

STAND. COM. REP. NO. 1086

Honolulu, Hawaii

March 20, 2009

RE: S.B. No. 390
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. 390, S.D. 2, entitled:

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

beg leave to report as follows:

The purpose of this bill is to help increase consumer energy
efficiency by amending provisions that require the installation of
a solar water heater in single-family dwellings to obtain a
building permit after January 1, 2010. Specifically, this bill:

- (1) Clarifies that the solar water heater mandate applies
only to new single-family dwellings;
- (2) Empowers the Public Benefits Fee Administrator
(Administrator), rather than the Energy Resources
Coordinator (Coordinator), to accept and approve
variances from the solar water heater requirements;
- (3) Accepts the attestation of a mechanical engineer for
purposes of a variance application;
- (4) Requires the Administrator to conduct post-installation
verification inspections of the installed water heating
technology; and



- (5) Requires the Administrator to make applications for variances and the dispositions thereof public.

The Department of Business, Economic Development, and Tourism supported this bill. The Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, Blue Planet Foundation, and Sierra Club - Hawaii Chapter supported this measure with amendments. The Public Utilities Commission (PUC) supported the intent of this bill. The Gas Company and Inter-Island Solar Supply provided comments.

Your Committees have amended this measure by:

- (1) Restoring variance authority to the coordinator;
- (2) Clarifying language to more accurately describe the variance process;
- (3) Removing the post-installation inspection;
- (4) Requiring the Coordinator, rather than the Administrator to publicize variance applications the dispositions thereof;
- (5) Clarifying when the Renewable Energy Technology System Tax Credit may be claimed;
- (6) Inserting language that allows the PUC to contract with the Administrator to develop solar water heater system standards; and
- (7) Including a purpose section to clarify the Legislature's intent as to the intended difficulty in obtaining a variance from the requirement to install a solar water heater system in a new single-family dwelling.

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. 390, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 390, 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
Committees on Energy &
Environmental Protection and
Housing,

Rida J.Q. Cabanilla
RIDA CABANILLA, Chair

Hermina Morita
HERMINA MORITA, Chair



HSCR 1086

State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 390, SD2	Committee Referral: EEP/HSG, CPL	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)	10	0	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
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Record of Votes of the Committee on Housing

Bill/Resolution No.: SB 390 SD2	Committee Referral: EEP/HSG, CPC	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)				X
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			
13. THIELEN, Cynthia	X			
TOTAL (13)	10			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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