

JAN 28 2009

A BILL FOR AN ACT

RELATING TO HOUSEHOLD ENERGY DEMAND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that electric clothes
2 dryers make up over ten per cent of many households' total
3 energy use. Reducing the use of electric clothes dryers
4 statewide could substantially decrease the amount of energy that
5 households use and thereby reduce the amount of fossil fuels
6 used to generate electricity in the State.

7 The legislature finds that simple clotheslines make
8 efficient use of two abundant resources, sun and wind, to dry
9 clothing. For aesthetic reasons, however, many homeowners'
10 associations prohibit the use of clotheslines or render them
11 ineffective through unreasonably restrictive regulation. The
12 legislature further finds that although aesthetic concerns still
13 exist today, they are not necessarily incompatible with
14 environmental and energy security concerns, especially in the
15 current context of high energy costs, climate change issues, and
16 Hawaii's goal of increasing energy independence and maintaining
17 an aesthetically pleasing environment.



1 The purpose of this Act is to prohibit real estate
2 contracts, agreements, and rules from precluding or rendering
3 ineffective the use of clotheslines on the premises of
4 single-family dwellings.

5 SECTION 2. Section 196-7, Hawaii Revised Statutes, is
6 amended as follows:

7 1. By amending subsection (a) to read:

8 "(a) Notwithstanding any law to the contrary, no person
9 shall be prevented by any covenant, declaration, bylaws,
10 restriction, deed, lease, term, provision, condition, codicil,
11 contract, or similar binding agreement, however worded, from
12 installing a solar energy device on any single-family
13 residential dwelling or townhouse that the person owns~~[-]~~, or
14 erecting and using a clothesline for the purpose of drying
15 clothes on the premises of any detached single-family
16 residential dwelling or townhouse that the person owns; provided
17 that the board of directors with responsibility for the
18 single-family dwelling or townhouse or a private entity may
19 implement reasonable restrictions with regard to clotheslines,
20 provided that the restrictions do not prohibit the use of
21 clotheslines altogether. Any provision in any lease,



1 instrument, or contract contrary to the intent of this section
2 shall be void and unenforceable."

3 2. By amending subsection (f) to read:

4 "(f) For the purposes of this section:

5 "Private entity" means any association of homeowners,
6 community association, condominium association, cooperative, or
7 any other non-governmental entity with covenants, bylaws, and
8 administrative provisions with which the homeowner's compliance
9 is required.

10 "Solar energy device" means any identifiable facility,
11 equipment, apparatus, or the like [~~including a photovoltaic~~
12 ~~cell application,~~] that is applicable to a single-family
13 residential dwelling or townhouse and makes use of solar energy
14 for heating, cooling, or reducing the use of other types of
15 energy dependent upon fossil fuel for generation[+], including
16 but not limited to photovoltaic cell applications and
17 clotheslines; provided that for the purposes of this section,
18 "clothesline" means a rope, cord, or wire on which laundry is
19 hung to dry; provided further that "solar energy device" shall
20 not include skylights or windows."

21 SECTION 3. Section 235-12.5, Hawaii Revised Statutes, is
22 amended by amending subsection (b) to read as follows:



"(b) For the purposes of this section:

"Actual cost" means costs related to the renewable energy technology systems under subsection (a), including accessories and installation, but not including the cost of consumer incentive premiums unrelated to the operation of the system or offered with the sale of the system and costs for which another credit is claimed under this chapter.

"Renewable energy technology system" means a new system that captures and converts a renewable source of energy, such as wind, heat (solar thermal), or light (photovoltaic) from the sun into:

(1) A usable source of thermal or mechanical energy;

(2) Electricity; or

(3) Fuel [-];

provided that for the purposes of this section "renewable energy technology system" shall not include skylights, windows, or clotheslines.

"Solar or wind energy system" means any identifiable facility, equipment, apparatus, or the like that converts insolation or wind energy to useful thermal or electrical energy for heating, cooling, or reducing the use of other types of energy that are dependent upon fossil fuel for their



1 generation[-]; provided that for the purposes of this section,
 2 "solar or wind energy system" shall not include skylights,
 3 windows, or clotheslines."

4 SECTION 4. This Act does not affect rights and duties that
 5 matured, penalties that were incurred, and proceedings that were
 6 begun, before its effective date.

7 SECTION 5. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect upon its approval.

10 INTRODUCED BY:

Michelle N. Kiani

Mike Gabbard

Anne Menendez

Rosaly el Bah

J

V.B. D.D.

S.S.T.

Will Eyo

Carol Fuku



Report Title:

Solar Energy, Clotheslines, Household Energy Demand

Description:

Allows for the use of clotheslines at any privately owned single-family residential dwelling or townhouse. Allows reasonable restrictions on the use of clotheslines for aesthetic purposes.

