STAND. COM. REP. NO. 713

Honolulu, Hawaii

Morch 6, 2009

RE: H.B. No. 197

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 Committee on Consumer Protection & Commerce, to which was referred H.B. No. 197 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to reduce Hawaii's dependence on fossil fuels by authorizing condominium association boards of directors to install or allow the installation of solar energy or wind energy devices on the common elements of the project.

The Hawaii Council of Associations of Apartment Owners and a concerned individual testified in support of this bill.

Section 196-7, Hawaii Revised Statutes, allows individual owners within certain common-interest communities to install solar energy devices. This bill proposes to give condominium association boards a similar option for solar energy and wind energy devices installed on common elements.

Your Committee has amended this bill by changing the definition of "wind energy device" to clarify that if such "equipment to be installed," rather than "equipment sold," cannot be used without the incorporation of other equipment, the equipment must be installed in place and made readily operational to qualify as a wind energy device.

Technical, nonsubstantive amendments were also made for clarity and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 197, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 197, H.D. 1.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROBERT N. HERKES, Chair

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:	Date	2/20	69
HB 197	Ittp, CPC		2/25/	09
☐ The committee is reconsidering its prev	vious decision on the measure			
<i>j</i> - <i>j</i>	, unamended (as is) I short form bill with HD to re-	Pass, with amendments commit for future publ		
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)				
2. WAKAI, Glenn (VC)				
3. BELATTI, Della Au				
4. CABANILLA, Rida				
5. CARROLL, Mele				V
6. ITO, Ken				
7. KARAMATSU, Jon Riki				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				
10. MIZUNO, John M.11. MORITA, Hermina M.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift				V
14. MARUMOTO, Barbara C.				10 (27)
15. THIELEN, Cynthia	1/			
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TOTAL (15)	/ 9	$ \varphi $	\emptyset	6
The recommendation is: Add If joint	opted Not Add referral,	did not suppo	ort recommendation	n.
Vice Chair's or designee's signature:				
Distribution: Original (White) – Commi	ittek Dupheate (Yellow) – Chief Clerk's Office	e Duplicate (I	Pink) – HMSO
	V			