

STAND. COM. REP. NO. 2017

Honolulu, Hawaii

FEB 06 2012

RE: S.B. No. 2291  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Energy and Environment, to which was referred S.B. No. 2291 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to allow owners of condominium units in condominium structures no more than three stories in height to place a solar energy device on the roof of the condominium structure.

Your Committee received testimony in support of this measure from the Sierra Club, Blue Planet Foundation, Hawaii Solar Energy Association, and four individuals. Your Committee received testimony in opposition to this measure from the Community Associations Institute.

Your Committee finds that allowing low-rise condominium owners to install solar energy devices on the roofs of condominium structures will help achieve the State's clean energy goals. Expanding access to solar power to low-rise condominium owners will benefit the local economy by helping to create clean "green collar" jobs locally and reducing the amount of money that is exported from the State to buy fossil fuels. This measure creates parity between owners of low-rise condominium units and owners of other types of residential dwellings and townhouses, who are already authorized to install solar energy devices.



Your Committee further finds that owners of low-rise condominium units should be able to install a solar device on the rooftop of the condominium structure, regardless of whether their unit is on the first, second, or third floor of the structure.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying language that specified the placement of a solar energy device on the roof directly above the owner's condominium unit, which many have implied that only owners of units on the top floor of the condominium could install a solar energy device; and
- (2) Requiring that the insurer for the repair, maintenance, removal and replacement of a solar energy device, including any damages to or caused by the device, notify the private entity responsible for the common elements of a residential dwelling, townhouse, or condominium unit if the insurance policy lapses.

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. 2291, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2291, 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,



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MIKE GABBARD, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

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

Bill / Resolution No.:* <b>SB 2291</b>	Committee Referral: <b><del>SB 2291</del> ENE, CPN</b>	Date: <b>1/31/12</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	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</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