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# Taxes, cuts balance budget

‘We will seize this opportunity to transform government’


**By MARK NIESSE**  
*Associated Press*

HONOLULU — The state Legislature brought order to Hawaii’s giant financial problems Tuesday, combining tax increases with spending cuts to create a balanced two-year budget.  
The House and Senate voted to

pass tax increases on businesses, vehicles and large incomes, raising more than \$600 million over the next two years to help address a projected \$1.3 billion deficit during that time.  
They also cut \$600 million from Gov. Neil Abercrombie’s requested spending, drained the state’s savings accounts and

reduced government health costs to pay for the state’s \$11 billion annual budget.  
“I’ve always said that we will work with the budget we have. We will seize this opportunity to transform government,” Abercrombie said.  
Despite the slumping economy and lagging tax collections, the

Legislature avoided approving broad, unpopular proposals to tax pension income or raise the general excise tax, which is paid on most transactions statewide.  
Instead, the biggest tax hike hit construction subcontractors, sublessors and Hawaiian Airlines. Those businesses will lose their exemption to the state’s general

**ABERCROMBIE**  
excise tax, which is 4.5 percent on Oahu and 4 percent on Neighbor Islands, generating about \$200 million a year for the government.  
“We knew we were kind of backed into a corner once the governor decided that

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## RADIATION CONCERNS IN HILO




The Hawaii Pacific Oncology Center occupies the ground floor of this building at 1285 Waianuenue Ave. Housed on the second floor is the Veterans Affairs’ Hilo Community Based Outreach Patient Clinic.

# Veterans Affairs workers are exposed to radiation

Equipment used to treat cancer patients wasn’t properly shielded

**By COLIN M. STEWART**  
*Tribune-Herald staff writer*

Workers in the Hilo veterans outpatient clinic may have been exposed to radiation over the last six years due to insufficient shielding of a radiation therapy machine located in the downstairs oncology clinic.  
The machine, a linear accelerator, is contained in a specially

**AINSLEY**

built concrete and lead vault on the ground floor of the Hawaii Pacific Oncology Center on Waianuenue Avenue. Doctors use it to treat cancer patients with a concentrated, high-energy beam of X-rays that destroys cancerous tissue.

On Monday afternoon, Howard Ainsley, CEO of Hilo Medical Center — which operates the oncology clinic — said that medical physicists discovered “an issue” with the accelerator while testing the vault in preparation for upgrading the radiation equipment.  
“In early March, we contracted with a medical physicist to survey the room that houses

our current linear accelerator to ensure that the room would meet specifications for two different models of linear accelerators being considered for the existing room,” he said.  
“A routine part of that review process did entail the ability of the room to shield radiation emitted by the accelerator. On the


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# Building impact fee bill delayed

Councilor seeks more time to fine tune it

**By JASON ARMSTRONG**  
*Tribune-Herald staff writer*

After months of consideration, County Council members aren’t ready to impose new development taxes to pay for government services and infrastructure.  
Meeting Tuesday as the Planning Committee, lawmakers opted to pursue more revision of the impact fee bill that’s been postponed several times since it was introduced last September.  
“I’m going to say at this time we simply need more time ...,” Kohala Councilman Pete Hoffmann, who introduced the measure, said in calling for another delay.  
Hoffmann said he had an “extensive” meeting with county planners last week and wants a chance to incorporate some of their suggestions in his bill.  
“We need to do our homework properly,” he said.  
Under Hoffmann’s current proposal, fees for each single-family home would range from \$4,471 to \$7,026, based on dwelling size.  
An additional \$1,324 to \$2,081 would be levied on new homes that must connect to the county’s sewer system, located mostly in Hilo, Waimea and Kailua-Kona.  
The fee for an apartment or other multi-family dwelling would range from \$1,047 to \$1,645, plus any applicable sewer fee. Each new hotel room would cost \$4,210.  
The new fees would pay for

**HOFFMANN**

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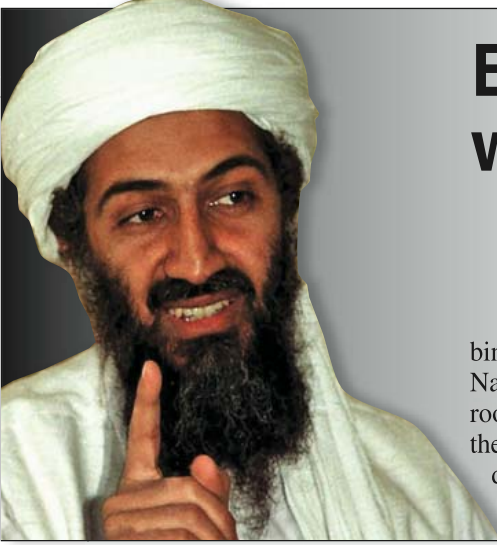
## Mauna Kea rules mullied

