D., Josh				✓
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Economic Development and Technology
EDT

Bill / Resolution No.:* SB1493	Committee Referral: ENE/EDT	Date: 2/28/2011		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
FUKUNAGA, Carol (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
SOLOMON, Malama				✓
SLOM, Sam	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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