

Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 2188
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2188, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WIND ENERGY FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish a setback from the nearest farm or residential dwelling unit for certain wind energy facilities in the agricultural district; and
- (2) Require the University of Hawaii at Manoa John A. Burns School of Medicine to conduct or contract for a study on the effects of noise produced by certain wind energy facilities in Hawaii on the health of residents and students.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Hawaii State Energy Office, University of Hawaii System, Hawaiian Electric, and Apollo Energy.

Your Committee finds that wind energy facility siting or setback requirements vary across the nation, with various approaches to their establishment. Setback requirements are



usually defined with respect to the height of the system. Of the states with substantial local autonomy, only two states have established statewide setback requirements. This measure is important to continuing the conversation about the appropriate distance for certain wind energy facilities from dwellings.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2188, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


CHRIS LEE, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 646-20

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2188 HD1	Committee Referral: EEP, JUD, FIN	Date: 2/13/20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. NAKASHIMA, Mark M.				/
8. PERRUSO, Amy A.	/			
9. SAY, Calvin K.Y.	/			
10. TAKAYAMA, Gregg	/			
11. YAMANE, Ryan I.	/			
12. THIELEN, Cynthia	/			
TOTAL (12)	11			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;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
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