NEIL ABERCROMBIE GOVERNOR

> RICHARD C. LIM DIRECTOR

MARY ALICE EVANS DEPUTY DIRECTOR



DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813 Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804 Web site: www.hawaii.gov/dbedt Telephone: (808) 586-2355 Fax: (808) 586-2377

Statement of **Richard C. Lim Director** Department of Business, Economic Development, and Tourism before the

HOUSE COMMITTEE ON FINANCE

Thursday, February 20, 2014 1:30 p.m. State Capitol, Conference Room 308

in consideration of HB 2060, HD 2, RELATING TO TAXATION.

Chair Luke, Vice Chairs Nishimoto and Johanson, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) offers comments on HB 2060, HD 2, which would establish a renewable fuels production tax credit and repeal the ethanol facility tax credit.

DBEDT is concerned that the financial (approximately \$100,000) and human resources (.5 full time equivalent) required to administer the duties of this bill are not included in its current budget. Should the committee decide to proceed with this measure, we caution that this additional funding requirement should not replace or adversely impact priorities indicated in our Executive Budget.

In addition, DBEDT defers to the Department of Taxation on the fiscal impact of the bill and notes that the definition of "renewable fuels" in the bill may be in conflict with the commerce clause of the US Constitution.

Thank you for the opportunity to offer these comments.

SHAN TSUTSUI



FREDERICK D. PABLO DIRECTOR OF TAXATION

> JOSHUA WISCH DEPUTY DIRECTOR

STATE OF HAWAII **DEPARTMENT OF TAXATION** P.O. BOX 259 HONOLULU, HAWAII 96809 PHONE NO: (808) 587-1540 FAX NO: (808) 587-1560

To: The Honorable Sylvia Luke, Chair and Members of the House Committee on Finance

Date:Thursday, February 20, 2014Time:11:00 A.M.Place:Conference Room 308, State Capitol

From: Frederick D. Pablo, Director Department of Taxation

Re: H.B. 2060, H.D. 2, Relating to Taxation

The Department of Taxation (Department) appreciates the intent of H.B. 2060, H.D. 2, and provides the following information and comments for your consideration.

H.B. 2060, H.D. 2 repeals the existing income tax credit for ethanol facilities and adds a new tax credit for the production of renewable fuels. The tax credit would be equal to an unspecified amount per one hundred fifteen thousand British thermal units of fuel produced, and would be capped at an unspecified amount per taxpayer. The tax credit would be certified by the Department of Business, Economic Development, and Tourism. H.D. 2 has a defective effective date of January 20, 2050.

The Department defers to the Department of the Attorney General for a more thorough analysis of the constitutionality of H.B. 2060, H.D. 2, but notes that tax measures that discriminate against interstate commerce are generally held unconstitutional by the courts. For example, the holding in <u>Bacchus Imports Ltd. v. Dias</u>, 468 U.S. 263 (1984), indicates that provisions that result in taxation that is discriminatory against products imported from outside the State would violate the Commerce Clause of the United States Constitution. The Department suggests changing or removing the requirement that feedstocks be transported less than 1,000 miles from their point of origin, which would exclude feedstocks from outside the State, as well as the requirement that fuel produced be distributed within the State.

Thank you for the opportunity to provide comments.

TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: INCOME, Renewable fuels production tax credit

BILL NUMBER: HB 2060, HD-2

INTRODUCED BY: House Committee on Economic Development & Business

BRIEF SUMMARY: Adds a new section to HRS chapter 235 to establish a renewable fuels production tax credit. The credit shall be allowed to taxpayers producing qualifying renewable fuels provided the credit shall not be claimed for more than five years.

The annual dollar amount of the credit shall be ____ cents per 115,000 British thermal units (BTU) of renewable fuels using the lower heating value produced for distribution in Hawaii; provided that the production by the facility is not less than 15 billion BTUs of renewable fuels per year. Limits the amount of tax credit that may be claimed by a taxpayer to \$ ____ million per taxable year.

Defines "credit period," "net income tax liability" and "qualifying renewable fuels." "Renewable fuels" are fuels produced in the state from renewable feedstocks transported less than one thousand miles from point of origin to the production facility located in the state. The fuel shall be sold in the state as a fuel and meet the relevant ASTM International specifications for the particular fuel or other industry specifications for liquid or gaseous fuels, including but not limited to: (1) methanol, ethanol, or other alcohols; (2) hydrogen; (3) biodiesel or renewable diesel; (4) other biofuels; or (5) renewable jet fuel or renewable gasoline. Defines "renewable feedstocks" as biomass crops; agricultural residues; oil crops, including but not limited to algae, canola, jatropha, palm, soybean and sunflower; other agricultural crops; grease and waste cooking oil; food wastes; municipal solid wastes and industrial wastes; and animal residues and wastes that can be used to generate energy.

