



Senator English Named to Leadership Post of National Conference of State Legislatures

Washington, D.C. - Senator J. Kalani English was appointed Vice Chair of the **National Conference of State Legislatures** (NCSL) Transportation Committee for the 2007-2008 biennium during the NCSL 2007 national meeting held this August in Boston, Massachusetts.

"Senator English brings a great deal of knowledge and experience to the table," said Delaware Representative and NCSL President Donna Stone. "I am pleased that he has accepted the appointment and I look forward to his valuable contributions to state public policy over the next year."

As Chairman of Transportation and International Affairs Committee in Hawai'i, Senator English's perspectives from this unique region will greatly contribute to ongoing discussions of transportation issues that face Legislators on the mainland.

"I am honored and grateful to be able to serve my state and country on a much larger and more effective way", said Sen. English. "This is an opportunity to share with other legislators from around the country the challenges we face and possible solutions we can implement to improve our nations transportation corridors."

The NCSL is a bipartisan organization that serves the legislators and staffs of the nation's 50 states, its commonwealths and territories. NCSL Committees meet three times each year and provide research, technical assistance and opportunities for policymakers to exchange ideas and information through dialog, meetings, and networking opportunities.

Some of the important issues the NCSL will address this biennium are repealing of the Real ID, transportation for disadvantaged populations, eliminating traffic congestion, transportation of hazardous material, and traffic safety.

Assessing the Superferry Session

With the close of the special legislative session and the passage of a law that allows the Hawai'i Superferry to operate while the State Department of Transportation prepares an environmental impact statement, some legislators are looking back to assess why the session was necessary, and how a repeat of the circumstances that made the session necessary can be avoided in the future.

"This isn't the way important issues should be handled," said Senator J.

▶ Chair, Committee on Transportation and International Affairs

▶ Vice Chair, Committee on Agriculture and Hawaiian Affairs

▶ Member, Committee on Ways and Means

▶ Member, Committee on Economic Development and Taxation



A Message From Kalani

The Senate held hearings on Maui, Kaua'i, the Big Island and O'ahu on the controversial Superferry bill to give the neighbor island residents a chance to voice their opinion on this proposal. Moreover, I accepted an appointment as Vice Chair of the Transportation Committee for the National Conference of State Legislatures (NCSL).

In this issue, we'll examine the special session and our visit the neighboring Islands, as well as other issues important to the district.

Aloha,

J. Kalani English

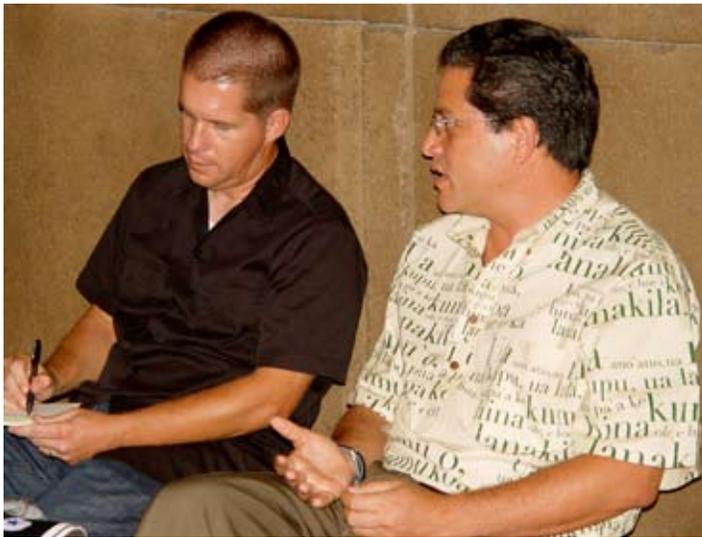


Kalani English, chair of the Senate Transportation and International Affairs Committee. Senator English's committee was one of three that participated in hearings on the bill that eventually passed the legislature.

While Senate passed the **Senate Bill 1, Senate Draft 1** by a vote of 20 to 5, fourteen of those "Yes" votes were "with reservations." Senator English voted "No."

