

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2402
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Economic Revitalization & Business, to which was referred S.B. No. 2402, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to preserve the quality of the night sky and its associated cultural, scientific, astronomical, natural, and landscape-related values and provide an environmentally friendly strategy for lighting in Hawaii. Specifically, this measure requires the establishment of a starlight reserve strategy by, among other things:

- (1) Requiring that all state agencies comply with shielded lighting fixture requirements beginning on July 1, 2013;
- (2) Prohibiting the sale or installation of new mercury vapor lamps after July 1, 2013;
- (3) Establishing parameters for retrofit work on, or replacement of, existing lighting fixtures to meet the shielding requirements;
- (4) Stipulating conditions and parameters for lights where fully shielded light fixtures are not used;



- (5) Establishing conditions under which installation of fully shielded replacement lighting fixtures for roads and highways shall take place and allowing for partially shielded lights that meet specified requirements to be used; and
- (6) Specifying numerous exceptions to the shielded lighting requirements.

The Department of Land and Natural Resources; the Department of Business, Economic Development, and Tourism; the Department of Transportation; the Department of Accounting and General Services; the University of Hawaii; and two individuals supported this measure. The Department of Design and Construction of the City and County of Honolulu, the Chairperson of the Starlight Reserve Committee, Cree Lighting, and an individual commented on this measure.

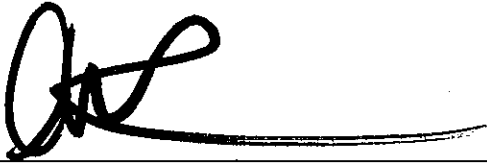
Your Committees have amended this measure by:

- (1) Requiring that the correlated color temperature for certain lights be a maximum of 4,000 Kelvin rather than 3,800 Kelvin;
- (2) Exempting temporary outdoor lighting used for film production, agricultural operations, and other permitted activities such as carnivals and concerts without regard to time of day from all generally-applicable requirements;
- (3) Exempting lighting for outdoor athletic facilities from the color correlated temperature restrictions;
- (4) Exempting counties with a population of less than 100,000 from this section;
- (5) Changing the effective date of this measure and each of its requirements to July 1, 2014, to ensure that there is adequate time for compliance with the new requirements; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.




As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Economic Revitalization & Business that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2402, S.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as S.B. No. 2402, S.D. 1, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Economic Revitalization &
Business,



ANGUS L.K. MCKELVEY, Chair



DENNY COFFMAN, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 1290-12

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 2402 SD1	Committee Referral: TRN, EEP/ERB, FIN	Date: 3-20-12		
<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. COFFMAN, Denny (C)	✓			
2. KAWAKAMI, Derek S.K. (VC)	✓			
3. CABANILLA, Rida T.R.	✓			
4. CARROLL, Mele				✓
5. CHANG, Jerry L.	✓			
6. HAR, Sharon E.				✓
7. HERKES, Robert N.				✓
8. ITO, Ken				✓
9. NAKASHIMA, Mark M.	✓			
10. RIVIERE, Gil	✓			
11. THIELEN, Cynthia	✓			
TOTAL (11)	7	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; margin-left: 100px;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Economic Revitalization & Business

Bill/Resolution No.: (HSCR 980-12) SB 2402, SD1	Committee Referral: TRN, EEP/ERB, FIN	Date: 3/20/12		
<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)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
✓ 1. McKELVEY, Angus L.K. (C)	✓			
✓ 2. CHOY, Isaac W. (VC)	✓			
✓ 3. AWANA, Karen L.	✓			
4. BROWER, Tom	✓			
✓ 5. EVANS, Cindy	✓			
✓ 6. HASHEM, Mark J.	✓			
✓ 7. NISHIMOTO, Scott Y.	✓			
✓ 8. TOKIOKA, James Kunane	✓			
✓ 9. TSUJI, Clift	✓			
✓ 10. MARUMOTO, Barbara C.	✓			
11. PINE, Kymberly Marcos				✓
TOTAL (11)	10	—	—	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				