**By PETER SUR**  
*Tribune-Herald staff writer*

The Office of Mauna Kea Management is taking the first steps toward establishing administrative rules for the summit region of Mauna Kea.  
Two years after the Legislature granted the University of Hawaii the authority to make the administrative rules, presentations are being planned at community meetings around the island about the process, and to get informal public

input.  
The first of these meetings is planned for 5:15 p.m. Thursday at the Waimea Community Association’s town meeting, in the Waimea School cafeteria.  
Planner Jeff Melrose said Tuesday that other presentations are being planned but have not been scheduled. Melrose is under contract from OMKM to begin public outreach on the administrative rules, which will not be ready

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# Bin Laden unarmed when SEALs shot him

**By MATT APUZZO and ADAM GOLDMAN**  
*Associated Press*

WASHINGTON — Osama bin Laden was unarmed when Navy SEALs burst into his room and shot him to death, the White House said Tuesday, a change in the official account that raised ques-

**Inside**  
Bin Laden’s neighbors had suspicions. **Page B4**

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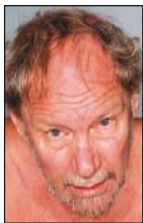
Man guilty of assaulting officer

By JOHN BURNETT  
Tribune-Herald staff writer

A Hilo jury found a 63-year-old Puna man guilty of harassment and misdemeanor assault on a law enforcement officer.

Circuit Judge Glenn Hara scheduled sentencing for John Franklin Houlton for June 8 at 1 p.m. Houlton, a former Navy hospital corpsman and Vietnam War combat veteran, is free on \$200 bail.

According to prosecutors, police were dispatched at 10:33 a.m. on Sept. 8, 2008,



HOULTON

When officers arrived, Houlton's neighbor said that Houlton had been throwing fist-sized rocks at his van. While police were attempting to investigate what had happened, Houlton yelled and screamed obscenities at his neighbor despite repeated requests by officers to

stop. When Houlton didn't stop, police arrested him for harassment.

When Houlton refused to get into a police transport car, officers forcibly put him into the vehicle. In the process, Houlton kicked Puna Patrol Officer Jenny Lee in the shoulder, and was charged with second-degree assault of a law enforcement officer.

Houlton rejected a plea bargain in which the assault charge would be downgraded to a petty misdemeanor; Houlton was found psychologically fit last year to

stand trial.

In rendering a guilty verdict, the jury rejected Houlton's claim of police brutality.

A search of Hawaii court records turned up no prior convictions for Houlton.

The misdemeanor assault charge is punishable by up to a year in jail and a fine of up to \$2,000, with a mandatory minimum sentence of 30 days in jail. The harassment charge is a petty misdemeanor punishable by up to 30 days in jail and a fine of up to \$1,000.



Big Island Report

Citizens arrested and charged

Big Island police have arrested and charged the following individuals:

- Ashley Ann Gines, 21, of Waimea with contempt of court.
- Ashley R. Ramaass, 27, of Hilo with refusal to show identification.
- Leroy DeCosta, 51, of Waimea with violating a protective order.
- Jennifer L. Reavis, 44, of Mountain View with DUI.
- Bronson M.P. Barrozo, 19, of Pahoa with DUI.
- Babette A. Treat, 36, of Pahoa with contempt of court.
- Ashley Leilani Torres, 24, of Hawi with contempt of court.
- Tai David Ung, 18, of Mountain View with three counts of sex assault.
- Christa Lynn Wicks, 29, of Keaau with two counts of contempt of court.
- Ian Robert Blaize, 44, of Hilo with harassment.

*Contempt of court typically means failing to comply with a judge's order, such as paying a fine or appearing at a court proceeding. Failure to appear means not showing up in court on the date written on a traffic citation.*

Fire station groundbreaking

The public is invited to attend the groundbreaking and dedication ceremony of the Makalei Fire Station on Monday at 10:30 a.m. The site is south of the 32-mile marker on the mauka side of the old Mamalahoa Highway across Makalei Drive in North Kona.

