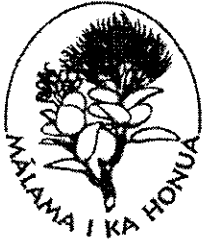


SB 2817



Sierra Club Hawai'i Chapter

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SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
February 4, 2010, 3:00 P.M.

(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF SB 2817 WITH A PROPOSED AMENDMENT

Aloha Chair Gabbard and Members of the Committees:

The Hawai'i Chapter of the Sierra Club supports SB 2817, which clarifies and strengthens the law ensuring that homeowners can install solar energy devices on their home or common area of a townhouse. This common sense measure removes barriers—like restrictive covenants or difficult regulations—to clean energy investment. This bill protects homeowner associations or condominium owners by requiring that the person who installs the solar energy device be responsible for any damages.

Haw. Rev. Stat. § 196-7 was an important step in securing Hawaii's energy future and improving the affordability of housing in Hawai'i. As any with any good measure, however, improvements could be made. The clarifications in this bill helps remove some of the obstacles that the Sierra Club has encountered in the past year or two, namely cumbersome regulations that deter the installation of solar hot water heaters.

We suggest one amendment. On line 9, we suggest the word "and" instead of the word "or."

Thank you for this opportunity to provide testimony.



Hawaii Solar Energy Association
Serving Hawaii Since 1977

February 4, 2010
3:00 P.M.

Senate
COMITTEE ON ENERGY AND ENVIRONMENT
HB 2817

Mark Duda
President

TESTIMONY IN SUPPORT

Aloha Chair Gabbard and Vice Chair English:

As solar systems have become increasingly popular, HSEA has received an increase in the number of complaints by Hawaii families that are being prevented from installing systems due to rules promulgated by the homeowners associations. While it would seem that these efforts run afoul of the existing "Right to Solar" laws passed by this body several years ago, some associations nonetheless try.

HSEA now believes that the current law is not tightly crafted enough to unambiguously prevent associations from attempting to limit the ability of homeowners to site solar systems, either directly or indirectly through measures designed to increase the cost or amplify the homeowner's risks. This measure is designed to clarify the limits of association powers to restrict owners' ability to site solar systems. In doing so, it manages an emerging problem and helps eliminate it before the number of homeowners affected becomes too large.

Thank you for the opportunity to testify on this measure.

Mark Duda
President, Hawaii Solar Energy Association

About Hawaii Solar Energy Association

Hawaii Solar Energy Association (HSEA) is comprised of installers, distributors, manufacturers and financiers of solar energy systems, both hot water and PV, most of which are Hawaii based, owned and operated. Our primary goals are: (1) to further solar energy and related arts, sciences and technologies with concern for the ecologic, social and economic fabric of the area; (2) to encourage the widespread utilization of solar equipment as a means of lowering the cost of energy to the American public, to help stabilize our economy, to develop independence from fossil fuel and thereby reduce carbon emissions that contribute to climate change; (3) to establish, foster and advance the usefulness of the members, and their various products and services related to the economic applications of the conversion of solar energy for various useful purposes; and (4) to cooperate in, and contribute toward, the enhancement of widespread understanding of the various applications of solar energy conversion in order to increase their usefulness to society.