

**HB1879**

Submitted on: 2/8/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
IRA CALKINS	Individual	Support	No

Comments: IRA CALKINS GOVERNMENTAL RESEARCHER 730 Captain Cook Ave Unit 426 Honolulu, Hawaii 96813-2161 Your actions will prove the following assertions to be the truth and factual. The Democratic Party Line has taken away the voice of the people in the making of laws. Taxation with out representation in the State of Hawaii. It appears the Hawaii State Legislators are being blackmailed in to voting the Democratic party line, or else the Democratic Party will not support the State of Hawaii Legislators in all state wide elections. It does not matter what the tax payers think, the Democratic Party line lays down the law on all bills before the State of Hawaii Legislature. The chairman's in all committee meetings has a predisposed script to follow that the Speaker of the House, and the Speaker of the Senate has given the Committee Chairs to follow, to instruct the committee members how to vote on a any given measures, all Bills in all committees of the State of Hawaii Legislature. It is determined ahead of time by the Democratic Party members how a committee member will vote when staying with in the party line on any given Bill in the State of Hawaii Legislature, Democracy has been taken away from the tax payers in the State of Hawaii. Ira Calkins Honolulu 4696434 or 3498667 FAX 808-545-4707 Washington D.C. 202-697-9782

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**HB1879**

Submitted on: 2/8/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)



**LATE**

**Hawaii Solar Energy Association**  
*Serving Hawaii Since 1977*

Before the House Committee on Energy & Environmental Protection  
Tuesday, February 11, 2014, 8:15 a.m., room 325  
HB 1879: RELATING TO ENERGY RESOURCES

Aloha Chair Lee, Vice-Chair Thielen, and members of the House Committee on Energy & Environmental Protection,

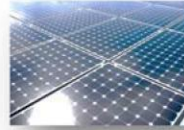
On behalf of the Hawaii Solar Energy Association (HSEA), I would like to testify in support for HB 1879, which establishes solar shade regulations to protect solar energy system owners from shading caused by trees or shrubs on adjacent properties. HSEA is a non-profit trade organization that has been advocating for solar energy since 1977, with an emphasis on residential distributed generation and commercial for both solar hot water (SHW) and photovoltaics (PV). We currently represent 79 companies, which employ thousands of local employees working in the solar industry. With 37 years of advocacy behind us, HSEA's goal is to work for a sustainable energy future for all of Hawaii.

When a homeowner invests in a solar system—be it solar hot water and/or photovoltaic—the available solar access dictates the sizing and siting of the system. Although customer loads may change and the efficiency of the solar system may drop over time, the fixed part of the calculation is the intensity and duration of the solar access within expected seasonal fluctuations. It is therefore key that the solar access remains a constant, and that trees or bushes in adjacent properties which might block access are trimmed to allow the solar system to continue to produce as designed.

HB 1879 protects the solar customer while providing several safeguards for adjacent property owners. The right the access only applies to vegetation that was planted after notice of the solar installation. The requirement also would not apply to trees or bushes that are replaced which had existed before the solar installation, and HB 1879 does not trump any county ordinances to the contrary. HB 1879 could otherwise be called the “good neighbor bill.” Just like a neighbor might be asked to trim a tree that was proving to be a nuisance or a safety hazard for somebody next door, HB 1879 recognizes the potential value of solar access for all homeowners.

Thank you for the opportunity to testify.

Leslie Cole-Brooks  
Executive Director  
Hawaii Solar Energy Association



**LATE**

**HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

February 11, 2014, 8:15 A.M.

Room 325

**(Testimony is 2 pages long)**

**TESTIMONY IN SUPPORT OF HB 1879**

Chair Lee and members of the Energy & Environmental Protection Committee:

The Blue Planet Foundation supports HB 1879, establishing solar shade regulations to protect solar energy system owners from shading caused by trees and shrubs on adjacent properties.

Solar energy is currently a bright spot in Hawaii's progress toward energy independence, with both utility scale and distributed solar energy systems adding over 300 gigawatt-hours of electricity annually to power our islands, significantly reducing the amount of fossil fuel we consume and greenhouse gas pollution we produce. Moreover, the installation of solar water heaters and photovoltaic systems helps to plug the leak of billions of dollars out of Hawaii's economy.

House Bill 1879 helps to ensure that we can continue our progress in putting the sun to work for us by providing balanced protections against shading solar energy devices. This measure provides limited protections for solar collector owners whose devices are shaded by neighboring trees and shrubs. These protections are limited because the bill contains specific requirements that determine which solar collectors are eligible for protections under the proposed act, including the function of the collector, the manner in which it was installed on the building, and the date the offending tree or shrub was planted.

While the boom in solar energy in Hawaii is relatively recent, this proposed policy has deep historical roots. The Romans, whose architecture was designed to take advantage of the sun's light and heat, likely were the first to codify protections of a homeowners' access to sunlight.<sup>1</sup>

---

<sup>1</sup> Melvin M. Eisenstadt, Access to Solar Energy: The Problem and its Current Status, 22 Nat. Resources J. 21, 21 (1982).

Similarly, the doctrine of ancient lights protected landowners' access to sunlight as far back as seventeenth century Great Britain.<sup>2</sup>

More recently, other U.S states have adopted solar shading laws to protect the right to access the sun's energy. California adopted the Solar Shade Control Act in 1978<sup>3</sup>, and Wisconsin followed with laws to prevent unnecessary obstruction of solar (and wind) devices.<sup>4</sup> These policies have helped to protect solar use in these states for decades (and have survived legal challenges).

Blue Planet supports HB 1879 as a balanced approach to protect reasonable access to solar energy.

Mahalo for the opportunity to testify.

---

<sup>2</sup> Id.

<sup>3</sup> California Public Resources Code § 25980 et seq. (Solar Shade Control Act) (1978)

<sup>4</sup> Wisconsin Statutes § 700.41 (Compensation for Building Obstruction of Solar and Wind Access); Wisconsin Statutes § 844.22. (Obstruction of Solar or Wind Energy Systems) (1982)