

Honolulu, Hawaii

APR 28 2011

, 2011

RE: S.B. No. 631
S.D. 1
H.D. 2
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 631, S.D. 1, H.D. 2, entitled:

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

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 encourage and facilitate the development of solar renewable energy facilities in Hawaii by allowing solar energy facilities to be placed on agricultural lands with soil classified as overall (master) productivity rating class B or C, subject to certain restrictions.

Your Committee on Conference finds that Hawaii is one of the most fossil fuel-dependent states in the nation with a majority of its oil being imported. Consequently, the State is extremely vulnerable to any oil embargo, supply disruption, international market dysfunction, and many other factors beyond the control of the State. Furthermore, the continued consumption of conventional



petroleum fuel and price volatility can negatively impact the environment and economic health of the people of Hawaii. At the same time, Hawaii has among the most abundant solar energy resources in the world. These resources should be utilized to the maximum extent possible in order to reduce the State's dependence on fossil fuels and contribute to energy self-sufficiency.

Your Committee on Conference further finds that the development and use of renewable solar energy would be instrumental in contributing to the State's energy self-sufficiency as well as the promotion of agricultural sustainability. Hawaii's farmers and ranchers need to fight energy costs with energy revenues to become or remain viable business entities. Allowing the use of agricultural land for solar energy production provides farmers and ranchers with the opportunity to produce and sell electricity to offset their costs.

Although this measure includes additional restrictions on the construction of solar energy facilities on Important Agricultural Lands, your Committee on Conference recognizes that some areas designated as Important Agricultural Lands have soil classified as overall (master) productivity rating class D on which solar facilities are currently permitted on an unrestricted basis. Furthermore, your Committee on Conference notes that certain provisions in this measure create a conflict with section 205-4.5(a), Hawaii Revised Statutes.

Accordingly, your Committee has amended this measure by:

- (1) Deleting any reference to Important Agricultural Lands;
- (2) Amending section 205-4.5(a), Hawaii Revised Statutes, to eliminate the conflict with this measure; and
- (3) Changing the effective date to upon approval.

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 S.B. No. 631, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 631, S.D. 1, H.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

Denny Coffman

DENNY COFFMAN, Co-Chair

Jerry I. Chang

JERRY I. CHANG, Co-Chair

Clift Tsuji

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