

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 16

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Energy and Environment and Public Safety, Intergovernmental and Military Affairs, to which was referred S.B. No. 16 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the appropriate county permitting agency, rather than the Energy Resources Coordinator, to receive and process applications for variances for the solar water heating system requirement for building permits;
- (2) Require each respective county council to establish procedures and standards by which its respective county permitting agency approves, approves with conditions, or disapproves variances; and
- (3) Clarify existing solar water heater variance application procedures.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Association of Realtors; Sierra Club Hawaii Chapter; Blue Planet Foundation; and one individual. Your Committees received testimony in opposition to this measure from the County of Maui, Hawaii Gas, and one individual.



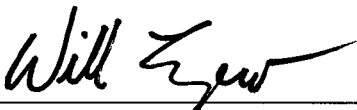
Your Committees find that county permitting agencies, rather than the state Energy Resources Coordinator, should have the responsibility to process solar water heating system variance applications because the county permitting agencies are closer to the particular conditions of the various geographic regions and climatic peculiarities of their respective counties.

Your Committees have amended this measure by:

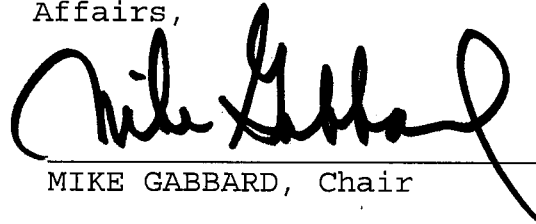
- (1) Changing the term "variance" to "waiver" wherever it is used throughout the Act;
- (2) Authorizing the counties, rather than licensed architects and mechanical engineers, to set criteria for granting waivers; and
- (3) Clarifying the standards for demand water heaters.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 16, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 16, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Energy and
Environment and Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair

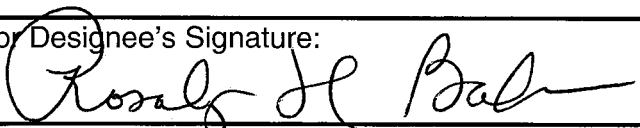


MIKE GABBARD, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* SB 16	Committee Referral: ENE/PSM, WAM	Date: 2-12-2013		
<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
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, Josh	✓			
SLOM, Sam				✓
TOTAL	3	-	-	2
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				

*Only one measure per Record of Votes