Honolulu, Hawaii

Fz 4 , 2010

RE: H.B. No. 2792 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Housing, to which was referred H.B. No. 2792 entitled:

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

The purpose of this bill is to continue to work towards securing Hawaii's energy future by clarifying and strengthening the law governing the installation of solar energy devices on homes. Specifically, this measure requires any association of homeowners, community association, condominium association, cooperative, or any other non-governmental entity with covenants, bylaws, and administrative provisions with which the homeowner's compliance is required, to adopt rules that provide for the placement of solar energy devices by December 31, 2010 and prohibit these entities from adopting rules that:

- (1) Render a solar device more than 25 percent less efficient;
- (2) Increases the cost of installation, maintenance, or removal of the solar device by more than 15 percent; and
- (3) Require an encumbrance on title because of the placement of the solar device.

The Sierra Club-Hawaii Chapter and the Hawaii Solar Energy Association testified in support of this bill.

Your Committee has amended this bill by clarifying that the rules adopted cannot:

- (1) Impose conditions or restrictions that render the device more than 25 percent less efficient; or
- (2) Increase the cost of installation, maintenance, and removal of the device, inclusive, by more than 15 percent.

Technical, nonsbustantive amendments were also made for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2792, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2792, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Energy & Environmental Protection and Housing,

RIDA CABANILLA, Chair

HERMINA MORITA, Chair

## State of Hawaii House of Representatives The Twenty-fifth Legislature

## Record of Votes of the Committee on Energy & Environmental Protection

	Committee Referral: EEP/HSG , J	UD Date	:     み-a-1	D			
☐ 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)							
3. CABANILLA, Rida							
4. CHANG, Jerry L.							
5. CHONG, Pono							
J. CHONG, I WIN							
6. HAR, Sharon E.			,,,,				
7. HERKES, Robert N.							
8. ITO, Ken				1			
8. ITO, Ken							
9. LEE, Chris	V						
10. LUKE, Sylvia			-	W			
11. SAGUM, Roland D., III							
12. CHING, Corinne W.L.				_			
13. THIELEN, Cynthia							
TOTAL (13)	10	0	0	3			
The recommendation is:  If joint referral, did not support recommendation.  committee acronym(s)							
Vice Chair's or designee's signature:  Denny Coffman							
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 Housing**

Bill/Resolution No.:	Committee Referral:		Date:					
нв 2792	EEP/HSG, JUD		2-2-10					
☐ 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)								
HSG Members	Ayes	Ayes (WR)	Nays	Excused				
1. CABANILLA, Rida (C)	X							
2. CHONG, Pono (VC)	\ \							
3. CHANG, Jerry L.	$\sim$							
4. COFFMAN, Denny	K							
5. HAR, Sharon E.				×				
6. HERKES, Robert N.	×							
7. ITO, Ken				V				
8. LEE, Chris	م							
9. LUKE, Sylvia				×				
10. MORITA, Hermina M.	_ \							
11. SAGUM, Roland D., III	×							
12. CHING, Corinne W.L.	\ \mathcal{V}							
13. THIELEN, Cynthia	- Y							
TOTAL (13)	lo	-		3				
The recommendation is: Adopt If joint re	oted	□ Not Adopted did not support recommendation.						
Vice Chair's or designee's signature:								
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO								