

STAND. COM. REP. NO. 713

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 197
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 Committee on Consumer Protection & Commerce, to which was referred H.B. No. 197 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to reduce Hawaii's dependence on fossil fuels by authorizing condominium association boards of directors to install or allow the installation of solar energy or wind energy devices on the common elements of the project.

The Hawaii Council of Associations of Apartment Owners and a concerned individual testified in support of this bill.

Section 196-7, Hawaii Revised Statutes, allows individual owners within certain common-interest communities to install solar energy devices. This bill proposes to give condominium association boards a similar option for solar energy and wind energy devices installed on common elements.

Your Committee has amended this bill by changing the definition of "wind energy device" to clarify that if such "equipment to be installed," rather than "equipment sold," cannot be used without the incorporation of other equipment, the equipment must be installed in place and made readily operational to qualify as a wind energy device.

HB197 HD1 HSCR CPC HMS 2009-2508



Technical, nonsubstantive amendments were also made for clarity and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 197, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 197, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