"That is a very high number of votes with reservations," Senator English continued. "That tells me that many of my Senate colleagues had problems with the process, and with the fact that we were asked to pass a law that would allow a single company to do business, despite what the law required up until that point."

The Hawai'i Environmental Policy Act, Chapter 343 of the Hawai'i Revised Statutes, sets forth a process for environmental review that should have applied in the case of the Hawai'i Superferry. Because the State Department of Transportation granted the Superferry an exemption to the environmental review process which was subsequently overturned by the Hawai'i Supreme Court, the company was left in a position where it could not survive financially if the environmental assessment process was followed. Legislative action was required to create a specific exemption for the Superferry, and create a separate environmental review process that will apply only to that company.



Derrick DePledge, Honolulu Advertiser Government Reporter interviews Sen. English on his thoughts on the Superferry bill during the Special Session of the Legislature.

Senator English believes that Chapter 343 should have been followed, and, if it had been, no special session would have been necessary. "There is a process in place," he said. "But instead of following the established process - which was designed to protect the

Assessing the Superferry Session



Senator J. Kalani English discusses the Superferry bill with Senate President Colleen Hanabusa shortly before the convening of the Senate in the Senate Chambers.

environment and place all entities on a even footing - there were a series of missteps by the Department of Transportation and the Hawai'i Superferry that created this so-called emergency. There's a saying in the business world, 'A lack of planning on your part does not constitute a crisis on my part.' The parties involved here should have kept that in mind."

The central problem was not with the Superferry itself. A high-capacity inter-island ferry service does provide a transportation alternative for Hawai'i residents and visitors. "Maui County has more experience with ferries than any other place in the state," says Senator English. "We have had an inter-island ferry service for years, running between Maui, Moloka'i and Lana'i, and with very good rider ship. As the only Senator with a district that spans four islands, I know that people value having that alternative. The problem was not with what was done -- but how it was done. If the process was handled properly from the first stages, we would have a very different situation today."

Now that the law has been passed, and despite the fact that his vote against the bill was outnumbered by votes in its favor, Senator English does not feel that the outcome was a loss. "This is a situation where the best is the enemy of the good," he says. "Certainly, if we had achieved a full implementation of the Environmental

Policy Act, and had a full environmental review before Superferry operated, that would have been better. I would have liked to have seen more emphasis put on the trust placed in us to preserve our environment for the future, rather than helping preserve the future economic viability of a single company. But right now, today, this is the situation we have to live with. And we still have an opportunity to act to protect the environment and our state."

The new law includes the establishment of a task force that will oversee the Hawai'i Superferry's compliance with the law, and report to the legislature monthly. Task force members will represent a variety of interest from around the state. Senator English believes this will continue to be an effective point of contact for concerned community members. "Stay in touch with task force members," he advises. "Keep them aware of what is happening, what is working and what isn't. These are members of our community, serving our community. As long as they keep listening, you have to keep talking."



Before the Special Session, a number of constituents & other concerned citizens meet with Sen. English to discuss the Super Ferry issue. Pictured from left to right: Attorney Issac Hall, Maui constituent Masako Cordray, Senator English, & Uncle Les Kuloloio.

Senator English also offers his own office as a point of contact. "We will never stop listening to the voice of our community, and we are glad to carry the message of those who want their voices to be heard."

Superferry Hearings held on Maui, Kaua'i, and the Big Island

Senator J. Kalani English attended the state Senate's scheduled briefings for the Superferry on Kaua'i, Maui, the Big Island and O'ahu to hear public comment on drafting legislation that would allow the Superferry to resume service while an environmental review is conducted. Three Senate committees, including the Transportation and International Affairs Committee,



Senators listen to Maui testify on the Superferry bill at Baldwin High School Auditorium. From left to right: Ron Menor, Brian Taniguchi, J. Kalani English, Shan Tsutsui, Gary Hooser, Russell S. Kokubun and Senate President Colleen Hanabusa.

which Sen. English chairs, were present at each briefing. Sen. English was one of few Senators who insisted on the briefings. "I'm dismayed by the Superferry officials, who totally rejected the compromise presented to them last session - and then ask to get it back now," said Sen. English. "It creates divisiveness in the community."

