

STAND. COM. REP. NO.

822

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 390  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 390, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENERGY RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to clarify provisions of Act 204, Session Laws of Hawaii 2008, which requires the installation of a solar water heater on a single-family dwelling for which a building permit is issued after January 1, 2010.

Specifically, this measure:

- (1) Clarifies that the solar water heater mandate applies only to new single family dwellings;
- (2) Authorizes the public benefits fee administrator, instead of the energy resources coordinator, to approve a variance to the solar water heater requirement and requires the public benefits fee administrator to make the variance applications and determinations public; and
- (3) Directs the public benefits fee administrator to conduct a "post-installation verification inspection of the water heating technology".

Your Committee finds that this measure clarifies the provisions of Act 204, Session Laws of Hawaii 2008. Your Committee also finds that delegating the responsibility for

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approving variances and conducting compliance inspections to the public benefits fee administrator will take advantage of the administrator's advanced knowledge of solar energy technologies and water heating technologies as it applies to determining variance applications.

Your Committee recognizes that opinions differ on whether or not to allow gas-tankless water heaters to remain an allowable alternative to solar water heaters. Accordingly, your Committee finds that this issue merits further discussion and urges subsequent committees that may consider this bill to continue to explore this issue.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to facilitate further discussion on this measure; and
- (2) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 390, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 390, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

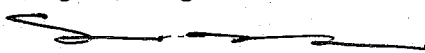


DONNA MERCADO KIM, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB390 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">ENE, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/3/09</div>		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood				/
HEE, Clayton				/
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	9			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: <div style="font-size: 1.2em; font-family: cursive; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

\*Only one measure per Record of Votes