

Honolulu, Hawaii

April 22, 2010

RE: H.B. No. 2450
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2450, H.D. 1, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to extend the applicability of Act 173, Session Laws of Hawaii 2009 (Act 173), which facilitated the financing and development of renewable energy projects by exempting leases and easements pertaining to certain renewable energy projects from the subdivision approval requirement, to include agricultural-energy facilities on plantation community subdivisions. This bill further provides that any renewable energy project receiving an exemption from subdivision that fails to apply for subdivision approval from the agency that originally granted the subdivision exemption within two years of obtaining the exemption, forfeits the original exemption.

HB2450 CD1 HCCR HMS 2010-3332



Your Committee on Conference finds that development of renewable energy resources is a critical component in the State's overall goal of energy independence and a clean energy economy. Your Committee on Conference also finds that the purpose of the subdivision requirements need not be in conflict with the State's energy goals, if the exemptions are prudently applied to appropriate situations.

Your Committee on Conference has amended this bill by replacing the contents of this bill with the provisions in the H.D. 1. As amended, this bill extends the provision under Act 173 exempting leases and easements pertaining to certain renewable energy projects from the subdivision approval requirement, to include renewable energy facilities on:

- (1) Agricultural lands approved by the Land Use Commission or county planning commission under the state's land use laws; and
- (2) Conservation lands permitted or approved by the Board of Land and Natural Resources under the laws regulating the state's conservation district lands.

This bill further provides that these provisions be repealed on July 1, 2013, at the time the provision under Act 173 exempting leases and easements pertaining to certain renewable energy projects from the subdivision approval requirement is repealed.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2450, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1.

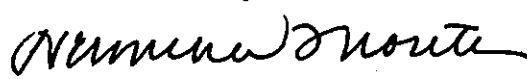
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



MIKE GABBARD, Chair




HERMINA MORITA, Co-Chair

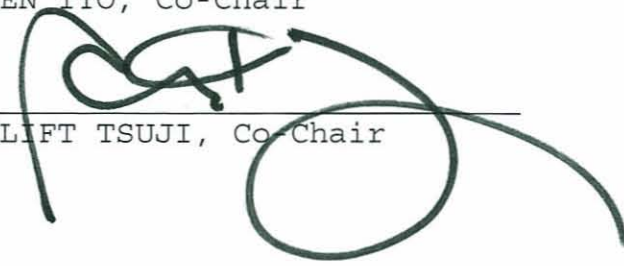




J. KALANI ENGLISH, Co-Chair


CLAYTON HEE, Co-Chair



KEN ITO, Co-Chair


CLIFT TSUJI, Co-Chair

