

Honolulu, Hawaii

MAR 03 2016

RE: S.B. No. 2535
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2535, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GEOTHERMAL,"

begs leave to report as follows:

The purpose and intent of this measure is to provide uniformity throughout the State relating to geothermal energy.

More specifically, this measure:

- (1) Clarifies that regulation of geothermal resources development and geothermal resources exploration is reserved to the State unless specifically delegated to the counties by statute;
- (2) Requires the lessee of a mining lease to comply with state and county laws relating to building, grading, and flood control codes; and
- (3) Requires the rules of the Board of Land and Natural Resources regarding mining operations, geothermal resources development, and geothermal resources exploration, including drilling conditions and restrictions, to be uniform throughout the State.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Hawaii



Leeward Planning Conference; Hawaii Association of Realtors; Kapoho Management Company, Inc.; and forty-six individuals.

Your Committee received written comments in opposition to this measure from the Sierra Club of Hawaii; Birth Sovereignty; We Are One, Inc.; Puna Pono Alliance; Pele Lani Farm, LLC; and fifty-six individuals.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs and three individuals.

Your Committee finds that geothermal energy development in Hawaii reduces Hawaii's reliance on fossil fuels and contributes to Hawaii's energy diversification. Your Committee further finds that county regulation of geothermal energy activities may conflict with state regulation, thus impeding the ability of geothermal energy producers to safely and efficiently conduct exploration or production activities. Ensuring a uniform system of geothermal energy regulation promotes efficient geothermal energy development in the State.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2535, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2535, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

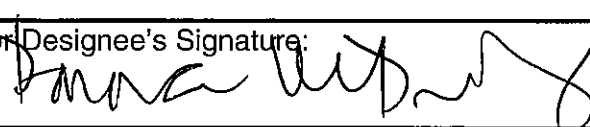


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2535, SD 1	Committee Referral: TRE/PSM/WLA, WAM	Date: 2/25/10		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne				/
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				/
HARIMOTO, Breene	/	/		
INOUYE, Lorraine R.	/			
RIVIERE, Gil			/	
TANIGUCHI, Brian T.	/			
WAKAI, Glenn	/			
SLOM, Sam			/	
TOTAL	6	1	2	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