
A BILL FOR AN ACT

RELATING TO ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In Act 95, Session Laws of Hawaii 2004, the
2 legislature acknowledged that both biofuels and hydrogen could
3 be produced, in part, with fossil fuels and that such part
4 should not count toward renewable energy goals. To that end the
5 legislature amended the definition of "renewable energy" found
6 in section 269-91, Hawaii Revised Statutes, to include energy
7 produced from biofuels derived from a combination of renewable
8 and non-renewable sources, with the caveat that only the
9 proportion of the biofuels created from renewable sources shall
10 be credited as "renewable energy".

11 During the 2006 regular session, the legislature amended
12 this definition and, inadvertently, redefined biofuels in a way
13 that would treat them as one hundred per cent renewable energy,
14 regardless of the proportion of fossil fuel used to create them.

15 The purpose of this Act is to amend the definition of
16 "renewable energy" to refer to the energy content of the final
17 fuel product, minus that proportion of non-renewable energy
18 sources that were used to create the final fuel product.



1 SECTION 2. Section 269-91, Hawaii Revised Statutes, is
2 amended by amending the definition of "renewable energy" to read
3 as follows:

4 "Renewable energy" means ~~[energy generated or produced~~
5 ~~utilizing the following sources:~~

6 ~~(1) Wind;~~

7 ~~(2) The sun;~~

8 ~~(3) Falling water;~~

9 ~~(4) Biogas, including landfill and sewage-based digester~~
10 ~~gas;~~

11 ~~(5) Geothermal;~~

12 ~~(6) Ocean water, currents and waves;~~

13 ~~(7) Biomass, including biomass crops, agricultural and~~
14 ~~animal residues and wastes, and municipal solid waste;~~

15 ~~(8) Biofuels; and~~

16 ~~(9) Hydrogen produced from renewable energy sources.]:~~

17 (1) Energy that is produced using a technology that relies
18 upon a resource that is being consumed at a harvest
19 rate at or below its natural regeneration rate;

20 (2) Where life cycle analysis or cradle to grave analysis
21 is available, renewable energy refers to the energy
22 content of the final product minus the energy content



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1 of the fossil fuel used at each step in the life cycle
 2 used to create the fuel and to dispose of the waste
 3 products; or

4 (3) Energy displacement using a technology that relies
 5 upon a resource that is being consumed at a harvest
 6 rate at or below its natural regeneration rate.

7 "Renewable energy" does not include, biofuels grown through the
 8 destruction of rainforests."

9 SECTION 3. Statutory material to be repealed is bracketed
 10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Green Energy

Description:

Requires the public utilities commission to remove the fossil fuel quotient from renewable energy in determining the amount of energy that qualifies as renewable energy.