Requires the department of business, economic development and tourism (DBEDT) to verify and certify each claim for the credit including the total amount of credit for each taxable year and the cumulative amount of tax credit during the credit period. The department shall issue a certificate to qualifying taxpayers who shall file the certificate with the department of taxation (DOTax).

If the amount of credits exceeds the taxpayer's income tax liability, the excess of credit over liability may be carried over to future years.

Prior to production of any qualifying renewable fuels for the year, the taxpayer is to provide written notice of the taxpayer's intention to begin production of qualifying renewable fuels to DOTax and DBEDT with information on the taxpayer, facility location, facility production capacity, anticipated production start date, and the taxpayer's contact information. The taxpayer shall also provide written notice to the director of taxation and the director of DBEDT within 30 days following the start of production and include the production start date and expected renewable fuel production for the next year.

HB 2060, HD-2 - Continued

In each calendar year during the credit period, the taxpayer shall provide information to the director of DBEDT on the number of BTUs of renewable fuels produced and sold during the previous calendar year, the type of fuels, feedstocks used for renewable fuels production, the number of employees of the facility and each employee's state of residency, and the projected number of BTUs of renewable fuels production for the succeeding year.

Directs the director of DBEDT, following each year in which a credit under this section has been claimed, to submit a written report to the governor and legislature regarding the production and sale of renewable fuels. Requires the department of taxation to prepare the necessary forms to claim the credit, requires the taxpayer to furnish information to validate a claim for the credit. Failure to provide the required information by the taxpayer shall constitute a waiver of the right to claim the credit.

The renewable fuels production tax credit shall not be claimed for tax years beginning after December 31, 2025.

Repeals the ethanol facility tax credit under HRS section 235-110.3.

EFFECTIVE DATE: Tax years beginning after January 20, 2050

STAFF COMMENTS: The legislature by Act 289, SLH 2000, established an investment tax credit to encourage the construction of an ethanol production facility in the state. The legislature by Act 140, SLH 2004, changed the credit from an investment tax credit to a facility tax credit. This measure proposes to replace the ethanol facility tax credit with a renewable fuels production tax credit.

It has been almost ten years since the credit for the construction of an ethanol plant in Hawaii was enacted and ground has not broken yet. Ethanol was the panacea of yesterday, and lawmakers have learned that there are more minuses to the use of ethanol than there are pluses. Ethanol production demands more energy to produce than using a traditional petroleum product to produce the same amount of energy, and the demand for feedstock that is used to produce ethanol basically redirects that feedstock away from traditional uses, causing products derived from the feedstock to substantially increase in price. Apparently, technology has evolved so that it is now possible to use other biofuels or feedstock to produce energy; the existing credit, which is specific to ethanol, might not be applicable to energy production using these other types of feedstock.

While the idea of providing a tax credit to encourage such activities may have been acceptable a few years ago when the economy was on a roll and advocates could point to credits like those to encourage construction and renovation activities, what lawmakers and administrators have learned is that unbridled tax incentives, where there is no accountability or limits on how much in credits can be claimed, tend to cost far beyond what was ever contemplated. As an alternative, lawmakers should consider repealing this credit and encourage other types of alternate energy through the appropriation of a specific number of taxpayer dollars to buy this energy. At least lawmakers would have a better idea of what is being funded and hold the developers of these alternate forms of energy to a deliberate timetable or else lose the funds altogether. A direct appropriation would be preferable to the tax credit as it would: (1) provide some accountability for the taxpayers' funds being utilized to support this effort; and (2) not be a blank check.

An appropriation of taxpayer dollars for such untried and unproven technologies would be far more accountable than the tax credit as such technologies would have undergone the scrutiny of lawmakers. Providing a tax incentive is an indicator that lawmakers are unwilling to do the hard research and unwilling to impose strict discipline in the expenditure of hard-earned tax dollars. The tax incentive approach represents nothing more than a hope and a wish that some breakthrough will be made, no matter how inefficient it may be, that some alternative to fossil fuel will be found. In the meantime, those tax dollars will be wasted on some unproven folly. If this were an appropriation, taxpayers would know who to hold accountable for the waste of those tax dollars.

