

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2520

S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committees on Energy and Environment and Water, Land,  
Agriculture, and Hawaiian Affairs, to which was referred S.B.  
No. 2520 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION  
ACT,"

beg leave to report as follows:

The purpose of this measure is to authorize native Hawaiian  
lessees of Hawaiian homestead land to sublease a portion of their  
land to renewable energy producers.

Testimony in support of this measure was submitted by one  
organization and one individual. Two state agencies submitted  
comments. Written testimony presented to the Committees may be  
reviewed on the Legislature's website.

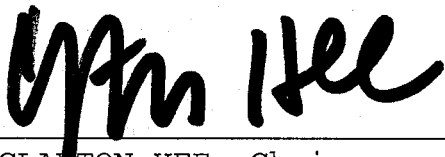
Many lessees of Hawaiian homestead land have expressed an  
interest in using their leased land for renewable energy  
generation. Wind energy, for example, is consistent with  
agricultural uses of land and can provide economic benefits to the  
lessees. The Department of Hawaiian Home Lands acknowledges that  
homestead farmers have inquired about pursuing additional revenue  
through sublease agreements for renewable energy projects. Your  
Committees find that this measure can serve two important  
purposes: helping Hawaii meet its Clean Energy Initiative goal of  
seventy per cent renewable energy by 2030 and providing an  
opportunity for homesteaders to earn additional revenue.



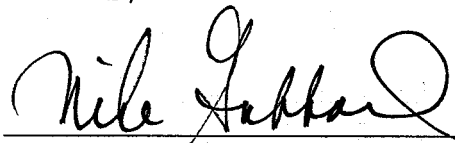
Your Committees have amended this measure by adopting the recommendation of the Department of Hawaiian Home Lands to require any sublessee, in addition to indemnifying the lessee, Department, and State, to also procure sufficient insurance to defend against any claims arising out of or resulting from activities carried out on subleased land.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Water, Land, Agriculture, and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2520, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2520, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Energy and  
Environment and Water, Land,  
Agriculture, and Hawaiian  
Affairs,



CLAYTON HEE, Chair

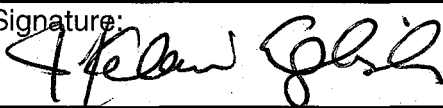


MIKE GABBARD, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

Record of Votes  
Committee on Energy and Environment  
ENE

Bill / Resolution No.: <b>SB 2520</b>	Committee Referral: <b>ENE/WTL</b>	Date: <b>18 Feb 2010</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
ENGLISH, J. Kalani (VC)	/			
GREEN, M.D., Josh	/			
HOOSER, Gary L.				/
IHARA, Jr., Les				/
KOKUBUN, Russell S.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	<b>4</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:    Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WTL**

Bill / Resolution No.:* <b>SB 2520</b>	Committee Referral: <b>ENE/WTL</b>	Date: <b>2/18/10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
TOKUDA, Jill N. (VC)				✓
BUNDA, Robert				✓
FUKUNAGA, Carol	✓			
KOKUBUN, Russell S.	✓			
TAKAMINE, Dwight Y.	✓			
HEMMINGS, Fred				✓
TOTAL	4	0	0	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: 				
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> <span>Original File with Committee Report</span> <span>Yellow Clerk's Office</span> <span>Pink Drafting Agency</span> <span>Goldenrod Committee File Copy</span> </div>				

**\*Only one measure per Record of Votes**