

Honolulu, Hawaii

MAR 25 2009

RE: H.B. No. 590  
H.D. 1  
S.D. 1

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

Madam:

Your Committees on Energy and Environment and Transportation, International and Intergovernmental Affairs, to which was referred H.B. No. 590, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to expedite the processing and approval or denial of any permit plan application for the siting, development, construction and operation of a renewable energy facility, by:

- (1) Requiring the permitting agency to provide the energy resources coordinator, within thirteen months after the permit application is complete, a report identifying diligent measures that are being taken by the agency to complete permit processing and requiring the agency to take action as soon as practicable; and
- (2) Giving the energy resources coordinator the authority, subject to certain time requirements, to deem a completed permit application approved if the permitting agency either (A) does not report any further processing or action after it submits its report to the energy resources coordinator, or (B) fails to provide the energy resources coordinator with its report and has not approved or denied the application.



Testimony in support of this measure was submitted by one state department. Testimony in support of the measure, with suggested amendments, was submitted by two private organizations. Testimony in opposition to the measure was submitted by one private organization. Written testimony presented to your Committees may be reviewed on the Legislature's website.

Your Committees find that fostering predictability and certainty in the permitting process for renewable energy projects will reduce Hawaii's reliance on fossil fuels and will assist the State in meeting its 2030 renewable energy mandates for the health and welfare of the residents of Hawaii.

Your Committees have amended this measure by:

- (1) Requiring that the energy resources coordinator give notice that a permit plan application is subject to 201N-4, Hawaii Revised Statutes, before the agency reporting and deemed approved provisions of 201N-4(g), Hawaii Revised Statutes, apply;
- (2) Clarifying the calculation of the time period preceding the date on which the energy resources coordinator may deem the permit approved;
- (3) Changing its effective date from January 1, 2020 to July 1, 2009; and
- (4) Making a technical, nonsubstantive change for style.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Transportation, International and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 590, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 590, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.



Respectfully submitted on  
behalf of the members of the  
Committees on Energy and  
Environment and Transportation,  
International and  
Intergovernmental Affairs,

  
\_\_\_\_\_

J. KALANI ENGLISH, Chair

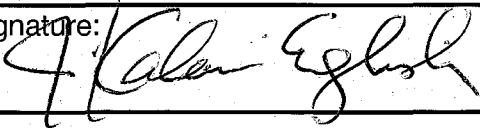
  
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MIKE GABBARD, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

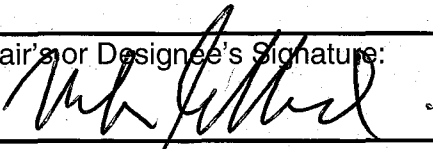
**Record of Votes**  
**Committee on Energy and Environment**  
**ENE**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 590 HD1	ENE/TIA, JGO	19 March 2009		
<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
GABBARD, Mike (C)	/			
ENGLISH, J. Kalani (VC)	/			
GREEN, M.D., Josh	/			
HOOSER, Gary L.	/			
IHARA, Jr., Les				/
KOKUBUN, Russell S.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                          Yellow                          Pink                          Goldenrod File with Committee Report      Clerk's Office              Drafting Agency              Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Transportation, International and Intergovernmental Affairs**  
**TIA**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 590, HD1	ENE/TIA, JGO	3-19-09.		
<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
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will				✓
NISHIHARA, Clarence K.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	3	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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