Rather than providing a flat production credit or investment credit, if lawmakers believe this cause is worthy and insist upon using tax credits as a vehicle to advance it, they may wish to consider providing the credits on a sliding scale, such as how the Enterprise Zone credits (chapter 209E, HRS) apply declining benefits in subsequent years in order to wean the businesses off the credits and encourage them to be able to develop global competitiveness.

Finally, lawmakers need to realize that the need for tax credits or other breaks comes from the climate imposed by government regulations and taxation, which makes it difficult for businesses to survive without some kind of subsidy. Once those subsidies disappear, so will the businesses. Instead of throwing subsidies at businesses, lawmakers would be well advised to attack the root causes of the difficulty, and endeavor to make Hawaii's business climate more welcoming and conducive to nurturing budding entrepreneurs.

Digested 2/19/14







1110 University Avenue, Suite 402 Honolulu, Hawaii 96826 Tel: (808) 371-1475 www.REACHawaii.org

Testimony of ERIK KVAM President of Renewable Energy Action Coalition of Hawaii e-mail: <u>Kvam@REACHawaii.org</u>

In SUPPORT of HB 2060 HD 2 RELATING TO TAXATION

Before the HOUSE COMMITTEE ON FINANCE

February 20, 2014 1:30 p.m.

Aloha Chair Luke, Vice-Chairs Nishimoto and Johanson and members of the Committee.

My name is Erik Kvam. I am the President of Renewable Energy Action Coalition of Hawaii (REACH), a trade association whose vision is a Hawaiian energy economy based 100% on renewable sources indigenous to Hawaii.

REACH is in **SUPPORT** of HB 2060 HD 2.

Hawaii is far behind in achieving its renewable goals for transportation. Transportation fuels account for about two-thirds of all the energy consumed in Hawaii. Virtually all of Hawaii's energy for transportation comes from imported fuels.

Without renewable fuel production from sources indigenous to Hawaii, Hawaii will have virtually no fuel available for critical transportation needs when imported fuels stop flowing to Hawaii.

REACH **SUPPORTS** HB 2060 HD 2 – creating a production tax credit of so-many cents per 115,000 BTUs of renewable fuels produced from sources indigenous to Hawaii -- to encourage the development of renewable fuel production from sources indigenous to





Hawaii, so that Hawaii has the transportation fuels it needs when imported fuels stop flowing to Hawaii.

Thank you for providing this opportunity to testify.







DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813 Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804 Web site: www.hawaii.gov/dbedt NEIL ABERCROMBIE GOVERNOR

RICHARD C. LIM

MARY ALICE EVANS DEPUTY DIRECTOR

Telephone: (808) 586-2355 Fax: (808) 586-2377

Statement of **Richard C. Lim Director** Department of Business, Economic Development, and Tourism before the

HOUSE COMMITTEE ON FINANCE

Thursday, February 20, 2014 1:30 p.m. State Capitol, Conference Room 308

in consideration of HB 2060, HD 2, RELATING TO TAXATION.

Chair Luke, Vice Chairs Nishimoto and Johanson, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) offers comments on HB 2060, HD 2, which would establish a renewable fuels production tax credit and repeal the ethanol facility tax credit.

DBEDT is concerned that the financial (approximately \$100,000) and human resources (.5 full time equivalent) required to administer the duties of this bill are not included in its current budget. Should the committee decide to proceed with this measure, we caution that this additional funding requirement should not replace or adversely impact priorities indicated in our Executive Budget.

In addition, DBEDT defers to the Department of Taxation on the fiscal impact of the bill and notes that the definition of "renewable fuels" in the bill may be in conflict with the commerce clause of the US Constitution.

Thank you for the opportunity to offer these comments.



TESTIMONY OF WARREN BOLLMEIER ON BEHALF OF THE HAWAII RENEWABLE ENERGY ALLIANCE BEFORE THE HOUSE COMMITTEE ON FINANCE

HB 2060 HD2, Relating to Taxation

February 20, 2014

Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the Committee I am Warren Bollmeier, testifying on behalf of the Hawaii Renewable Energy Alliance (HREA). HREA is an industry-based, nonprofit corporation in Hawaii established in 1995. Our mission is to support, through education and advocacy, the use of renewables for a sustainable, energy-efficient, environmentally-friendly, economically- sound future for Hawaii. One of our goals is to support appropriate policy changes in state and local government, the Public Utilities Commission and the electric utilities to encourage increased use of renewables in Hawaii.