"This marks the first formal construction step toward establishing a much-needed emergency response facility in

North Kona," Fire Chief Darryl Oliveira said in a statement.

Mayor Billy Kenoi said the station is funded in part by a \$4 million federal grant under the American Recovery and Reinvestment Act of 2009.

"That grant saved money for county taxpayers, and allowed this critically needed public safety project to move forward," the mayor said.

MAUNA KEA

From front page

in draft form until late this year or early 2012.

"We're in the early stages of preparing administrative rules," Melrose said. "There was a legislative act in '09, Act 132, that says the university should develop their own administrative rules for their portion of the summit."

These rules will apply to public and commercial activities on Mauna Kea. The law further states that the rules must be consistent with those of the state Division of Forestry and Wildlife, which has jurisdiction over lower sections of the mountain. The rules must also be vetted to ensure they do not infringe on the traditional rights of Hawaiians. Nor will hunting rights be affected, Melrose said.

"We're looking at the commercial tour operators," and the recreational use of the mountain, Melrose said.

Administrative rules could also affect access to sensitive resource areas, traffic and off-road vehicles, and alcohol consumption. The rules must also comply with the public access component of the Mauna Kea Comprehensive Management Plan.

"We'll be out doing community connections, and listening," Melrose said.

Added OMKM Interim Director Stephanie Nagata: "We're in the process of designing rules, so what we want to do is start to engage the community and get their input as to what they think about the rules." Nagata does not plan to be at Thursday's meeting. "We need the community to provide us with their thoughts on what will be important for rules on Mauna Kea."

The purpose of the rules is to protect the mountain, not to prevent people from accessing the mountain, Nagata said.

Setting the record straight

The Hawaii Tribune-Herald believes in correcting its errors. If you would like to report an error, call Editor David

Bock at 930-7323, or Associate Editor Richard Palmer at 930-7324. Corrections will appear in this space.

RADIATION

From front page

16th (of March), he examined the linear accelerator and the room directly above it and found some inconsistencies."

He added that the accelerator has been routinely tested by the hospital's radiation safety officer since its installation in 1998, but the "inconsistencies" had not been detected.

According to the medical physicist's preliminary findings, "when the linear accelerator is operating, there may be radiation levels that exceed regulatory limits for the present occupancy in the rooms above the radiation oncology treatment center," Ainsley said.

Three small rooms above the accelerator, offices for the Veterans Affairs' Hilo Community Based Outpatient Clinic, were affected by the higher radiation levels, Ainsley said.

Hilo Medical Center officials contacted the VA the next day, he said, and determined that the three clinic employees would have to be relocated to other rooms.

Ainsley added that the accelerator does not use radioactive isotopes, and only emits radiation when it is switched on intermittently for treatments.

"It's important to note," he said, "that the linear accelerator is not broken, and it is not operating improperly. Rather, the configuration of the rooms and the area is different from

that which it had previously been."

Ainsley said the three rooms above the accelerator had previously been used for storage, until they were turned into offices for VA employees in 2006.

The employees who occupied the rooms have been informed of their potential exposure, but no test exists to see how much radiation they may have received, Ainsley said. However, HMC's contracted medical physicist who performed the tests, Hong Guo, and the hospital's own radiation safety officer, Harry Palmer, have been able to estimate the employees' potential exposure.

"The occupants that were in position to be exposed, that exposure was intermittent, so their actual exposure depends on whether they were present and the strength of the beams being used," Ainsley said.

In a March 18 letter to the Department of Veterans Affairs, Hilo Medical Center Hospital Systems Services Director Julie-Beth Ako provided the physicists' estimates for potential exposure for the years 2006-2011, from the time the upstairs rooms were occupied until the time the radiation was discovered.

While the exposure numbers are small, they are enough to cause limited health risks, according to the U.S. Nuclear Regulatory

Commission.

Between 2006 and 2011, people occupying the rooms above the linear accelerator could have received an average of 353 millirems of radiation per year. Comparatively, the average exposure from a single abdominal X-ray is 300 millirems, the exposure from a dental X-ray is 200 millirems, and a single chest X-ray equals about 20 millirems.

A table of comparative health risks provided by the NRC reveals that while smoking 20 cigarettes a day can result in an estimated life expectancy loss of six years, and being 15 percent overweight can total two years, a dose of 300 millirems per year equals about 15 days of life expectancy lost.

