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## MESSAGE FROM KALANI

We are busy at the Capitol as we pass the half way mark of Session. The Senate has confirmed four more State Department Directors, has taken an in-depth look at Hawaiian issues during Hawaiian Caucus Day and examined educational issues during Education week.

The ripple effects from tragedies in the east have undoubtedly shaken all of us. The events in Japan demonstrate how lucky we were this time and what could have happened here in Hawai'i. Our hearts go out to all who are suffering unfathomable loss.

I would like to thank all of our State and County Civil Defense workers who ensured our safety during the tsunami alert and evacuation. We can rest easier knowing that Hawai'i Civil Defense is prepared for us.

A handwritten signature in black ink that reads "J. Kalani English".

# SENATOR J. KALANI ENGLISH

HAWAI'I STATE SENATE • 6TH DISTRICT

HĀNA • EAST & UPCOUNTRY MAUI • MOLOKA'I • LĀNA'I • KAHO'OLAWĒ



## WHEN MEDICINE IS NOT CONTRABAND

Garnering much attention this session are two bills introduced by Senator English, both pertaining to medical marijuana. **Senate Bill 1458** establishes three classes of medical marijuana licenses. The first license class would allow the operation of a compassion center (dispensary) and distribution of medical marijuana to qualified patients. The second license class is a cultivation license to grow marijuana for the compassion centers. The third license class would enable manufacturing of medical marijuana-infused products.

Collectively, these licenses will create the structure allowing individuals with various medical conditions to obtain medical marijuana. A Compassion Center offers safe access for the 9000+ registered patients in Hawai'i to obtain their prescribed medical marijuana. Hearing patient after patient offering testimony explaining how cannabis has saved their lives, enabled them to move and get out of bed again is testament to cannabis's beneficial applications.

**Senate Bill 1460**, establishes a civil violation for the possession of an ounce or less of marijuana and subject the possessor to a civil fine of no more than \$100. State and county law enforcement agencies spend \$4,100,000 per year to enforce marijuana possession laws, and an additional \$2,100,000 is spent by the courts each year to process marijuana possession cases, according to, "The Budgetary

Implications of Marijuana Decriminalization and Legalization for Hawai'i," dated March 2007, by University of Hawai'i West Oahu economist, Lawrence W. Boyd, Ph.D. This study further indicates that less than two per cent of all arrests in Hawai'i between the years of 1997 and 2004 were for marijuana possession and of the misdemeanor marijuana drug cases brought in district court, approximately sixty-five per cent are dismissed, stricken, or not prosecuted.

The study concludes, few of those arrested for marijuana possession are actually prosecuted under the law, fewer convicted, and virtually none serve jail time. Of those convicted, probation is the usual sentence for first time offenders. Clearly, the costs to enforce marijuana possession laws are substantial, while the resulting conviction rate is low.

Senate Bills 1458 and 1460 represent the first modifications to medical marijuana statutes since their inception in 2000. These bills have passed the Senate and are now in the House. Senate Bill 1458 has just moved through its first referral in the joint House Committees on Health and Public Safety and Military Affairs. The Measure must now go to the House Committee on Judiciary and then Finance. Senate Bill 1460 has been referred to the joint House Committees on Health and Public Safety and Military Affairs then the Judiciary Committee, but has not been scheduled for a hearing.

On January 1st, 2012, the State of Hawai'i can begin issuing licenses for civil unions, a marriage license equivalent for opposite and same gender couples that extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. **Senate Bill 232**, introduced on January 23, 2011, moved very quickly through both branches of the Legislature and was signed into law by Governor Neil Abercrombie on February 23, 2011. The bill signing ceremony was held at Washington Place among key lawmakers and long time supporters of civil rights in Hawai'i. Hawai'i is the seventh state in the nation to recognize civil unions.

Senate Bill 232 is the 2011 version of last year's House Bill 444 that generated so much controversy between church groups and the Gay, Lesbian, Bisexual and Transgender advocates. House Bill 444 was the subject of much debate in the 2010 session and passed final reading last April. Former Governor Lingle vetoed the measure in July.