The purposes of HB 2060 HD2 are to: (i) establish a renewable fuels production tax credit; (ii) specify that the right to claim the credit will be lost if certain information is not reported to the Department of Taxation and Department of Business, Economic Development, and Tourism; and (iii) repeal the ethanol facility tax credit.

HREA strongly supports this measure with the following comments:

- Meeting Our Clean Energy. This measure supports our clean energy goals by encouraging business opportunities in the production of renewable fuels in Hawaii.
- 2) <u>Merits of a Production Tax Credit ("PTC"</u>). We believe a PTC is the best way for the state to support biofuel production in <u>Hawaii</u>. With a PTC, a "producer" gets paid when the producer <u>actually</u> produces, not when he installs his production facility. This reduces the risk to the state significantly. The PTC has other features that we find attractive:
 - a) we believe the PTC will be easy to administer, including the qualification of biofuel facilities, and documentation of the types and amounts of biofuels produced and sold in Hawaii; and
 - b) the PTC will help encourage the production of local biofuels, through the facilitation of effective producer-ag grower relationships
 - <u>Recommendations</u>. Please pass out this measure, and help us recover from the "sluggish" start we have witnessed in the fuels part of the Hawaii Clean Energy Initiative.

Mahalo for this opportunity to testify.

Directors

Jody Allione Silver Ridge

Joe Boivin Hawaii Gas

Kelly King Pacific Biodiesel

Warren S. Bollmeier II WSB-Hawaii

From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 19, 2014 9:13 AM
То:	FINTestimony
Cc:	u.m.m.s@hotmail.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

<u>HB2060</u>

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Upcountry Mechanics	Upcountry Mobile Mechanic Service, LLC	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.



HOUSE COMMITTEE ON FINANCE Thursday, February 20, 2014 – 1:30 p.m. – Room 308

Ulupono Initiative <u>Supports</u> HB 2060 HD2 <u>with amendments</u>, Relating to Taxation

Dear Chair Luke, Vice Chair Nishimoto, Vice Chair Johanson, and Members of the Committee:

My name is Murray Clay and I am managing partner of the Ulupono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally grown food, increase renewable energy, and reduce/recycle waste. Ulupono invests in projects that have the potential to create large-scale, innovative change.

Ulupono <u>supports</u> HB 2060 HD2 <u>with amendments</u>, which establishes a renewable fuels production tax credit. In recent years Hawai'i has seen significant growth in renewable energy adoption moving the State towards its renewable energy goals. However, while the state locally produces about 14% renewable electricity, renewable fuels are far less than 1% of fuel use. Electricity represents approximately 40% of energy use in the state while transportation fuels account for a larger share at 51%. This is disturbing as this means we are making the least amount of progress to date in renewable production for the largest share of the state's energy use.

This important bill could be made more effective in achieving Hawai'i's renewable energy goals with three amendments:

- 1. Ulupono recommends, on page 2, line 17, the per taxable year limit be put to at least \$6 million per taxable year, which is equivalent to 30 million gallons per year of production. It is important to note that renewable fuel facilities as large as 50 million gallons per year of capacity have been proposed for Hawai'i. Furthermore, ethanol imports alone, at a 10% blend with gasoline, amounted to more than 45 million gallons last year. If we want to replace a meaningful portion of imported fuels with locally produced renewable fuels, at least \$6 million per taxable year is a reasonable amount that balances enough incentive for developers while minimizing cost for the State.
- 2. The listing of renewable feedstocks that begins on page 3, line 11 should be expanded to include, "sugar and starch crops including but not limited to sugar cane and cassava." We understand that the phrase "other agricultural crops" could be interpreted to include sugar/starch crops used in biofuel production, but as oil crops were listed it seems prudent to list sugar & starch crops to avoid doubt. It is important to note that sugar and starch crops can be processed into ethanol today with existing technology meaning zero technology risk.

We strongly believe that this bill has the potential to open the door for significant renewable energy growth in Hawai'i. In terms of renewable energy production, transportation fuels are significant behind electricity in "going green". This bill will help move renewable fuels forward.

Pacific Guardian Center, Mauka Tower 737 Bishop Street, Suite 2350, Honolulu, HI 96813

808 544 8960 o | 808 544 8961 f www.ulupono.com



Thank you for this opportunity to testify.

