

STAND. COM. REP. NO. 1082

Honolulu, Hawaii

March 20, 2009

RE: S.B. No. 1338
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and
Housing, to which was referred S.B. No. 1338, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND,"

beg leave to report as follows:

The purpose of this measure is to provide that the relevant governing documents for single family residential dwellings and townhouses may not prohibit the use of clotheslines on those properties, subject to reasonable restrictions that do not impair the effective use of the clotheslines. The measure accomplishes this by including clotheslines as "solar energy device" for purposes of section 196-7, Hawaii Revised Statutes, relating to placement of solar energy devices.

This measure also amends section 235-12.5, Hawaii Revised Statutes, to specify that the allowable tax credit for the installation of "renewable energy technology systems" or "solar or wind energy systems" does not include skylights, windows, or clotheslines.

Testimony in support of this measure was submitted by Blue Planet Foundation, the Hawaii Chapter of the Sierra Club, and The Gas Company. Testimony in opposition to this measure was submitted by the Mililani town Association, the Land Use Research Foundation of Hawaii, and one concerned individual.

SB1338 HD1 HSCR LRB 09-3013.doc



Your Committee finds that the use of clothes dryers makes up a significant percentage of many residential households' annual energy use. This energy use contributes to increased carbon emissions and global warming. Your Committee further finds that the increased use of clotheslines for the purpose of drying laundry would reduce the amount of fossil energy used to power clothes dryers and reduce carbon emissions. Accordingly, your Committee finds that property restrictions and governing documents for single family homes and townhouses should not prevent the use of clotheslines for drying laundry.

Your Committee has amended this measure by deleting its contents and inserting the contents of House Bill No. 1273, H.D.1. The measure, as amended:

- (1) Provides for a new section added to chapter 196, Hawaii Revised Statutes, establishing substantially the same prohibitions for restrictions on the placement of clotheslines on the premises of single-family residences or townhouses, but without reference to clotheslines as solar energy devices; and
- (2) Deletes the clarification of section 235-12.5, Hawaii Revised Statutes, that clotheslines are not a "renewable energy technology system" or "solar or wind energy device" for the purpose of claiming the tax credit.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1338, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1338, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Housing,



RIDA CABANILLA, Chair



HERMINA MORITA, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR1082

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 1338, SDA	Committee Referral: EEP/HSG, FIN	Date: 3-17-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. COFFMAN, Denny (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono	✓			
6. HAR, Sharon E.				✓
7. HERKES, Robert N.				✓
8. ITO, Ken	✓			
9. LEE, Chris	✓			
10. LUKE, Sylvia	✓			
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.		✓		
13. THIELEN, Cynthia	✓			
TOTAL (13)	9	1	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Denny Coffman</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR1082

Record of Votes of the Committee on Housing

Bill/Resolution No.: SB 1338 SD2		Committee Referral: EEP/HSG, FIN		Date: 3-17-09
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. CABANILLA, Rida (C)				Y
2. CHONG, Pono (VC)	X			
3. CHANG, Jerry L.	X			
4. COFFMAN, Denny	X			
5. HAR, Sharon E.				X
6. HERKES, Robert N.				X
7. ITO, Ken	X			
8. LEE, Chris	X			
9. LUKE, Sylvia	X			
10. MORITA, Hermina M.	X			
11. SAGUM, Roland D., III	X			
12. CHING, Corinne W.L.	X	X		
13. THIELEN, Cynthia				
TOTAL (13)		9	1	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
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