

STAND. COM. REP. NO. 3126

Honolulu, Hawaii

MAR 24 2016

RE: H.B. No. 1170
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Transportation and Energy and Water, Land, and Agriculture, to which was referred H.B. No. 1170, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LAND RESOURCES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Create a process for the lease of public lands without public auction for geothermal resources that is consistent with the process applicable to lands with renewable energy resources such as solar, wind, hydropower, and biomass; and
- (2) Provide clarity and consistency in the statutory regulation of mineral resources.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; ORMAT Nevada Inc.; and one individual.

Your Committees find that geothermal developers are already afforded the same opportunities afforded to other renewable energy producers regarding leases on public lands without public auction. As such, no separate process is necessary.

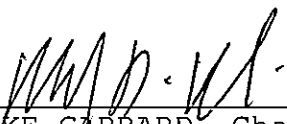


Your Committees have amended this measure by:

- (1) Deleting the authorization of the Board of Land and Natural Resources to grant an application for a mining lease submitted by a renewable energy producer in accordance with section 171-95, Hawaii Revised Statutes, or by vote of two-thirds of its members and without public auction;
- (2) Clarifying that exploration may be done by any person wishing to conduct geothermal or mineral exploration; and
- (3) Inserting an effective date of July 1, 2016.

As affirmed by the records of votes of the members of your Committees on Transportation and Energy and Water, Land, and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1170, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1170, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Energy and Water, Land, and
Agriculture,

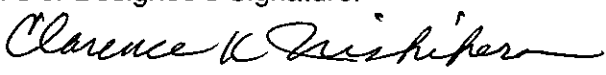

MIKE GABBARD, Chair


LORRAINE R. INOUE, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land, and Agriculture
WLA

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1170, HD2	TRE/WLA, JDL	3-22-16		
<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)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.	/			
RIVIERE, Gil				/
RUDERMAN, Russell E.				/
SHIMABUKURO, Maile S.L.	/			
THIELEN, Laura H.	/			
WAKAI, Glenn	/			
SLOM, Sam				/
TOTAL	6			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes