

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2001

S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Energy and Environment, to which was referred S.B. No. 2001 entitled:

"A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST,"

beg leave to report as follows:

The purpose and intent of this measure is to amend the Hawaii State Planning Act to include promoting the development of geothermal energy resources that are located on public trust land as a source of firm power and ensure that the development of energy resources on public trust land directly benefits Native Hawaiians and public beneficiaries of the trust.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Native Hawaiian Chamber of Commerce, Innovations Development Group, Association of Hawaiian Civic Clubs, and four individuals.

Your Committees find that this measure is consistent with the State's goals and initiatives to promote renewable energy resources. Further, renewable energy resources are assets of the public trust but have not been recognized or developed by the State as public trust assets. Renewable resources within the trust include geothermal, tidal, wave, and ocean thermal energy conversion energy resources located on submerged lands. Specifically, for over seventeen years, geothermal resources have been developed for electricity on the island of Hawaii. Although these are public trust assets, their development has never brought a real or direct benefit to the resident beneficiaries.



Trust law requires the State, as trustee of these renewable energy assets, to ensure that there is a direct benefit for the beneficiaries of the public trust land who are Native Hawaiians and the public.

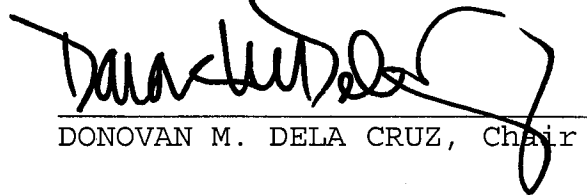
Accordingly, your Committees have amended this measure by clarifying that indigenous renewable energy resources, not just geothermal energy resources, located on public trust land should be promoted and developed for the benefits of Native Hawaiians and public beneficiaries of the trust.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2001, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2001, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, and
Housing and Energy and
Environment,



MIKE GABBARD, Chair

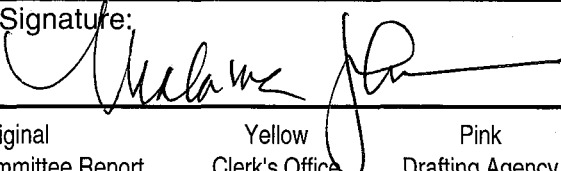


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:
SB2001	WLH/ENE	2-23-12
<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)	✓	
SOLOMON, Malama (VC)	✓	
FUKUNAGA, Carol		✓
RYAN, Pohai	✓	
SHIMABUKURO, Maile	✓	
TOKUDA, Jill N.		✓
SLOM, Sam		✓
TOTAL	4	3
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
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 2001	Committee Referral: WLH / ENE	Date: 23 Feb 2012		
<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
GABBARD, Mike (C)	X			
ENGLISH, J. Kalani (VC)	X			
GREEN, M.D., Josh	X			
IHARA, Jr., Les	X			
SLOM, Sam				X
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>J. Kalani English</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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