These briefings were held in advance of a special session called by the Governor on Wednesday, October 25th. "If we do this - bypass the judges ruling - we'll be opening up the floodgates for many other constitutional challenges that will perhaps lead us to a constitutional crisis," noted Sen. English.

A bill was drafted after Maui Judge Joseph Cardoza ruled earlier in October that the ferry *Alakai* could not operate until an Environmental Impact Study (EIS) was completed. Superferry officials say the business cannot survive being idle for the required months that it would take for an EIS to be completed. "This is really a watershed moment in Hawaiian politics," said Sen. English.

The panel of State Senators first stop for the public briefings was in Kaua'i at King Kaumuali'i Elementary School. Many of the Garden Isle residents present expressed their concerns about letting the Superferry run without an EIS, fearing it could lead to irreparable harm to their island. Sen. English said he, too, has concerns about the Superferry running without an EIS and that the meetings are being held to "see if we can work a bill" to mitigate those concerns.

On the second day of their briefings, the Senators listened to testimony at Baldwin High School in Wailuku Maui. Sen. English made it clear that he is not against the Superferry, but remains frustrated with the company

Kamehameha Schools Alumni Honors Senator English

The **Kamehameha Schools Alumni Association**, Maui Region (KSAA) hosted its annual Aha'Aina on Sunday, October 7 and honored Senator J. Kalani English with the Hui Pū Award. The KSAA's alumni award is presented annually to a distinguished graduate who inspires others and contributes significantly to Hawai'i and the Hawaiian community.

"I am deeply moved and honored to be given such a prestigious award," said Sen. English. "I accept this award in the spirit of our ancestors and those who paved the way for such a vital and amazing institution like Kamehameha Schools to exist."



Senator J. Kalani English with Keli'i Brown, Vice President of Kamehameha Schools Alumni Association – Maui Region, at Maui Tropical Plantation after the Hui Pū award was announced last month.

More than 50 people gathered at Maui Tropical Plantation for a luncheon featuring a lively performance by Maui's own Napua Greig and a fashion show by celebrated O'ahu designer Manuheali'i.

The event also raised \$10,000 for its scholarship program that will be awarded to students pursuing post secondary education in the 2008 – 2009 academic school year. The KSAA's scholarship program is managed by **Ke Ali'i Pauahi Foundation**.

Past alumni recipients include former mayor James Kimo Apana, Alaka'i Paleka and Hokulani Holt.

Sen. English, a 1984 graduate of the Kamehameha Schools, stressed the

importance of the schools and the effect that its graduates have on generations to come. "We carry the touch of our future", said Sen. English, "with that, we lead the way for others to follow and make even greater contributions to Hawai'i and the world." He also expressed his deep gratitude to Princes Pauahi for "giving me a strong foundation in our culture and the best education in Hawai'i. Mahalo nui."

Visit www.ksbe.edu for more information.

International Visitors



Senator Roosevelt D. Kansou (Chuuk State) (middle) of the Congress of The Federated States of Micronesia (FSM) & their Consul General to Hawai'i, Tadao Sigrav (left) recently paid a courtesy call on Sen. English at his Honolulu office. The Senators & diplomat discussed medical assistance, issues regarding Micronesians in the US & Hawai'i, and US – FSM Treaty responsibilities.

for fiercely lobbying to circumvent a similar bill he proposed last year. In Kailua-Kona on the Big Island, hundreds of residents attended the briefing. Many were asking for an EIS to be done before the operation of the Superferry was allowed.

The final day of the hearings were held at the State Capitol on O'ahu.

The Senators offered amendments aimed at providing stronger environmental protections and more inspections. "We went to the neighbor Islands and heard their concerns," points out Sen. Brian Taniguchi as he proposed the amendments. "We are trying to incorporate the wishes of Maui, Kaua'i and the Big Island."



Aunty Helen Nakanelua gives advice to Sen. J. Kalani English at the Keanae Ho'o laule'a. 18 August 2007

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