

Hawaii Energy Forum Meeting

September 13, 2006 Meeting

State Capitol – Conference Room 31209

Wednesday September 13, 2006

10:00 am – 2:00 pm

Summary Notes

In attendance:

Forum Members:

Robbie Alm, HECO; Bob Arrigoni, HI County, Res. & Development; Warren Bollmeier, HREA; Al Chee, ChevronTexaco; Senator Kalani English; Mitch Ewan, UH HNEI; Mark Glick, OHA; Steve Golden, The Gas Company; Mike Hamnett, RCUH; Bill Kaneko, HIPA; Darren Kimura, Energy Industries; Sharon Miyashiro, UH Public Policy Center; Rep. Hermina Morita; Melissa Pavlicek, WSPA; Rick Reed, HREA; Rick Rocheleau, UH HNEI; Peter Rosegg, HECO; Riley Saito, PowerLight Corp.; Bill Short, BIA-Hawaii.

Guests/Visitors: Steve Alber, DBEDT (for Maurice Kaya); Kim Suman (for Stephen Meder, AIA Honolulu); Denise Antolini, Hawaii Environmental Council (UH Law School); David Bylund, HEC (Architects Hawaii); Robert King, Hawaii Environmental Council. *HEPF:* Susan Char, Consultant; Lena Gan, HEPF Assistant; Diane Sakai, Public Policy Center.

Announcements:

- DBEDT contract executed
- UH HNEI contract includes support for meeting the requirements of Section 355 of the National Energy Policy Act.

HEPF Role in Public Policy Development – Legislative Proposals

Questions were raised about the Forum's legislative activities re: whether they fell under the State's lobbying law; and the vetting process for legislative proposals:

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- Is the Forum lobbying when it provides legislative proposals and testifies on legislation?
- Are Forum members who are lobbyists and paid by their employer to participate in the Forum considered to be “lobbyists” for the Forum and required to register with the Ethics Commission?
- Process for vetting legislative proposals
 - Forum seeks consensus which is defined as agreement by all members or members who do not agree can live with or do not oppose the decision” to enable going forward with a position.
 - If there is no consensus, what constitutes 2/3 vote. Discussion also emphasized the Forum’s mission to work through the varying positions to come to consensus and where there is disagreement to state the various positions and rationale to assist lawmakers in decision making
 - Should the Forum be testifying on positions?
 - Value of the Forum is to offer lawmakers with results of deliberative consensus on various issues, providing information on policy and implementation of policy
 - If the Forum provides both sides of the issues, it might be ignored. Example is the HI Uninsured Project which provides information on both sides of issues but cannot take positions, and is not effective at the Capitol
 - Clarify vetting process for legislative proposals when silence is presumed to be assent.
 - Clarify whether representatives of HEPF members may vote if the member is absent.
- Do we need to establish by-laws?
 - By-laws are too formal as they are usually established for organizations with directors
 - Forum is an unaffiliated organization like a task force and does not require by-laws

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- Rather than by-laws and rules, Forum should develop “terms of collaboration” where:
 - Positions that all members can live with can go forward
 - Members who have reservations on the position may have these represented and articulated
 - Value of the Forum is the collegial venue by which we work toward reaching consensus
 - Challenge for the Forum is to find the difficult issues early enough during the interim so there is time to work on consensus positions and when legislation is required we are prepared to present a consensus-based position, eg RPS work by the Forum was conducted collegially in attempts to move toward consensus
 - Operating procedures on consensus and collaboration are clarified
- Follow up Actions:
 - Terms of Collaboration Committee formed to develop recommendation on procedures for legislative proposals. Members are: Al Chee, Melissa Pavlicek, Steve Golden, Mike Hamnett
 - Questions on whether the State’s lobbying law applies to the Forum’s legislative activities should be submitted to the State’s Ethics Commission. Sharon Miyashiro will contact the Ethics Commission.
- Vetting by <hepf.org> website. Mitch Ewan urged members to test the website prior to the session. Query whether it was useful and will be used as Mitch is willing to manage if useful. Comments from members as to its usefulness are welcomed as this will require staff time to manage.

