



ENERGY & ENVIRONMENT BILLS UPDATE - April 2012

In keeping with this month's topic of sustainability, energy efficiency and green industries, here is a compilation of a number of Senate Bills that are still alive and moving through the legislative process. More information on these bills can be accessed through measure status on the Capitol Website: www.capitol.hawaii.gov

SB2288 - RELATING TO ENERGY: Establishes the negotiated partner approach pilot program for energy savings contracts, which allows agencies to forego requests for proposals and negotiate directly with qualified vendors. Requires the pilot program to be operational from 7/1/12 to 6/30/14.

SB2745 SD1 - RELATING TO ENVIRONMENT: Creates a climate change adaptation policy for the State of Hawaii by amending the Hawaii State Planning Act to include climate change adaptation priority guidelines. Requires counties to take into account a predicted sea level rise of one foot by 2050. (SB2745 HD1)

SB2782 SD1 - RELATING TO ENVIRONMENTAL PROTECTION: Appropriate funds to the department of land and natural resources for the immediate protection of priority watershed forests to replenish Hawaii's water supplies and provide many other fundamental benefits to Hawaii's environmental health. (SD1)

SB2785 SD1 - RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS: Establishes a regulatory structure for the installation and implementation of an interisland high voltage electric transmission cable system and for the construction of on-island transmission infrastructure. (SD1)

SB2822 SD2 HD1 - RELATING TO RECYCLING: Creates the Hawaii electric device recycling task force to make recommendations for a workable recycling program for electric devices and household batteries. Requires report to the Legislature. Dissolves task force on June 30, 2013. (SB2822 HD1)

SB2981 SD1 - RELATING TO RENEWABLE ENERGY: Requires the PUC to direct electric utilities to include plans to utilize indigenous, renewable energy sources, including geothermal resources, capable of producing firm power when crafting integrated resource plans. (SD1)

SB3003 SD1 - RELATING TO GEOTHERMAL RESOURCES: Differentiates between "geothermal resources exploration" and "geothermal resources development". Designates "geothermal resources exploration" and "geothermal resources development" as permitted uses in all state land use districts and conservation district zones. Repeals geothermal resource subzone provisions under state land use law. (SD1)

SB3006 SD2 HD1 - RELATING TO MOTOR VEHICLE TIRES: Reestablishes the motor vehicle tire surcharge. Establishes a task force which shall study ways to prevent or control the problem of abandoned tires. Effective July 1, 2012. (SB3006 HD1)

This measure has garnered a large amount of testimony. Sen. Ryan would like to hear back from constituents about their position on the proposal for a 10 cent fee on single-use check out bags.

SB2511— Environmental Protection: Single-use Checkout Bags: Fee

Requires businesses in the State to collect a fee for single-use checkout bags provided to a customer. Allows businesses to keep twenty per cent of the fees for the first year of the program and ten per cent of the fees thereafter, subject to income and general excises taxes. Requires fees to be collected on single-use checkout bags not prohibited by county ordinance. Deposits all fees into a special account in the environmental management special fund. Requires first \$800,000 of all fees collected to be expended by DOH for costs relating to administrative, education, audit, compliance, and enforcement activities associated with the fee. Requires any remaining fees collected to be deposited in the environmental response revolving fund and the natural area reserve fund. Requires reports to the legislature. (SD1)

Energy Bills Continued...



SENATOR POHAI RYAN

LEGISLATIVE REPORT

SB2277 SD1 HD1 - RELATING TO ENDANGERED AND THREATENED SPECIES: Makes permanent the Department of Land and Natural Resources' power to approve habitat conservation plans, safe harbor agreements, and incidental take licenses. Effective July 1, 2050. (SB2277 HD1)

SB2746 SD1 HD2 - RELATING TO ELECTRIC VEHICLES: Codifies certain provisions of Act 290, Session Laws of Hawaii 1997, and repeals the rest. Authorizes the Department of Transportation to adopt rules for the registration of, and issuance of license plates for electric vehicles. Exempts electric vehicles from parking fees under certain conditions. (SB2746 HD2).

SB 2747 SD1 HD2 - RELATING TO ELECTRIC VEHICLE PARKING: Clarifies the electric vehicle parking requirement. Allows an electric vehicle parking space with a charging system to be located anywhere in the parking lot or structure. Prohibits parking spaces designated for electric vehicles from displacing or reducing accessible stalls required by the Americans with Disabilities Act Accessibility Guidelines. Effective January 1, 2013, imposes a warning on any person who parks an unauthorized vehicle in a space designated for electric vehicles. (SB2747 HD2)

HB2262 HD2 SD1 - RELATING TO ENERGY: Amends the ethanol facility income tax credit to apply to various types of renewable transportation fuel, with production and minimum required capacity to be measured in British thermal units. Increases maximum available amount of tax credit available to an individual facility to \$3,000,000. Decreases minimum production required to claim the tax credit. Applies to taxable years beginning after December 31, 2012. Creates an income tax credit for development and construction costs for qualifying biofuel production facilities. Repeals 1/1/2029. Defines "oil refinery". Clarifies that an environmental assessment is required for an action proposing the expansion of an existing oil refinery. (SD1)

HB2656 HD2 SD1 - RELATING TO AIR POLLUTION CONTROL: Requires all crematoriums operating without air pollution control permits and which were constructed prior to March 20, 1972, to submit permit applications to the Department of Health by December 31, 2013. (SD1)

2012 Supplemental Budget Update

The House's currently proposed budget (HB2012) appropriates \$5.6 billion in General Funds and \$13.6 billion in all means of financing, which includes crucial capital improvement projects.

The Senate Ways and Means Committee will review and vote on HB2012 on Monday, April 2nd. Undoubtedly the Senate position will not exactly mirror all of the House's priorities. The differences in the Senate and House drafts will be taken up through conference committee process in mid to late April, near the end of the 2012 Session.

It has been noted that this is the first year since the severe impacts of the recession, that the state will not be faced with closing over \$1 billion in deficits.

Some of the priorities for long-term budgetary health include upgrading our state's information technology capabilities, economic initiatives including the emerging industries of aerospace, digital media and renewable energy. The other major component is tackling long-term debt by EUTF reforms.