

STAND. COM. REP. NO.

3152

Honolulu, Hawaii

MAR 23 2018

RE: H.B. No. 1830
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Transportation and Energy and Higher Education, to which was referred H.B. No. 1830, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ENERGY AT THE UNIVERSITY OF HAWAII,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the Legislature to make appropriations into the University of Hawaii green special fund;
- (2) Expand the projects the special fund is allowed to support to include energy efficiency, energy conservation, and renewable energy projects;
- (3) Eliminate the expenditure cap that requires approval by the Legislature; and
- (4) Require the Legislature to be notified of any expenditures from the fund.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Hawaii Energy, Ulupono Initiative, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Blue Planet Foundation, and Sierra



Club of Hawaii. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that green revolving funds are a best practice used by many colleges and universities dedicated to addressing sustainable facilities, operations, and behaviors. Sustainable facilities and practices at the University of Hawai'i, which is the second largest energy user in the State, play a critical role in achieving the State's goal of one hundred percent clean energy by 2045. Allowing the Legislature to make appropriations into the University's green special fund and expanding the types of projects the special fund is allowed to support will enhance the sustainable facilities, operations, and operations at the University.

Your Committees note a concern raised by the Department of the Attorney General about the role of the Legislature with regard to expenditures from the fund. The Department of the Attorney General suggested that "legislative notification" of expenditures from the fund could be read to violate the constitutional provision that requires appropriation of public monies be "made by law".

Accordingly, your Committees have amended this measure by:

- (1) Incorporating the language recommended by the Department of the Attorney General clarifying that expenditures from the fund are made by appropriation; and
- (2) Inserting an effective date of January 1, 2100, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Transportation and Energy and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1830, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1830, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Energy and Higher
Education,



KAIULANI KAHELE, Chair




LORRAINE R. INOUE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* HB1830 HD2	Committee Referral: TRE/HPE, WAM	Date: 3/16/2018		
<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
INOUE, Lorraine R. (C)	X			
ESPERO, Will (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
SHIMABUKURO, Maile S.L.	X			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Higher Education
HRE

Bill / Resolution No.:*	Committee Referral:	Date:
<i>HB 1830 HD 2</i>	<i>TRE/HRE, WAM</i>	<i>3/22/18</i>
<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 <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit 2312 2311 2310 2313		
Members	Aye	Aye (WR)
Nay	Excused	
KAHELE, Kaiali'i (C)	/	
KIM, Donna Mercado (VC)	/	
CHANG, Stanley	/	
KEITH-AGARAN, Gilbert S.C.	/	
KIDANI, Michelle N.	/	
TOTAL	5	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: <i>Donna Mercado</i>		
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