Respectfully,

Murray Clay Managing Partner

Email: communications@ulupono.com



February 19, 2014

Testimony on House Bill 2060, Relating to Taxation SUPPORT

Senate Committee on Finance Representative Silvia Luke, Chair Representative Scott Y. Nishimoto, Vice Chair Representative Aaron Ling Johanson, Vice Chair Hearing February 20, 2014 at 1:30pm, Conference Room 308

Dear Chair Luke, Vice Chairs Nishimoto and Johanson and Committee Members,

Thank you for the opportunity to testify in support of House Bill 2060. We wholeheartedly support this bill that will not only help the State of Hawaii achieve its transportation renewable energy goals but provide new quality jobs and a greater level of energy self sufficiency.

This bill is crucial if we are to sustain and even increase the number of jobs that the growing biofuels industry in Hawaii has created to date. For maximum benefit in this time of critical need, we ask you to consider an amount of \$0.30 per 115,000 BTUs and move the effective date to July 1, 2014. If HB 2060 is passed, it will be one of the most important actions the Legislature can take to promote renewable fuel production, support current and future local jobs as well as ensure the future energy security of our island communities.

Pacific Biodiesel alone represents \$3 million in wages paid in 2013 and continued operations generate over \$10 million in revenue for the State of Hawaii every year. When biodiesel is purchased from Pacific Biodiesel in Hawaii, over 85% of the money stays in the Hawaii economy, and 98% of the money stays in the US economy. Hawaii's biofuels industry supports a broad range of quality local jobs and generates economic benefits in our communities, as outlined in the attached page two of this testimony.

We urge you to consider the proposed changes outlined above and pass HB2060. Please support the efforts of Hawaii's renewable fuel producers as they strive to provide economic and environmental benefits throughout the State.

Mahalo,

Beth Mathias.

Beth Mathias Director, Sales & Marketing bmathias@biodiesel.com

Hawaii spent more than \$5 billion on imported petroleum last year. Government support helps biofuel maintain competitiveness as compared to the highly subsidized and mature petroleum industry. The Economic Case for Biodiesel includes:

- Jobs and income
- Tax revenue for State
- Energy Security
- Biodiesel production supports HCEI renewable energy goals

In 2009, the U.S. biodiesel industry:*

- Added \$4.1 billion to the GDP, increasing household income by nearly \$1 billion
- Supported nearly 23,000 jobs in all sectors of the economy
- Provided \$445 million of tax revenue to the Federal treasury
- Provided \$383 million to state and local governments

States and Counties that offer additional incentives would reap a greater share of the benefits

Real world experience indicates that one 5mil GPY biodiesel plant creates:

- \$25, 000,000 in Revenue (5MMgal x \$5/gal = \$25MM) (more in Salem)
- \$22,500,000 remains in the State of Hawaii (90%)
- \$1,000,000 per year in GET revenue for the State (4% x \$25MM)
- With agricultural feedstock, numbers increase by 2-3x (Oil + Meal)
- With addition of non-direct activity, multiplier effect is 3-5x
- Total incentive cost could be up to \$1.5MM per year for one plant (\$.30 x 5MM GPY)

In addition, Pacific Biodiesel activities in Hawaii have realized the following benefits:

- Continuing Agricultural research to benefit economic growth in Ag sector
- Saving local businesses money with free UCO pick up and reduced charges for grease trap pumping services
- Extends life of existing landfills through diversion of waste oils
- Less state, city and county remediation costs (waste water systems) when waste oils are recycled.
- Co-Products distributed in Hawaii, ie. glycerin, seed cake will support other Hawaii industries
- Other local business activity created (through local biodiesel production)
 - Bio-Beetle Rental Cars
 - Industrial Solutions (new revenue stream providing UCO containers locally)

* *Economic Impact of Eliminating the Biodiesel Tax* Credit, Report by John M. Urbanchuk, LECG LLC, Dec. 2009



February 18, 2014

Testimony on House Bill 2060, Relating to Taxation SUPPORT

Committee on Finance Representative Sylvia Luke, Chair Representative Scott Y. Nishimoto, Vice Chair Representative Aaron Ling Johanson, Vice Chair Hearing February 20, 2014 at 1:30pm, House Conference Room 308

Dear Chair Luke, Vice Chair Nishimoto, Vice Chair Johanson and Committee Members,

The employees, management and investors of the Pacific Biodiesel ohana thank you for introducing House Bill 2060 for consideration by the Committee on Energy and Environmental Protection. This bill is crucial to growing the biofuels industry in Hawaii, especially since our state is far behind in our transportation renewable energy goals. We wholeheartedly testify in favor of HB 2060.

