

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 781
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and Ways and Means, to which was referred S.B. No. 781, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require government entities in the State that issue building permits to implement SolarAPP+ or a functionally equivalent online automated permitting platform that verifies code compliance and issues permits to licensed contractors for solar distributed energy resource systems in real time by January 1, 2024;
- (2) Require government entities in the State that issue building permits to adopt self-certification for solar distributed energy resource systems that are not SolarAPP+ compatible;
- (3) Exempt work with respect to residential distributed energy resource systems from the professional engineers, architects, surveyors, and landscape architects licensure law; and
- (4) Increase the estimated cost of work threshold for certain structures below which the professional



engineers, architects, surveyors, and landscape architects licensure law is inapplicable.

Your Committees received testimony in support of this measure from the Hawaii Green Infrastructure Authority; Alternate Energy, Inc.; Blue Planet Foundation; Climate Protectors Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; Fortress Power; Grand Solar, Inc.; Hawaii Food Industry Association; Hawaii Solar Energy Association; Kaua'i Climate Action Coalition; Malama Kaua'i; Our Revolution Hawaii; Photonworks Engineering LLP; Sierra Club of Hawai'i; Sunnova; Sungage Financial, LLC; Sunrun; Sunspear Energy, LLC; Ulupono Initiative; 350Hawaii.org; Tesla; Hawai'i Unified Industries, LLC; and fifty-one individuals. Your Committees received testimony in opposition to this measure from the American Institute of Architects Hawaii State Council and one individual. Your Committees received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects and Kaua'i Island Utility Cooperative.

Your Committees find that permitting bottlenecks and backlogs impede progress and add unnecessary cost, time, and risk to the State's transition to renewable energy. This impacts all residents and businesses in Hawaii, particularly those that have not yet been able to install or participate in a solar and energy storage project. As the cost to install renewable energy decreases and systems become more available and accessible to underserved members of the community, this measure removes the burdensome and time-consuming review process and replaces it with a standardized, peer-reviewed national product safety certification and product documentation requirement, thus facilitating the continued transition to renewable energy.

Your Committees acknowledge the concerns raised in testimony that the exemptions to the professional engineers, architects, surveyors, and landscape architects licensure law for certain projects made by this measure could jeopardize the safety of those projects. Your Committees also recognize that the self-certification process requirements established by this measure should apply only in territories served by an investor-owned electric utility, rather than an electric cooperative.

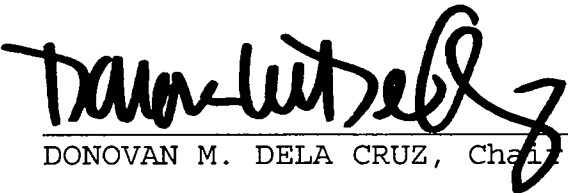
Accordingly, your Committees have amended this measure by:



- (1) Inserting language to clarify that the self-certification process requirements established by this measure shall apply only to a government entity in the State that issues building permits in territories served by an investor-owned electric utility;
- (2) Deleting language that would have created an exemption from the professional engineers, architects, surveyors, and landscape architects licensure law for work with respect to residential distributed energy resource systems and for certain structures under a certain dollar amount; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 781, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 781, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and Ways
and Means,



DONOVAN M. DELA CRUZ, Chair


JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

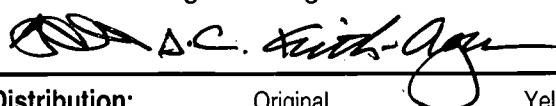
Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB781 SD1	EET/GVO, CPN/WAM	3/1/23		
<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
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
TOTAL	5			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 781 SDI	Committee Referral: EET/GVO, CPN/WAM	Date: 3/1/23		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.				X
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	12			1
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				

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