



GOV. MSG. NO. 839

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 15, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith HB590 HD1 SD2 CD1, without my approval, and with the statement of objections relating to the measure.

HB590 HD1 SD2 CD1

A BILL FOR AN ACT
RELATING TO RENEWABLE ENERGY
FACILITIES.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

July 15, 2009

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 590

Honorable Members
Twenty-Fifth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 590, entitled "A Bill for an Act Relating to Renewable Energy Facilities."

The purpose of this bill is to further expedite the development of renewable energy facilities by giving the Energy Resources Coordinator the authority to deem permits for their siting, development, construction, and operation approved under certain conditions.

This bill is objectionable because it is unnecessary, duplicative legislation. House Bill No. 1464, also passed by the Legislature, includes the same amendment made by this bill. Because I approved House Bill No. 1464 as Act 155, there is no need to also approve this bill.

For the foregoing reason, I am returning House Bill No. 590 without my approval.

Respectfully,



LINDA LINGLE
Governor of Hawaii

VETO

HOUSE OF REPRESENTATIVES
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

H.B. NO. 590
H.D. 1
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Act 207, Session Laws of Hawaii 2008,
2 established the renewable energy facility siting process to
3 expedite the processing and approval or denial of any permit
4 plan application for the siting, development, construction, and
5 operation of a renewable energy facility.

6 The purpose of this Act is to further expedite the process
7 and give the energy resources coordinator the necessary power
8 and authority to expedite the development of renewable energy
9 facilities, while still protecting the public's health, safety,
10 and welfare.

11 SECTION 2. Section 201N-4, Hawaii Revised Statutes, is
12 amended by amending subsection (g) to read as follows:

13 "(g) Each appropriate state and county agency shall
14 diligently endeavor to process and approve or deny any permit in
15 the permit plan no later than twelve months after a completed
16 permit plan application is approved by the coordinator. If the
17 coordinator has given at least thirty days written notice
18 stating that the permit plan application is subject to this



1 section and a permit is not approved or denied within twelve
2 months after approval of a completed permit plan application,
3 the permitting agency, within thirty days following the end of
4 the twelve-month period, shall provide the coordinator with a
5 report identifying diligent measures that are being taken by the
6 agency to complete processing and take action as soon as
7 practicable. If no further processing and action are reported
8 by the permitting agency within five months following the end of
9 the thirty-day agency report period, the coordinator may deem
10 the permit approved. If a permitting agency fails to provide
11 this report and if the permit has not been approved or denied
12 within eighteen months following the approval of a completed
13 permit plan application by the coordinator, the permit shall be
14 deemed approved."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2009.

