

Honolulu, Hawaii

Apr: 129, 2008

RE: H.B. No. 2863
H.D. 2
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2863, H.D. 2, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to establish a renewable energy facility siting process for state and county permits required for the siting, development, construction, and operation of a renewable energy facility.

Specifically, the measure provides the Energy Resources Coordinator with the authority to establish and implement a consolidated application process to facilitate streamlined permitting of a renewable energy facility. This measure also appropriates an unspecified amount out of the energy security special fund for these purposes.



Your Committee has amended this measure by:

- (1) Clarifying the general duties of the Energy Resources Coordinator;
- (2) Replacing references to "consolidated application" with "permit plan application";
- (3) Clarifying the requirements for a permit plan application and further clarifying the criteria and procedures for acceptance of the application;
- (4) Clarifying the public notice requirements for the permit plan;
- (5) Clarifying the purpose of the permit plan in promoting efficiency in permitting and ensuring adequate public participation;
- (6) Establishing a goal for the approval or denial of permits within twelve months of acceptance of the permit plan by the Coordinator, and requiring permitting agencies to prepare explanatory reports when permits are not approved or denied within the twelve-month period;
- (7) Requiring permits that have not been approved or denied within eighteen months of the acceptance of the permit plan by the Coordinator to be automatically approved;
- (8) Prohibiting the Energy Resources Coordinator from accepting a permit plan application for a renewable energy facility prior to the acceptance of an environmental impact statement for the facility;
- (9) Designating the Department of Business, Economic Development, and Tourism as the accepting authority for any final environmental impact statement that is prepared by an applicant for any renewable energy facility;
- (10) Deleting the provision relating to judicial review of disputes regarding approved permits;
- (11) Establishing a renewable energy facility siting special fund into which shall be deposited permit plan application fees collected by the Energy Resources Coordinator, along



with appropriations by the Legislature and moneys allotted from other sources;

- (12) Requiring the energy facility siting special fund to be used for the administration and operation of the renewable energy facility siting process;
- (13) Deleting the requirement for unencumbered permit plan application fees to be deposited into the energy security special fund;
- (14) Authorizing the Public Utilities Commission to establish guidelines and timetables for the creation and implementation of power purchase agreements for the purposes of assisting the renewable energy facility siting process;
- (15) Deleting the repeal of chapter 196D, Hawaii Revised Statutes;
- (16) Deleting the unspecified appropriation out of the energy security special fund and making an appropriation of \$100,000 out of the renewable energy facility siting special fund;
- (17) Changing the effective date from July 1, 2020, to July 1, 2008; and
- (18) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

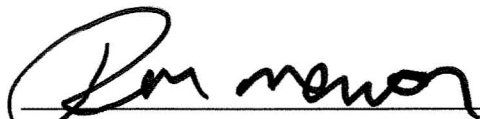
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2863, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2863, H.D. 2, S.D. 2, C.D. 1.




Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

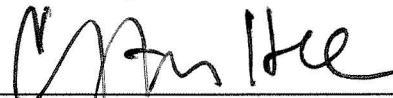
ON THE PART OF THE HOUSE



RON MENOR, Chair



HERMINA MORITA, Co-Chair



CLAYTON HEE, Co-Chair



KEN ITO, Co-Chair



LORRAINE R. INOUE, Co-Chair



ROBERT N. HERKES, Co-Chair



RUSSELL S. KOKUBUN, Co-Chair



MARCUS R. OSHIRO, Co-Chair



ROSALYN N. BAKER, Co-Chair



