STAND. COM. REP. NO.

Honolulu, Hawaii Active Activ

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2817, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES,"

begs leave to report as follows:

The purpose of this bill is to clarify that homeowners associations may not impose restrictions or conditions that:

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

This bill also requires homeowners associations to adopt rules for the placement of solar energy devices by December 31, 2010.

Hawaii Solar Energy Association, Blue Planet Foundation, and Sierra Club-Hawaii Chapter testified in support of this bill.

Your Committee has amended this bill by:

(1) Extending the deadline for homeowners associations to adopt rules to December 31, 2011; and

SB2817 HD1 HSCR JUD HMS 2010-3041

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(2) Clarifying that a private entity shall not require an encumbrance on title relating to liability.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2817, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2817, S.D. 1, H.D. 1.

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Respectfully submitted on behalf of the members of the Committee on Judiciary,

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Judiciary

	e Referral:	Date		<u> </u>
SB2817, SD1EEP/HSG, JUD3/30/10The 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)	V		A service of the serv	
2. ITO, Ken (VC)	V	<u></u>	AND THE PARTY OF A DESCRIPTION	
3. BELATTI, Della Au	6			
4. CABANILLA, Rida	V			
5. CARROLL, Mele				
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.	v			WOKTA
9. MIZUNO, John M.				W VT
10. MORITA, Hermina M.		19234212		
11. OSHIRO, Blake K.	V			
12. SOUKI, Joseph M.	ASTRONO SECTION OF THE PARTY OF	founded in the state of the sta	JF 11 11 11 11 11 11 11 11 11 11 11 11 11	TYEREPEREDUCE
13. TSUJI, Cliff	V .			
14. WAKAI, Glenn		CAN - TO WEATHER FRANK	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	11. MS5525197117
15. MARUMOTO, Barbara C.	· · · /			
16. THIELEN, Cynthia	<u> </u>			
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			· · · · ·	<u>, 74</u> .
TOTAL (16)	14			248
The recommendation is: Adopted				
If joint referral, did not support recommendation.				
gommine cronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				