

# Legislative Update from Senator Mike Gabbard

March 2012

415 S. Beretania St., Rm 201 ~ Honolulu HI 96813  
Phone: 586-6830 ~ fax: 586-6679  
sengabbard@capitol.hawaii.gov ~ www.capitol.hawaii.gov



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WAIKELE, VILLAGE PARK

ROYAL KUNIA, HONOKAI HALE,

WAIPAHU, AND KO 'OLINA

*Aloha Friends,*

It's an honor serving as your State Senator. Here are a few things I'd like to share with you. Please call me at 586-6830 or email me at [sengabbard@capitol.hawaii.gov](mailto:sengabbard@capitol.hawaii.gov) if I can ever help you or your family in any way.



## "Listen Story" Meeting

My next "Listen Story" meeting will be held at the Kapolei Starbucks (next to Chevron Station) on Saturday, March 24<sup>th</sup> from 9:00am to 10:00am.

## Right to Solar on Condos Bill Aims to Help Waikele Resident

I was contacted before the Legislative Session by a Waikele resident who asked for my assistance with a problem he was having with his condo association in Waikele. My constituent lives in a second-floor condo unit of a two-story condo building. He wants to place PV solar panels on half of the roof above his unit, leaving the other half open if the downstairs owner also wants to install PV. However, his condo association has refused to allow him to do so. The constituent already has a solar water heater and an all-electric Nissan Leaf and is just trying to do the right thing. I introduced SB 2291 to allow condo units in a condo structure of not more than 3 stories tall to have a PV system. I'm hopeful this will help the people of Waikele and others across the state. You can check out the bill here: [http://www.capitol.hawaii.gov/measure\\_indiv.aspx?billtype=SB&billnumber=2291](http://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=2291)

## Reapportionment Commission Districts Approved

On March 8th, the Reapportionment Commission will vote to approve its revised district maps. The Big Island picked up 1 Senate seat in the new reapportionment plan, due to the state Supreme Court's order that they exclude more non-resident military personnel and students. There were also many changes to the other districts. My area, District 19, lost the communities of Waikele, Royal Kunia, Village Park, Honokai Hale, and Ko Olina. I retained Kapolei, Makakilo, Kalaeloa, a small sliver of Waipahu, and added part of Ewa. Stay tuned because there is a 45 day period that gives residents the opportunity to file a complaint before the plan is finalized.

## Kapolei Library Hosts Small Business Seminar

Makakilo resident, Nolan Yogi, will be making a presentation at the Legal and Accounting Matters for Small Businesses Seminar at the Kapolei Library on March 24<sup>th</sup> from 10:30am to 11:30am. Nolan has over 30 years of legal experience and is an experienced arbitrator with the Court Annexed Arbitration Program. Ted Kethcham, who owns a tax and accounting practice, will also be a presenter. The themes for the seminar will be "How to Protect Your Business and Your Assets from Lawsuits" and "Tax and Accounting Issues for Small Businesses." For more information, contact the Kapolei Library at 693-7050 or visit their website at [www.librarieshawaii.org](http://www.librarieshawaii.org)

## Kawailoa Wind Farm to be Largest in the State

I joined U.S. Senator Dan Akaka, Lt. Governor Brian Schatz, and Mayor Peter Carlisle in giving a speech at the groundbreaking for the Kawailoa Wind Farm on the North Shore. The 69 MW project will feature 30 wind turbines and supply power to 14,500 homes. The wind farm will be constructed by First Wind and will be located on Kamehameha School's Kawailoa Plantation lands near Haleiwa, just mauka of Chun's Reef. The project is expected to be completed by the end of the year. Congratulations to First Wind CEO, Paul Gaynor, for helping us get a big step closer to weaning ourselves from fossil fuels.



## Traffic Improvements at Intersection of Farrington Highway and Makakilo Drive

I've been getting a lot of phone calls and emails about the construction at the corner of Farrington Highway and Makakilo Drive. Walmart is currently constructing their Kapolei store which will open this spring. Walmart informed us that their roadwork at the intersection will be completed by the end of this month. Here's a rundown of all the traffic improvements they've committed to following through on:

- \* Modify the traffic signals at Makakilo Dr./Farrington Hwy. and Farrington Hwy./Kealanani Ave.
- \* Improve the traffic signal coordination between the westbound H-1 off-ramp/Makakilo Dr. intersection and Makakilo Dr./Farrington Hwy. intersection.
- \* Provide intersection improvements at the Farrington Hwy./Kealanani Ave. intersection:
  - Dedicated westbound right-turn storage lane
  - Double eastbound left-turn lanes
  - New northbound through-lane
- \* Provide a new right-turn in and right-turn out secondary driveway along Farrington Hwy. between Kealanani Ave. and Makakilo Dr.
- \* Provide intersection improvements at the Farrington Hwy./Makakilo Dr. intersection:
  - Double west-bound right-turn lanes
  - Extension of the east-bound double right-turn lanes
- \* In a joint project with Kapolei Property Development, the southbound right-turn and left-turn lanes along Makakilo Dr. will be extended some 270 feet to provide additional storage space for southbound traffic traveling down Makakilo Dr.



## Kapolei High Students Win 2012 Kendyl Kau Hau Blossom Award



Rep. Sharon Har and I presented a certificate to the Kapolei High School Social Norms Media Project Youth Team at the 12<sup>th</sup> Annual HiLife Backyard Jam at the Kapiolani Park Bandstand on February 26<sup>th</sup>. The Youth Team was recognized for winning the 2012 Kendyl Kau Hau Blossom Award for their efforts in educating students on myths, facts, and messages related to alcohol and implementing strategies to change the "public conversation" around alcohol use among students, staff, and the local community through campus-based media campaigns. They were chosen by the state Attorney General and the Coalition for a Drug Free Hawai'i.

## Time is Right for Bag Fee Bill

I'm very hopeful that we'll get SB 2511 passed this session. You might have heard about this bill—putting a 10 cent fee on every plastic and paper bag given out by retailers. We got very close to passing similar legislation last year. If it becomes law, we would become the first state in the nation to charge a fee for these bags. This is a great way to clean up litter and protect our marine life. Neighbor Island counties have already taken a big step forward by banning plastic bags. What we're trying to do is take it one step further by putting a fee on paper bags that are expensive and unnecessarily kill trees. It's very rare and almost too good to be true to have retailers, like Safeway and Times, Retail Merchants of Hawai'i and the environmentalists on board in support of SB 2511. It's an added plus this session that we're planning to dedicate funding to the Department of Land and Natural Resources to help with the Governor's Watershed Restoration program. This bill is a win-win and I'm making it one of my top priorities this session. I'm sorry if some of you have heartburn about this bill. The fact is we use 400 million plastic and 20 million paper bags each year, and as the chair of the Senate Energy and Environment committee, I'm doing everything I can to get us off foreign oil, plus keep the aina clean. For you pet owners and others who reuse your plastic bags, there are some exemptions to the bill, such as produce bags, meat/bakery bags, etc. You can view the bill here: [http://www.capitol.hawaii.gov/session2012/bills/SB2511\\_SD1.htm](http://www.capitol.hawaii.gov/session2012/bills/SB2511_SD1.htm).

I want to clarify that this is a fee, not a tax. If you bring your reusable bag to the store, you won't need to buy any plastic bags. As one constituent pointed out to me, he thinks it's a great idea. He said he plans to carry his cooler and a box in the car. When he goes shopping, he'll have the cashier put all the groceries back into his cart, then he'll wheel it out to the car, and load up!



Senator Gabbard with Diana Sellner (center) and her mother Stephanie Hoe, at Sierra Club and Surfrider Foundation's Feb. 9, 2012 press conference bringing attention to SB2511. Diana and 15 other Girl Scouts pinned down hundreds of plastic bags to the Capitol lawn to illustrate the number of disposable bags used by the average person on Oahu each year (400 million bags total).



Kainoa Keaulii of Pearl City Highlands Elementary, DLNR First Deputy Guy H. Kaulukukui, Surfrider Foundation's Stuart Coleman, Sierra Club Director Robert Harris, the Plastic Bag Monster and Diana Sellner listen while Senator Gabbard addresses the crowd at a press conference organized to bring attention to SB 2511.