This bill supports the State of Hawaii's interest in becoming more energy self-sufficient; however, we do request that the amount be \$0.30 per 115,000 BTUs and move the effective date to July 1, 2014 to bring maximum benefits to producers at this time of critical need. If HB 2060 is passed, it will be one of the most important actions the Legislature can take to incentivize renewable fuel production, support current and future local jobs as well as ensure the future energy security of our island communities.

Pacific Biodiesel employs over 75 people in a wide range of positions from chemists to engineers, office and sales personnel to biodiesel facility operators and farmers, as well as outside consultants. Employment represents \$3 million in wages paid in 2013 and continued operations generate over \$10 million in revenue for the State of Hawaii every year. When biodiesel is purchased from Pacific Biodiesel in Hawaii, over 85% of the money stays in the Hawaii economy, and 98% of the money stays in the US economy. This is truly an economic boost as opposed to the economic drain of foreign petroleum.

It is the goal of all those connected with Pacific Biodiesel to continue with our mission to promote a clean, sustainable energy future through the community-based production of renewable fuels, but we need your help as federal support for biofuel continues to be inconsistent and short-term. Meanwhile, the petroleum industry with whom we must compete enjoys on-going, statutory support at all levels of government.

We ask you to consider our proposed changes and please pass HD 2060 to support the continued efforts of renewable fuel producers throughout the State of Hawaii.

Mahalo,

Kelly 7. King

Kelly King Vice President ktk@biodiesel.com

How Locally Produced Biofuel Production drives the Green Economy

Hawaii spent more than \$5 billion on imported petroleum last year. Government support helps biofuel maintain competitiveness as compared to the highly subsidized and mature petroleum industry. The Economic Case for Biodiesel includes:

- Jobs and income
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- Other local business activity created (through local biodiesel production)
 - o Bio-Beetle Rental Cars
 - Industrial Solutions (new revenue stream providing UCO containers locally)

* <u>Economic Impact of Eliminating the Biodiesel Tax</u> Credit, Report by John M. Urbanchuk, LECG LLC, Dec. 2009

Why Renewables need Government Support to be competitive:

Petroleum Tax Incentives Vs. Renewable Energy Incentives

There are currently 12 tax provisions on the books that specifically support fossil fuel development. The 12 existing tax provisions for fossil fuel production and extraction total approximately \$41.4 billion over 10 years, or approximately \$4 billion per year. According to the non-partisan Congressional Budget Office (CBO), there are only 4 permanent energy tax preference provisions: Three of these are for fossil fuels, and one is for nuclear energy.

History

Tax preferences for energy production were first established in 1916 and focused primarily on the domestic production of oil and natural gas. Two tax provisions existed and remain today in a modified form: expensing of intangible drilling costs and expensing of "dry hole" costs.

Meanwhile, tax incentives for renewable energy were not a feature of the tax code until the 1990's when the wind production credit was first established. Support for additional renewable energy sources including biofuels, solar, etc. were not established until the 2000s.

Traditionally, tax and other federal support for fossil fuels has vastly outweighed the financial support for renewable energy. This only shifted in the past few years.

While the amount of renewable support that the Federal Government provides is currently more in dollar terms than those for fossil fuels, the renewable industries are not as mature and many of the tax incentives on the books expire periodically. In contrast, oil and gas companies have had stable tax benefits and have not faced any serious competition in the marketplace. Consequently, they represent nearly 80 percent of all energy generated and consumed in the U.S.¹

List of Expiring Tax Provisions, Joint Committee on Taxation: https://www.jct.gov/publications.html?func=startdown&id=4540

Congressional Budget Office (CBO) Report on Federal Financial Support for Energy Production and Technologies: <u>http://www.cbo.gov/publication/43040</u>

Brookings Institution Paper on Eliminating Fossil Fuel Subsidies: http://www.brookings.edu/~/media/research/files/papers/2013/02/thp%20budget%20papers/thp_15w aysfedbudget_prop5.pdf

The White House 5 reasons to repeal oil company subsidies: http://www.whitehouse.gov/blog/2012/03/29/five-reasons-repeal-subsidies-oil-companies

