

STAND. COM. REP. NO. 1153

Honolulu, Hawaii

March 24, 2011

RE: S.B. No. 1493
S.D. 1
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 1493, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect the State's valuable night sky resource by implementing the recommended legislation of the temporary advisory committee established, pursuant to Act 161, Session Laws of Hawaii 2009.

Specifically, this measure implements a starlight reserve strategy by, among other things:

- (1) Requiring that every new and replacement outdoor light fixture be fully shielded to prevent light from being emitted above the horizontal plane of the lens fixture, subject to certain exemptions; and
- (2) Providing for acceptable alternative lighting sources when fully shielded fixtures are not practical.

Your Committee received testimony in support of this measure from the University of Hawaii; The International Dark-Sky Association; Sierra Club, Hawaii Chapter; Subaru Telescope; W.M. Keck Observatory; Gemini Observatory; Canada-France-Hawaii Telescope Corporation; and two individuals. Your Committee

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received testimony in support of the intent of this measure from the Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; and the Department of Design and Construction, City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Department of Transportation and one individual. Your Committee received comments on this measure from the Starlight Reserve Committee.

Your Committee finds that the dark night sky of Hawaii is a valuable natural and cultural resource that should be protected from the increasing amount of unnecessary light pollution caused by poorly shielded lights. Shielded lights will improve the quality of the night sky for scientific research, protect endangered species of birds as they navigate across the State, and preserve the beautiful night sky for residents and tourists alike.

Your Committee has considered the comments of the Department of Design and Construction, City and County of Honolulu. In particular, your Committee does not intend that this measure necessitate the repositioning of existing light poles.

Accordingly, your Committee has amended this measure by:

- (1) Changing the term "fully shielded" to "full-cutoff" for consistency with the terminology used in the Illuminating Engineering Society of North America illumination standards, which are used by the City and County of Honolulu;
- (2) Adding an exemption from the required use of full-cutoff lighting if this lighting does not provide equivalent or better illumination and uniformity, as recommended by the Illuminating Engineering Society of North America, for the intended location and application; and
- (3) Changing the specified requirements for acceptable luminaries for athletic facilities to those determined acceptable by a registered electrical engineer, subject to certain minimum standards;

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1493, S.D. 1, H.D. 1, as amended herein, and



recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 1493, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Denny Coffman

DENNY COFFMAN, Acting Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 1493, SD1, HD1	Committee Referral: TRW, EEP, FIN	Date: 3/22/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)				
2. COFFMAN, Denny (VC)	X			
3. CABANILLA, Rida T.R.				X
4. CARROLL, Mele				X
5. CHANG, Jerry L.	X			
6. CHONG, Pono	X			
7. HAR, Sharon E.				X
8. HERKES, Robert N.	X			
9. ITO, Ken	X			
10. NAKASHIMA, Mark M.	X			
11. RIVIERE, Gil	X			
12. THIELEN, Cynthia	X			
TOTAL 12 (11)	8			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <u>Cynthia Thielen</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				