The NRC allows 500 millirems of exposure per year for health care workers, while the general public should be exposed to no more than 100 millirems per year. By those figures, Ainsley said, the VA workers had the potential of being exposed each year to more than three times the NRC's allowable limit, or ALARA limit, which stands for "as low as reasonably achievable."

Veterans Affairs officials in Honolulu and Hilo had yet to respond to requests for comment as of Tuesday evening. However, Ainsley said he had personally been in contact with various VA

BIN LADEN

From front page

The Obama administration was still debating whether to release gruesome images of bin Laden's corpse, balancing efforts to demonstrate to the world that he was dead against the risk that the images could provoke further anti-U.S. sentiment. But CIA Director Leon Panetta said a photograph would be released.

"I don't think there was any question that ultimately a photograph would be presented to the public," Panetta said in an interview with "NBC Nightly News." Asked again later by The Associated Press, he said, "I think it will."

Asked about the final confrontation with bin Laden, Panetta said: "I don't think he had a lot of time to say anything." The CIA chief told PBS NewsHour, "It was a firefight going up that compound. ... I think it - this was all split-second action on the part of the SEALs."

Panetta said that bin Laden made "some threatening moves that were made that clearly represented a clear threat to our guys. And that's the reason they fired."

The SEALs were back in the U.S. at Andrews Air Force Base outside Washington for debriefing on the raid, lawmakers said after meeting with Panetta.

The question of how to present bin Laden's death to the world is a difficult balancing act for the White House. President Barack Obama told Americans that justice had been done, but the White House also declared that bin Laden's body was treated respect-



Associated Press

CIA Director Leon Panetta, right, leaves Tuesday after briefing members of Congress on Capitol Hill.

fully and sent to rest in a somber ceremony at sea.

Panetta underscored on Tuesday that Obama had given permission to kill the terror leader: "The authority here was to kill bin Laden," he said. "And obviously, under the rules of engagement, if he had in fact thrown up his hands, surrendered and didn't appear to be representing any kind of threat, then they were to capture him. But they had full authority to kill him."

For the long-term legacy of the most successful counterterrorism operation in U.S. history, the fact that bin Laden was unarmed is unlikely to matter much to the Americans he declared war against. President George W. Bush famously said he wanted bin Laden "dead or alive," and the CIA's top counterterrorism official once promised to bring bin Laden's head back on a stake.

Yet just 24 hours before the White House acknowledged that bin Laden had been unarmed, Obama's

chief counterterrorism adviser, John Brennan, said: "If we had the opportunity to take bin Laden alive, if he didn't present any threat, the individuals involved were able and prepared to do that."

Will it matter around the world? Some may try to make much of it in Pakistan and elsewhere.

"This country has gone through a lot of trauma in terms of violence, and whether or not he was armed is not going to make a difference to people who were happy to see the back of him," said Mosharraf Zaidi, a political analyst and columnist in Pakistan. "The majority have a mistrust of America and this will reinforce their mistrust of America."

Others may not even believe it.

"I think he was definitely armed and he was firing on U.S. commandos," said Hamid Mir, an anchor for Geo Television. "Osama told me many times that he will not surrender; he

claimed that he will fight and I think he was fighting."

In Washington, the issue will become part of the political debate over Obama's terror policies. His national security team had offered differing accounts of what would happen if the U.S. ever had a chance to kill or capture bin Laden. And Republicans have criticized the president for shutting down the CIA's controversial network of overseas prisons and trying to close Guantanamo Bay, moves they say have left the U.S. with few options for interrogating terrorists.

On Monday, the White House said bin Laden was involved in a firefight, which is why the SEALs killed rather than captured him. On Tuesday, however, White House press secretary Jay Carney said bin Laden did not fire on the SEALs. He said bin Laden resisted but offered no specifics. Bin Laden's wife rushed the SEALs when they stormed the room, Carney said, and was shot in the calf.

"Bin Laden was then shot and killed," Carney said. "He was not armed."

That was one of many official details that have changed in the two days since bin Laden was killed. A White House transcript misidentified which of bin Laden's sons was killed — it was Khalid, not Hamza. Officials incorrectly said bin Laden's wife died in gunfire while serving as his human shield. That was actually bin Laden's aide's wife, and she was just caught in cross fire, the White House said Tuesday.