

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 122
H.D. 1
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B.
No. 122, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend the repeal date of Act 173, Session Laws of Hawaii 2009 (Act 173), which exempts renewable energy projects from subdivision requirements on state agricultural or conservation lands, from July 1, 2013, to July 1, 2020; and
- (2) Clarify that wind energy projects are included in the exemption.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; Land Use Research Foundation of Hawaii; Kamehameha Schools; SunFuels Hawaii, LLC; and Hawaii Solar Energy Association. Your Committee received comments on this measure from Waimalu Valley Ranch.

Your Committee finds that renewable energy projects require acreage for facilities and access to easements in configurations that do not always coincide with existing subdivided boundaries or parcels. Act 173 was enacted to facilitate the financing and



development of renewable energy projects by exempting these projects from subdivision requirements on state agricultural or conservation lands. This measure will encourage the continued development of renewable energy facilities in the State by extending the exemption to July 1, 2020.

Your Committee has amended this measure by:

- (1) Adding language to amend section 201N-13, Hawaii Revised Statutes, to change references from July 1, 2013, to July 1, 2020, to conform with the extension of Act 173; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 122, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 122, H.D. 1, S.D. 2.

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

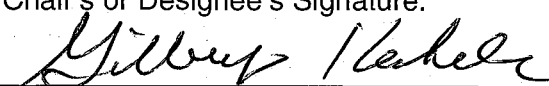


CLARENCE K. NISHIHARA, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture
AGL

Bill / Resolution No.:* HB122, HD1, SD1	Committee Referral: ENE/WLH, AGL	Date: 4-5-11
<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	
NISHIHARA, Clarence K. (C)	✓	
KAHELE, Gilbert (VC)	✓	
CHUN OAKLAND, Suzanne		
DELA CRUZ, Donovan M.	✓	
KOUCHI, Ronald D.	✓	
SHIMABUKURO, Maile	✓	
TOKUDA, Jill N.		
WAKAI, Glenn	✓	
SLOM, Sam		
TOTAL	6	3
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