

JAN 19 2007

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# A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY.

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

1           SECTION 1. The legislature finds that biofuel production  
2 can occur through harvesting waste, agricultural, and grease  
3 products, among others. Biofuel can also be produced by using  
4 land to grow crops, which consume water and fossil fuel in the  
5 production.

6           RWE npower, a leading German utility, recently abandoned  
7 plans to convert a British power station to the world's first  
8 utility generator to be run on palm oil. The decision came  
9 after RWE npower was unable to secure sufficient biodiesel  
10 without risking damage to tropical rainforests. The move  
11 highlights the mounting alarm over the scramble by Indonesia,  
12 Malaysia, and Brazil, which are destroying their rainforests to  
13 grow palm oil using unsustainable monocropping methods.

14           The Wall Street Journal (December 5, 2006) reported that  
15 "As fires burn deep into the dry peat soil beneath Indonesia's  
16 forests, centuries of carbon trapped in the biomass are released  
17 into the atmosphere. A study presented last month at a United



1 Nations Climate Change Conference in Nairobi showed that  
2 Indonesia is the world's third-biggest carbon emitter behind the  
3 United States and China, when emissions from fires and other  
4 factors are considered."

5 In 2004, the legislature determined that both biofuels and  
6 hydrogen could be produced in part with fossil fuels, and that  
7 part should not count towards renewable energy goals. The  
8 legislature further found that where biofuels, hydrogen, or fuel  
9 cell fuels are produced by a combination of renewable and  
10 nonrenewable means, the proportion attributable to the renewable  
11 means shall be credited as renewable energy.

12 The purpose of this Act is to amend the definition of  
13 renewable energy to remove the fossil fuel quotient from  
14 renewable energy in determining the amount of energy that counts  
15 as renewable energy.

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

19 "Renewable energy" means energy ~~[generated or produced~~  
20 ~~utilizing the following sources:~~

- 21 (1) ~~Wind;~~
- 22 (2) ~~The sun;~~



- 1        ~~(3) Falling water;~~
  - 2        ~~(4) Biogas, including landfill and sewage based digester~~
  - 3                ~~gas;~~
  - 4        ~~(5) Geothermal;~~
  - 5        ~~(6) Ocean water, currents and waves;~~
  - 6        ~~(7) Biomass, including biomass crops, agricultural and~~
  - 7                ~~animal residues and wastes, and municipal solid waste;~~
  - 8        ~~(8) Biofuels; and~~
  - 9        ~~(9) Hydrogen produced from renewable energy sources.]~~
- 10    produced using a technology that relies on a resource that is
- 11    being consumed at a harvest rate at or below its natural
- 12    regeneration rate. Where life cycle analysis or cradle to grave
- 13    analysis is available, renewable energy refers to the energy
- 14    content of the final product, minus the energy content of the
- 15    fossil fuel used at each step in the life cycle used to create
- 16    the fuel and to dispose of the waste products. The term
- 17    "renewable energy" also includes energy displacement using
- 18    technology that relies on a resource that is being consumed at a
- 19    harvest rate at or below its natural regeneration rate.
- 20    Biofuels grown through the destruction of rainforests shall not
- 21    count as renewable energy."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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**Report Title:**

Renewable Energy;

**Description:**

Amends the definition of renewable energy to remove the fossil fuel quotient from renewable energy in determining the amount of energy that counts as renewable energy.

