

STAND. COM. REP. NO.

2078

Honolulu, Hawaii

FEB - 9 2010

RE: S.B. No. 2817  
S.D. 1

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

Madam:

Your Committee on Energy and Environment, to which was referred S.B. No. 2817 entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify that the rules of a private association of homeowners adopted regarding the placement of solar energy devices may not render the device more than twenty-five per cent less efficient, increase the cost of installation, maintenance, or removal of the device by more than fifteen per cent, or require an encumbrance on title.

Testimony in support of the measure was submitted by two private organizations. Written testimony presented to your Committee may be reviewed on the Legislature's website.

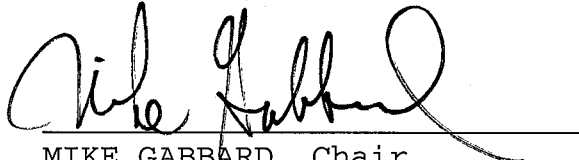
Your Committee finds that clarification of existing laws regarding private restrictions on placement of solar energy devices is needed, because some homeowners associations may, by rule, put up obstacles for people who wish to install solar water heaters and photovoltaic systems on their single-family dwellings or townhouses.

Your Committee has amended this measure by clarifying the language that describes the prohibitions on private entity rules to reflect how such rules might impact the efficiency or cost of a solar energy device.



As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2817, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2817, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy and  
Environment,

  
MIKE GABBARD, Chair



The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Energy and Environment**  
**ENE**

Bill / Resolution No.:* <b>SB 2817</b>	Committee Referral: <b>ENE, CPN</b>	Date: <b>4 Feb 2010</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
ENGLISH, J. Kalani (VC)	/			
GREEN, M.D., Josh				/
HOOSER, Gary L.	/			
IHARA, Jr., Les				/
KOKUBUN, Russell S.				/
HEMMINGS, Fred	/			
<b>TOTAL</b>	<b>4</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes