

STAND. COM. REP. NO.

754

Honolulu, Hawaii

March 6, 2015

RE: H.B. No. 1273  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1273, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize construction of hydroelectric facilities on agricultural lands, subject to certain conditions.

The Department of Agriculture, a Member of the Kaua'i County Council, and a few individuals testified in support of this measure. The Hawai'i Farm Bureau Federation testified in support of the intent of this measure. An individual testified in opposition to this measure. The Department of Land and Natural Resources, Department of Business, Economic Development & Tourism, and Land Use Commission provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying a five hundred kilowatt power generation limit for hydroelectric facilities on agricultural lands;
- (2) Requiring that hydroelectric facilities on agricultural lands comply with the State Water Code;



- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that according to testimony received, setting a limitation of five hundred kilowatts will prevent agricultural operators with hydroelectric generation facilities from entering into electric utility power purchase agreements that would subvert the purpose of this measure. Therefore, the five hundred kilowatt limitation imposed by this measure, as amended, will help to ensure that permitted hydroelectric facilities are used for the actual agricultural operation itself.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1273, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1273, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ANGUS L.K. MCKELVEY, Chair



State of Hawaii  
 House of Representatives  
 The Twenty-eighth Legislature

HSOR 754

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <b>HB 1273 HD1</b>	Committee Referral: <b>AGR, EEP, CPC</b>	Date: <b>03/02/15</b>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:     Pass, unamended (as is)     Pass, with amendments (HD)     Hold  
     Pass short form bill with HD to recommit for future public hearing (recommit)

CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	✓			
2. WOODSON, Justin H. (VC)	✓			
3. BELATTI, Della Au				✓
4. BROWER, Tom	✓			
5. CREAGAN, Richard P.	✓			
6. HAR, Sharon E.	✓			
7. HASHEM, Mark J.	✓			
8. KAWAKAMI, Derek S.K.	✓			
9. LEE, Chris	✓			
10. NAKASHIMA, Mark M.				✓
11. OSHIRO, Marcus R.	✓			
12. SAN BUENAVENTURA, Joy A.	✓			
13. TAKAYAMA, Gregg	✓			
14. YAMANE, Ryan I.				✓
15. FUKUMOTO CHANG, Beth	✓			
16. MCDERMOTT, Bob				✓
<b>TOTAL (16)</b>	<b>12</b>			<b>4</b>

The recommendation is:     Adopted     Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
    committee acronym(s)

Vice Chair's or designee's signature:

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