STAND. COM. REP. NO. 684

Honolulu, Hawaii

March 5, 2009

RE: H.B. No. 590 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and Energy & Environmental Protection, to which was referred H.B. No. 590 entitled:

"A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," beg leave to report as follows:

The purpose of this bill is to expedite the development of renewable energy facilities by:

- (1) Reducing the time for processing and approving or denying permits under permit plans from twelve to six months after acceptance of a completed permit plan application; and
- (2) Automatically approving permit applications within twelve months rather than eighteen months if either the permitting agency fails to provide a report identifying diligent measures that it has taken to complete processing and take action on a permit plan application, or if no action is taken.

Dowling Company, Inc., the SunPower Systems Corporation, Castle & Cooke Hawaii, and the Hawaii Building and Construction Trades Council, AFL-CIO, testified in support of this bill. The Department of Health, Department of Business, Economic Development, and Tourism, Life of the Land, Sierra Club, Hawaii Chapter, Hawaii Sierra Club - Maui Group, and several concerned individuals opposed this measure.

HB590 HD1 HSCR WLO-EEP HMS 2009-2797

Your Committees have amended this bill by:

- Reinstating the original time periods for permit review and automatic approval;
- (2)Setting a thirty-day time limit for the filing of the diligence report with the energy resources coordinator by the permitting agency;
- Giving the energy resources coordinator discretion to deem a permit approved if no further processing or action is taken by the permitting agency within seventeen months of the completed permit application;
- (4)Changing the effective date to January 1, 2020, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 590, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 590, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committees on Water, Land, & Ocean Resources and Energy & Environmental Protection,

for HERMINA MORITA, Chair

KEN ITO, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB 590	Committee	Referral: WLO/EEP		Date:	24/09			
☐ The committee is reconsidering its previous decision on the measure.								
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Pass short form bill with HD or recommit for future public hearing (recommit)								
WLO Members		Ayes	Ayes (W	(R)	Nays	Excused		
1. ITO, Ken (C)		✓						
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2. HAR, Sharon E. (VC)								
3. CABANILLA, Rida								
4. CHANG, Jerry L.								
5. CHONG, Pono					Page (Pr. Lynn)	Acceptation from		
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6. COFFMAN, Denny								
7. HERKES, Robert N.								
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8. LEE, Chris		√						
9. LUKE, Sylvia		-						
10. MORITA, Hermina M.					4000	F (1) (1) + 78		
10. NOMIA, Hermina H.								
11. SAGUM, Roland D., III								
12. CHING, Corinne W.L.		√						
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13. THIELEN, Cynthia					<u> </u>			
TOTAL (13)		12			١			
The recommendation is: Adopted								
Vice Chair's or designee's signature:								
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO								

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 59 0	Committee Referral: WLO / EEP		Date: Fab. 24, 2009						
☐ The committee is reconsidering its previous decision on the measure.									
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)									
EEP Members	Ayes	Ayes (WR)	Nays	Excused					
1. MORITA, Hermina M. (C)									
2. COFFMAN, Denny (VC)									
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3. CABANILLA, Rida									
4. CHANG, Jerry L.	V								
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11. SAGUM, Roland D., III	1/								
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12. CHING, Corinne W.L.									
13. THIELEN, Cynthia			<u></u>						
TOTAL (13)	12	0	l	0					
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)									
Vice Chair's or designee's signature:									
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO									