

STAND. COM. REP. NO.

450

Honolulu, Hawaii

February 15, 2013

RE: H.B. No. 453
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 453 entitled:

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

begs leave to report as follows:

The purpose of this measure is to encourage renewable energy production to enable Hawaii to meet its clean energy initiative goals by excluding from the definition of "public utility," persons who install renewable energy systems on their properties and provide, sell, or transmit the power therefrom to an electric utility or lessees or tenants of the property.

The Department of Taxation; Sierra Club, Hawaii Chapter; Blue Planet Foundation; Carmel Partners; Distributed Energy Partners; Forest City Hawaii; GSF, LLC; Hawaii Association of REALTORS; Hawaii Solar Energy Association; NAIOP Hawaii; Sunetric; Catholic Charities Housing Development Corporation; The Michaels Development Company; and several individuals provided testimony in support of this measure. The Department of Business, Economic Development, and Tourism; the Department of Commerce and Consumer Affairs; the Public Utilities Commission; and Kairos Energy Capital provided comments on this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

HB453 HD1 HSCR EEP HMS 2013-2064



Should your Committee on Consumer Protection and Commerce consider this measure, your Committee requests that it address landlord-tenant issues that may arise from the provisions of this measure to among other things ensure that tenants reap some of the energy cost-savings benefits of the renewable energy systems.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 453, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 453, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



CHRIS LEE, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: <i>HB 453</i>	Committee Referral: <i>EEP, CPC</i>	Date: <i>2/12/13</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	X			
2. THIELEN, Cynthia (VC)	X			
3. COFFMAN, Denny	X <i>dt</i>	X		
4. CULLEN, Ty J.K.	X			
5. EVANS, Cindy	X			
6. HANOHANO, Faye P.	X			
7. KAWAKAMI, Derek S.K.	X			
8. LOWEN, Nicole E.	X			
9. FALE, Richard Lee	X			
TOTAL (9)	8	1		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <i>Cynthia Thielen</i>				
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