## GMO Justice Coalition Rally at the Capitol

I spoke at the GMO Justice Coalition Rally on February 21<sup>st</sup> at the State Capitol. Close to 200 people attended this event to bring attention to the need for GMO foods to be labeled. Since 2008, I've been introducing legislation to label GMO "whole foods" (fruits and veges), to label GMO fish, and to set up a farmer notification system, so people would know where all the GMO field tests are taking place. I've been disappointed that we haven't been able to get any of these bills passed into law. What I keep coming back to is that this is common sense. We have a right to know what we're eating. We should be giving people a choice and the GMO industry should have to do the work to convince us that their products taste better and are better for us.



## State Senate Honors Waipahu War Hero

It was a great honor to join Senate Public Safety, Military Affairs, & Intergovernmental Affairs Chair, Will Espero, and my other State Senate colleagues in recognizing Army Private First Class Edward Barut of Waipahu at the State Capitol on February 15<sup>th</sup>. Private Barut received both the Purple Heart and Combat Action badge for his bravery in Afghanistan in 2011. Private Barut is the son of Filomena D. Bungcayao and Edwin Barut. He graduated from Waipahu High School in 2004 and received an Associate Degree in 2006 from Heald College in Honolulu. He entered military service in 2009 and graduated from the Multiple Launch Rocket System Operations/Fire Direction Specialist Advanced Individual Training course at Fort Sill in Lawton, Oklahoma in 2010. On a routine NATO Training Mission in Afghanistan, Private Barut was one of a dozen service members who were traveling through the perilous Tangi Valley. On October 26, 2011, his convoy was ambushed twice. Insurgents launched a brutal 45-minute attack and the twelve brave soldiers successfully defended themselves. During his medal ceremony, Commander NTM-A Lt. General William B. Caldwell IV, said, "These men and women were put in a tight situation, reacted very well, did what they were supposed to do and are all here today. It's an honor for me to be a part of this ceremony and thanks for doing what you were supposed to do as a service member in the United States military."



## Extension of Kualaka'i Parkway Still on Track

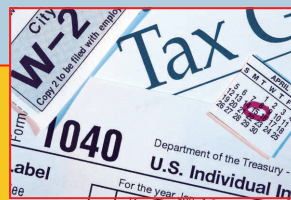
I requested Dr. Glenn Okimoto, Director of the state Department of Transportation (DOT), on February 6<sup>th</sup> to check on the status of \$15 million in funding that I had worked with my colleagues at the State Legislature to secure during the 2010 Legislative Session to extend Kualaka'i Parkway from Kapolei Parkway to Roosevelt Avenue. This section of road is key, given that the planned Ka Makana Ali'i Mall/Shopping Center will be located at the corner of these two roads. Since the funding was allocated, there have been discussions between the DOT and the Department of Hawaiian Home Lands about which agency would actually be in charge of building the road. Due to the delay, the money didn't get released. Fortunately, Dr. Okimoto tells us the project is back on track and construction should begin in mid-2015.



Senator Gabbard presented an Honorary Certificate from the State Senate on February 22, 2012, at the Commissioning Ceremony of the Military Fleet of Fuel Cell Vehicles at Fort Shafter. Sixteen hydrogen fuel cell vehicles are included in a \$3.6 million pilot program which will be tested in Hawai'i to investigate technologies and partnerships that may give the U.S. a decisive advantage. The vehicles will be used for the real needs of the military to thoroughly test their durability and usefulness. Using renewable hydrogen as fuel, the cars can travel up to 200 miles on a single fill-up and refuel in five minutes. The only emission produced by fuel cell vehicles is water vapor. Receiving the Certificate are General William Beard and Dr. Grace Bochenek, Executive Director of the Army's Research, Development and Engineering Command/Tank Automotive Research, Development and Engineering Center (RDECOM/TARDEC).



Senator Gabbard, Senator Donovan Dela Cruz and Senator Michelle Kidani were among legislators who gave their session priorities to members of the Filipino Chamber of Commerce at their Legislative Breakfast at the Filipino Community Center in Waipahu, on February 25, 2012.



## IRS Releases "Dirty Dozen" Tax Scams

The IRS just released its annual "Dirty Dozen" list of tax scams to help you and your family protect yourselves from schemes ranging from identity theft to return preparer fraud. You can check out the info here: <http://www.irs.gov/newsroom/article/0,,id=254383,00.html>