Other queries:

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- Melissa Pavlicek requested a budget report. Sharon Miyashiro stated that the contract with the DBEDT was executed on September 6 and budget is in process.

Ex-Officio Membership for Government Representatives:

The designation of “ex-officio” status and responsibilities of ex-officio members was clarified, and the “Forum Membership” document was amended to include a new section “Ex Officio Members” as follows:

“Ex-Officio Members

The following are criteria and roles for ex-officio members:

- Ex-officio members are defined as persons who are members by virtue of some other office or position that they hold
- All government (federal, state, county agencies) members are designated as non-voting, ex-officio members of the Forum
- Ex-officio members may provide input on all Forum matters and participate as full members of the Forum
- Ex-officio members shall not vote on any Forum proposals.”

Calendar for the Year.

Calendar for the year was distributed. Members were asked to mark calendars for the following:

- Deadline for legislative proposals (from the Working Groups) – October 5
- Legislative Briefing – January 2007
- Next Forum meetings:-- October 31, 2006; and December 6, 2006.

Discussion and Adoption of Working Group Plans:

- **Communication and Outreach Plan.**

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- It was requested that energy audit information include home energy audits for a broader audience. Bill Short indicated that BIA has check sheets and green building standards
- Adopted
- **Renewable Energy Plan.**
 - Adopted
- **Energy Efficiency Plan**
 - Adopted
- **Regulatory Reform Plan**
 - Adopted
- **Hydrocarbon Future Plan**
 - Adopted
- **Cultural Impact Plan**
 - Adopted
- Budgets are in process of development by the WGs and are to be submitted for projects that execute the plans.
- Members were encouraged to signup for one or more WGs where most of the work in developing and executing on projects and legislation will occur.

Reports

Hawaii Energy Strategy (HES 2007)

- RMI is subcontractor
- Next stakeholder meeting on October 12 or 13; November 2006 and January 2007
- Stakeholder process is intended to obtain information on needs and ideas for policies
- Information is available on website:
<http://www.hawaii.gov/dbedt/info/energy/planning/hes>
- E-mail address for stakeholder input: hes2007@rmi.org

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- Proceedings are forthcoming from the Biofuels Summit which included biofuel stakeholders. RMI is preparing.
 - Barriers were identified (e.g. Need for additional incentives, streamlining permitting, access to water, crop options; Competitors; Commerce Clause; World Trade Agreement).
 - Need to determine best feedstock. TBD
- Follow-up action: RMI should be invited to present its preliminary report at the Oct 31 Forum meeting

Hawaii Executive Energy Briefing – August 23, 2006

- Briefing was joint project of Energy Efficiency and Communication Working Groups
- Briefing was well attended, intended for 50 CEOs from the Hawaii Business Roundtable and Public Sector, it had 56 participants.
- Feedback was positive and there will be a follow up similar briefing
- “Energy by Example” program offered 5 free audits of facilities representing State, DoE, UH, Private Sector, and Affordable Housing sectors. These audits, valued at \$20,000 per audit, were donated to the Forum by Energy Industries. Awardees were selected based on their agreement to share information on audit finding, to commit to follow up on the recommendations of the audit, and to showcase the facility. Audits will be conducted September-October; and findings will be prepared to share at the informational briefing in January 2007.
- Bill Short noted other companies can also provide services. EEWG Co-Chair Kimura welcomed contributions from these companies.

Hawaii Environmental Council

- Some of the Forum members were invited to a roundtable discussion sponsored by the Hawaii Environmental Council (HEC)

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- HEC will be including the Forum's 10 Point Plan and WG plans in its annual report.
- HEC is interested in affiliating with the Forum
- Follow up action: Invite HEC to present their work at the next Forum meeting

Next Meeting: October 31 -10am-2pm at the State Capitol Room 309

Tentative agenda items: Presentation on SWAC; Report on Chicago Climate Exchange study; Preliminary Report on Hawaii Energy Strategy by RMI; Hawaii Environmental Council connection; Report on Terms of Collaboration and clarification of procedures for vetting legislative proposals. Please email other items no later than October 15.