CONFERENCE COMMITTEE REP. NO. 🕊

Honolulu, Hawaii (2016) RE: H.B. No. 2077 H.D. 2 S.D. 2 C.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2077, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HYDROELECTRIC POWER,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to permit the construction of small hydropower facilities in agricultural districts.

Specifically this measure:

- Repeals the maximum five hundred kilowatt generating capacity for hydroelectric facilities in an agricultural district;
- (2) Authorizes, within agricultural districts, the construction of small hydropower facilities that meet the United States Department of Energy definition of small



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hydropower facility, including impoundment, diversion, run-of-river, and pumped storage facilities; and

(3) Requires the approval of the Commission on Water Resource Management, including the establishment of new in stream flow standards, for the construction, within an agricultural district, of any hydroelectric facility that has a capacity of more than five hundred kilowatts.

Your Committee on Conference finds that permitting the construction, in an agricultural district, of hydroelectric facilities that have a generating capacity of more than five hundred kilowatts will provide the economies of scale necessary to make construction of hydroelectric infrastructure more economically viable. Your Committee on Conference believes that permitting construction of facilities that meet the federal definition of a small hydropower facility will promote the development of clean, renewable, and secure energy; contribute to a more efficient electricity grid; and lower the cost of energy in the State.

Your Committee on Conference has amended this measure by:

- (1) Limiting the requirement for the Commission on Water Resource Management to approve a hydroelectric facility to only new hydroelectric facilities that have the capacity to generate over five hundred kilowatts, rather than when such a facility requires a new or expanded diversion of water; and
- (2) Making technical nonsubstantive amendments for purposes of consistency and clarity.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2077, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2077, H.D. 2, S.D. 2, C.D. 1.



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Respectfully submitted on behalf of the managers:

ENATE ON THE PART OF THE HOUSE

CHRIS LEE, Co-Chair RYAN Co-Chair IANE, CLIFT TSUJI, Co-Chair ANGUS L.K. MCKELVEY, Co-Chair

ON THE PART OF THE SENATE

ghair LORRAINE R. ÚΥE.

GABBARD, Co-Chair MIKE

MIKE GABBARD, CO-Chair

ROSALYN H. BAKER, Co-Chair

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Hawaii State Legislature

CCR 50-16

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 2077, HD 2, SD 2				Date/Time: 4 27 16 4:00 PM					
The recommendation of the House and Senate managers is to pass with amendments (CD).									
The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure				The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A	WR	N	E	House Managers	A,	WR	N	Е
INOUYE, Lorraine R., Chr.					LEE, Chris, Co-Chr.	1 V			
GABBARD, Mike, Co-Chr.					YAMANE, Ryan I., Co-Chr.	レ			
BAKER, Rosalyn H., Co-Chr.	17				TSUJI, Clift, Co-Chr.				
SLOM, Sam				V	MCKELVEY, Angus L.K., Co-Chr.				
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Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
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