*Senators J. Kalani English, Les Ihara, Gilbert Kahele and Roz Baker, Representative Chris Lee, Senator Clayton Hee, Speaker Calvin Say and Senator Brickwood Galuteria join Governor Neil Abercrombie and his wife Nancy Caraway to sign Senate Bill 232 into law. February 23, 2011.*

The long awaited Honolulu Rail System broke ground on February 22, 2011 along Kualakai Parkway (North-South Road) in Kapolei, Oahu. This initial phase of the elevated rail guideway system will extend from East Kapolei to Pearl City. In attendance were various dignitaries from Hawai'i including; United States Senators Daniel Inouye and Daniel Akaka, Congresswoman Colleen Hanabusa, Lieutenant Governor Brian Schatz, Senate President Shan Tsutsui, Speaker of the House Calvin Say, Senators J. Kalani English, Mike Gabbard and Will Espero among other legislators.

The \$5.5 billion dollar transit project is a 20-mile elevated rail system connecting East Kapolei with Ala Moana Center. It includes 21 stations in communities including Waipahu, Pearl City, Aiea, Kalihi, Chinatown, Downtown Honolulu, and Kakaako. There will also be stations at activity centers such as UH-West Oahu, Leeward Community College, Pearl Highlands, Pearlridge, Aloha Stadium, Honolulu International Airport, and Honolulu Community College.

The rail system is an efficient, progressive solution to Oahu's road way limitations and increasing population. Commuters will have an alternate means of transportation to work that reduces our carbon emissions and time on the road. The estimated time from Kapolei to Ala Moana on the Rail is 42 Minutes with trains coming every 3-10 Minutes. The Rail system is expected to reduce future traffic congestion by roughly 21-23 percent and take more than 34,000 cars and trucks off our roads each day.

For more information visit: <http://honolulutrainsit.org>

*Legislators brake ground for Honolulu Rail. February 22, 2011.*



*Senators J. Kalani English, Brickwood Galuteria, Mike Gabbard, Will Espero, Senate President Shan Tsutsui, Speaker Calvin Say, Representatives Rida Cabanilla, Sharon Har, Ty Cullen, Corinne Ching, Karen Awana and Henry Aquino present a Legislative proclamation at the Honolulu Rail Groundbreaking. February 22, 2011.*



*United States Senator Daniel Inouye and Senator J. Kalani English. February 22, 2011.*



*Diagram of proposed Honolulu Rail route including stops and estimated travel times. February 22, 2011.*





*Ed Reinhardt, Sen. English, Sumner Erdman, Mitch Dmohowski, and Dick Mayer. Kula Community Center, Maui. February 23, 2011.*



*Sen. English, Dick Mayer and Mitch Dmohowski stand before topographical map of the proposed Auwahi Wind Energy farm in Ulupalakua, Maui. February 23, 2011.*

**Resource links:**

**Ulupalaku Ranch:**

<http://www.ulupalakuaranch.com/>

**Auwahi:**

<http://www.auwahi.org/>

**MECO:**

<http://www.hawaiisenergyfuture.com/>

**Sempra Energy:** <http://www.sempra.com/companies/companies.htm>

**Auwahi Wind Farm EIS:**

[http://oeqc.doh.hawaii.gov/Shared%20Documents/EA\\_and\\_EIS\\_Online\\_Library/Maui/2010s/2010-03-23-MA-EISPNAuwahi-Wind-Farm.pdf](http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Maui/2010s/2010-03-23-MA-EISPNAuwahi-Wind-Farm.pdf)

## KULA COMMUNITY ASSOCIATION ENERGY PANEL

The Kula Community Association hosted a well attended discussion with Senator J. Kalani English and Maui Electric President Ed Reinhardt regarding renewable wind energy and Sempra Corporation's proposed plans to construct a large wind farm on Ulupalakua Ranch. The Sempra project will reduce Maui's need to import expensive oil; but will impact both Upcountry and South Maui with possible noise from the wind turbines, unpleasant wind blade views and large trucks bearing construction materials passing through these communities.

Dick Mayer, Kula Community Association Chair and moderator for the discussion introduced the panel which consisted of Senator J. Kalani English; Ed Reinhardt, Maui Electric Company President; Sumner Erdman, Ulupalakua Ranch President and Mitch Dmohowski from Auwahi Wind Energy LLC which is owned by Sempra Generation. All panelists referred to the proposed partnership as a, "win, wind, win" situation. The proposed project would increase local jobs, energy customers would be able to anticipate less fluctuation in bills and rates, reduce gas and carbon emissions as well as encourage the protection of the Auwahi ecosystem by helping control invasive species destruction in the area.

The panel was relieved that these coalition of interests, once on different sides of the fence, are now unified in the common interest of Maui's economic and energy independence.

"Finally the day has arrived when we can create sustainable power that liberates us from the escalating prices of petroleum while reducing our greenhouse emissions at the same time." said Sen. English.

Sen. English also reflected on the progress of our State since the passage of Hawai'i's Energy Reform Bill, **Senate Bill 3185**, in 2006. "Maui wants alternative fuels and in this case these are the eggs, (wind, waves, sun, biofuels). If we are to reap the rewards of these eggs, we must raise the chickens." Sumner Erdman jested "I'm a Rancher, so I prefer the compatible analogy of cattle / wind generators on our ranch land." That is why he whole heartedly supports Sempra's proposal.

The panel outlined the proposed Auwahi Wind farm project and affirmed the dedicated partnership between the State and County governments as well as support from the Federal Dept. of Energy. The completed EIS Study has been published (see link at left). Sen. English explained the complexity and benefits of the proposed future undersea cable project, linking Oahu's "firm" power source as back-up and stabilization as neighboring islands contribute renewable sources of energy into the grid system.

A Q&A session was exchanged with the associations attending members and was received well. For more information visit **Kula Community Association:** <http://www.kulamaui.com/issues-of-interest.html>

## CAPITOL COMMENTARY



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Capitol Commentary is a community service provided by 'Olelo Community Media that enables Legislators to share their concerns with the public. The Capitol Commentary camera crew circulates the capitol building from January through May engaging Legislators in conversations on camera regarding concerns, upcoming bills, important issues in our communities or what-

ever else they feel deserves attention. Recently, Senator J. Kalani English participated in Capitol Commentary and shared his thoughts and observations on the 2011 session so far.

Mp3's and video sessions of Sen. English's commentary can be found at [http://www.olelo.org/production\\_easyaccess.htm](http://www.olelo.org/production_easyaccess.htm).

**STATE SENATOR  
J. KALANI ENGLISH**  
HAWAII STATE SENATE  
6TH DISTRICT

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**Hawai'i State Legislature  
Bill Status and Documents**

<http://www.capitol.hawaii.gov/session2011/>

**HOW TO REACH US**

Hawai'i State Capitol, Room 205  
415 South Beretania Street  
Honolulu, HI 96813  
ph **808-587-7225**  
fax **808-587-7230**

From Maui, toll free 984-2400 + 77225  
From Moloka'i and Lana'i,  
toll free 1-800-468-4644 + 77225  
E-mail: [senenglish@capitol.hawaii.gov](mailto:senenglish@capitol.hawaii.gov)

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**SIXTH DISTRICT ~ CAPITOL IMPROVEMENT PROJECTS ~ 2011**

C I P	EST. COST	Project Justification / Information
<b>Structural Strengthening of Various Bridges Along Hana Highway</b>	<b>\$400,000</b>	Older bridges need strengthening to increase load limits. Currently, emergency vehicles cannot utilize certain bridges that cannot support the weight of the vehicle. Strengthened bridges will allow emergency vehicles to respond to callers who live beyond these structures.
<b>Lana'ihale Summit Fence Project</b>	<b>\$1,000,000</b>	The four mile stainless steel deer fence enclosure will stop deer from trampling on native plants and shrub. This will help restore native flora and fauna that are necessary to capture fog drip and precipitation that recharge the aquifers.
<b>New Long Term Care Facility at Kula Hospital</b>	<b>\$5,000,000</b>	The need for a Long Term Care facility on Maui is increasing as the population ages. Maui Memorial Medical Center cannot efficiently serve their patients and meet the increasing demand for beds by long term care patients. The overall health and wellness of the community will be served best by a new Long Term Care facility.
<b>Completion of Hana Boat Ramp Improvement</b>	<b>\$3,906,000</b>	The boat ramp is the only ocean going access for East Maui. A new accessible ramp and loading dock and facility upgrades will improve user safety, efficiency and access.
<b>Kaunakakai Elementary School</b>	<b>\$7,640,000</b>	Demolish current building and plan, design, and construct a new replacement classroom building. The current building force students, teachers and administration to function at substandard performance levels. A new building will help raise academic achievement in a safe environment.



*Senators J. Kalani English, Michelle Kidani, Pohai Ryan and Clayton Hee with students and their teacher from Iroquois Point Elementary School for education week at the Capitol. March 16, 2011.*