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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 it has established  
2 goals for the State to achieve a one hundred per cent renewable  
3 energy portfolio standard by 2045, promote the use of renewable  
4 energy sources, reduce greenhouse gas emissions to at least  
5 fifty per cent below 2005 levels by 2030, and uphold the State's  
6 zero emissions clean economy target to sequester more  
7 atmospheric carbon and greenhouse gases than emitted within the  
8 State by no later than 2045.

9           The legislature also finds that greenhouse gas emissions  
10 are not just the result of electricity generation, but also of  
11 transportation and other uses of fossil fuels. With the  
12 advancement of various technologies, there are now more  
13 renewable fuel options available to replace fossil fuels and  
14 mitigate carbon emissions. These advancements include  
15 sustainable aviation fuels and hydrogen, which can help the  
16 State reach its renewable energy goals. However, with limited  
17 land, it is difficult to advance policies that promote renewable



1 fuels. The legislature recognizes that the State has a role to  
2 play in continuing to support renewable energy.

3 The legislature further finds that section 171-95, Hawaii  
4 Revised Statutes, enables the board of land and natural  
5 resources to assist in the State's achievement of its renewable  
6 energy and emission reduction goals by allowing the board to  
7 lease, without public auction, certain public lands to public  
8 utilities and renewable energy producers. However, the  
9 legislature finds that the definition of "renewable energy  
10 producer" could be broadened to allow more public lands to be  
11 leased for the generation of more types of renewable energy.

12 Accordingly, the purpose of this Act is to broaden the  
13 definition of "renewable energy producer" that is used to  
14 determine the board of land and natural resources' disposition  
15 of public lands to renewable energy producers.

16 It is not the intent of this Act to address the regulation  
17 of public utilities or the topic of wheeling.

18 SECTION 2. Section 171-95, Hawaii Revised Statutes, is  
19 amended by amending subsection (c) to read as follows:

20 "(c) For the purposes of this section, "renewable energy  
21 producer" means:



- 1 (1) Any producer or developer of [~~electrical or thermal~~  
2 renewable energy [~~produced by wind, solar energy,~~  
3 ~~hydropower, geothermal resources, landfill gas, waste-~~  
4 ~~to-energy, ocean thermal energy conversion, cold~~  
5 ~~seawater, wave energy, biomass, including municipal~~  
6 ~~solid waste, biofuels or fuels derived from organic~~  
7 ~~sources, hydrogen fuels derived primarily from~~  
8 ~~renewable energy, or fuel cells where the fuel is~~  
9 ~~derived primarily from renewable sources~~], as defined  
10 in section 269-91, that [~~sell all of~~] sells the net  
11 power produced from the demised premises [~~to an~~  
12 ~~electric utility company regulated under chapter 269~~  
13 ~~or that sells all of the thermal energy it produces to~~  
14 ~~customers of district cooling systems; provided that~~  
15 ~~up to twenty-five per cent of the power produced by a~~  
16 ~~renewable energy producer and sold to the utility or~~  
17 ~~to district cooling system customers may be derived~~  
18 ~~from fossil fuels; or~~];
- 19 (2) Any grower or producer of plant or animal materials  
20 used primarily for the production of biofuels or other  
21 fuels; provided that nothing herein is intended to



1 prevent the waste product or byproduct of the plant or  
2 animal material grown or produced for the production  
3 of biofuel, biogas, hydrogen, or other fuels[~~r~~  
4 ~~electrical energy, or thermal energy,~~] from being used  
5 for other useful purposes[~~-~~]; or

6 (3) Any producer of renewable energy, as defined in  
7 section 269-91, that uses the renewable energy to  
8 provide district heating or cooling services;  
9 provided that a producer or developer of renewable energy or  
10 grower or producer of materials used primarily for the  
11 production of biofuels or other fuels does not meet this  
12 definition unless the production or development of the renewable  
13 energy, biofuel, or other fuel has lifecycle greenhouse gas  
14 emissions at least seventy-five per cent below that of the  
15 fossil fuel that is most likely to be replaced by that renewable  
16 energy source, biofuel, or other fuel; provided further that  
17 nothing in this definition shall be construed to allow wheeling  
18 that is not authorized by law or rule or approved by the public  
19 utilities commission."

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



**1** SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Renewable Energy; Renewable Energy Producer; Public Land Leases;  
Direct Negotiation

**Description:**

Expands the definition of "renewable energy producer" that is used to determine the Board of Land and Natural Resources' disposition of public lands by direct negotiation to renewable energy producers. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