U.S. Energy Information Administration, Analysis of Federal Support for Energy 2007-2010: http://www.eia.gov/analysis/requests/subsidy/

¹ Data taken from reports by the Congressional Research Center:

[•] Congressional Research Center. Energy Tax Policy: Historical Perspective on and Current Status of Energy Tax Expenditures, Molly F. Sherlock, May 2, 2011. www.crs.org

[•] Congressional Research Center. Energy Tax incentives: Measuring Value Across Different Types of Energy Resources, Molly F. Sherlock, Sept, 18, 2012. www.crs.org

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 11:15 AM
То:	FINTestimony
Cc:	Izolezzi@biodiesel.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Zolezzi	Pacific Biodiesel	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 19, 2014 9:04 AM
To:	FINTestimony
Cc:	jstark@maui.net
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff	Zero Waste Campaign Maui	Support	No

Comments:

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 19, 2014 8:57 AM
To:	FINTestimony
Cc:	russellgrass@yahoo.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Russell Grass	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 9:47 AM
To:	FINTestimony
Cc:	RMATSUO@BIODIESEL.COM
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
ROSS MATSUO	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 8:52 AM
То:	FINTestimony
Cc:	mgauvin@biodiesel.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Mae Gauvin	Individual	Support	No

Comments:

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 19, 2014 8:45 AM
То:	FINTestimony
Cc:	ewooldridge@biodiesel.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Erin Wooldridge	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 9:44 AM
То:	FINTestimony
Cc:	camacho@hirad.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
David Camacho	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 10:10 AM
To:	FINTestimony
Cc:	matt.johnson@sustainpromgmt.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Matt Johnson	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 9:04 AM
To:	FINTestimony
Cc:	jkking@hawaii.edu
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jenna Long	Individual	Support	No

Comments:

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From: Sent:	mailinglist@capitol.hawaii.gov Wednesday, February 19, 2014 9:02 AM
To:	FINTestimony
Cc:	irish7413@yahoo.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Amber	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 11:10 AM
To:	FINTestimony
Cc:	mkusch@msn.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
matthias kusch	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 11:03 AM
To:	FINTestimony
Cc:	unmanib@maui.net
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Unmani Cynthia Groves	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 11:32 AM
To:	FINTestimony
Cc:	jan.b.alejandro@gmail.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Alejandro	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 12:47 PM
То:	FINTestimony
Cc:	bwleighton@gmail.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Leighton	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 9:27 AM
То:	FINTestimony
Cc:	kekoa.kaluhiwa@gmail.com
Subject:	Submitted testimony for HB2060 on Feb 20, 2014 13:30PM

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kekoa Kaluhiwa	Individual	Support	No

Comments: I STRONGLY SUPPORT the establishment of a renewable fuels production tax credit. The intent of this bill will be a critical component in supporting the clean energy and transportation fuels goals for the state of Hawaii. Such an opportunity to support dome stically produced biofuels and local jobs is an endeavor that our state legislature should support wholeheartedly. Mahalo for the opportunity to comment in support of HB2060. Aloha, Kekoa Kaluhiwa

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

finance1

From:	mailinglist@capitol.hawaii.gov
Sent:	Wednesday, February 19, 2014 3:04 PM
То:	FINTestimony
Cc:	jtwigg-smith@biodiesel.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
James Twigg-Smith	Individual	Support	No

Comments:

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finance1

From: Sent: To: Cc:	mailinglist@capitol.hawaii.gov Wednesday, February 19, 2014 4:33 PM FINTestimony ihemphi@live.com	LATE
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*	

HB2060

Submitted on: 2/19/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Key	Individual	Support	No

Comments:

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finance1

From: Sent: To:	mailinglist@capitol.hawaii.gov Thursday, February 20, 2014 1:04 AM FINTestimony	LATI	
Cc:	dolds@biodiesel.com		
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*		

HB2060

Submitted on: 2/20/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Doug Olds	Individual	Support	No

Comments:

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finance8-Danyl

LATE

From:	mailinglist@capitol.hawaii.gov
Sent:	Thursday, February 20, 2014 11:48 AM
То:	FINTestimony
Cc:	zerowastemaui@gmail.com
Subject:	*Submitted testimony for HB2060 on Feb 20, 2014 13:30PM*

HB2060

Submitted on: 2/20/2014 Testimony for FIN on Feb 20, 2014 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Shaun Stenshol	Maui Recycling Service, Inc.	Support	No

Comments:

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