

Honolulu, Hawaii
Feb 4, 2010

RE: H.B. No. 2792
H.D. 1

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

Sir:

Your Committees on Energy & Environmental Protection and
Housing, to which was referred H.B. No. 2792 entitled:

"A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES,"

beg leave to report as follows:

The purpose of this bill is to continue to work towards
securing Hawaii's energy future by clarifying and strengthening
the law governing the installation of solar energy devices on
homes. Specifically, this measure requires any association of
homeowners, community association, condominium association,
cooperative, or any other non-governmental entity with covenants,
bylaws, and administrative provisions with which the homeowner's
compliance is required, to adopt rules that provide for the
placement of solar energy devices by December 31, 2010 and
prohibit these entities from adopting rules that:

- (1) Render a solar device more than 25 percent less
efficient;
- (2) Increases the cost of installation, maintenance, or
removal of the solar device by more than 15 percent; and
- (3) Require an encumbrance on title because of the placement
of the solar device.

The Sierra Club-Hawaii Chapter and the Hawaii Solar Energy
Association testified in support of this bill.



Your Committee has amended this bill by clarifying that the rules adopted cannot:

- (1) Impose conditions or restrictions that render the device more than 25 percent less efficient; or
- (2) Increase the cost of installation, maintenance, and removal of the device, inclusive, by more than 15 percent.

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

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 H.B. No. 2792, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2792, H.D. 1, and be referred to the Committee on Judiciary.

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



RIDA CABANILLA, Chair



HERMINA MORITA, Chair



