

Honolulu, Hawaii

March 14, 2008

RE: S.B. No. 2991
S.D. 2
H.D. 1

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

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 2991, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this bill is to:

- (1) Refine our state's energy resources law to achieve improved energy resource coordination; and
- (2) Provide policy guidance to:
 - (A) Clarify the nature and relationship of energy data analyses to the State's energy program; and
 - (B) Delineate distinctive analytic roles and responsibilities of state agencies conducting energy data functions.

The Department of Business, Economic Development, and Tourism supported this bill and suggested amendments. The Office of Information Practices provided comments.



Your Committee has amended this bill by:

- (1) Applying the confidentiality provisions to all information determined confidential by the State Energy Resources Coordinator (Coordinator) as authorized by law, instead of limiting the provisions to information exempt from public disclosure under the government records exceptions of section 92F-13, Hawaii Revised Statutes (HRS);
- (2) Consistently referring to the Coordinator, instead of the director of Business, Economic Development, and Tourism to be consistent with Chapter 196, HRS, relating to energy resources;
- (3) Clarifying that the purpose of the provisions regarding the treatment of confidential information by the Coordinator is to effectuate the purposes of Chapters 125C (relating to the procurement, control, and distribution, and sale of petroleum products) and 196, HRS, and other relevant laws;
- (4) Clarifying that the Coordinator's agents who receive and are required to protect confidential information are the agents whom the Coordinator designates as authorized representatives; and
- (5) Making technical amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2991, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2991, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Hermina Morita

HERMINA MORITA, Chair



