
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, reduce greenhouse gas
4 emissions to at least fifty per cent below 2005 levels by 2030,
5 and uphold the State's zero emissions clean economy target to
6 sequester more atmospheric carbon and greenhouse gases than
7 emitted within the State by no later than 2045.

8 The legislature also finds that greenhouse gas emissions
9 are not just the result of electricity generation, but are also
10 the result of transportation and aviation sectors, which utilize
11 fossil fuels. Electric vehicle targets additionally have been
12 undermined by the fact that electric vehicles are charged by the
13 grid, which is powered by seventy per cent fossil fuels. With
14 the advancement of various technologies, there are now more
15 renewable fuel options available to help facilitate the
16 replacement of fossil fuels and mitigate carbon emissions,
17 including those produced by transportation and aviation. These



1 advancements include sustainable aviation fuels and hydrogen,
2 which can help the State reach its renewable energy goals.
3 However, with limited land, it is difficult to advance those
4 policies. The legislature recognizes that the State has a role
5 to play in continuing to support the achievement of its
6 renewable energy targets.

7 The legislature further finds that section 171-95, Hawaii
8 Revised Statutes, enables the board of land and natural
9 resources to assist in the State's achievement of its renewable
10 electricity goals, by allowing the board to lease public lands
11 to renewable energy producers without public auction. The
12 legislature finds, however, that the definition of "renewable
13 energy producer" in this section includes a requirement that the
14 renewable energy producer sell all of the net power produced
15 from the demised premises to electric utility companies
16 regulated under chapter 269, Hawaii Revised Statutes, which
17 governs the Public Utilities Commission, and all of the thermal
18 energy it produces to customers of district cooling systems.
19 The legislature finds that the State's quest for renewable
20 energy goes beyond electricity and electric utilities as users
21 of renewable energy.



1 Accordingly, in furtherance of the State's renewable energy
2 goals, the purpose of this Act is to amend the definition of
3 "renewable energy producer" in section 171-95, Hawaii Revised
4 Statutes, to:

5 (1) Incorporate the definition of "renewable energy" as
6 defined in section 269-91, Hawaii Revised Statutes,
7 relating to the States' renewable portfolio standards;

8 (2) Repeal the requirement that the renewable energy
9 producer sell all of the net power produced from the
10 demised public land to electric utility companies
11 regulated under chapter 269, Hawaii Revised Statutes,
12 and all of the thermal energy it produces to customers
13 of district cooling systems; and

14 (3) Include any provider of district heating or cooling
15 services utilizing renewable energy.

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

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

20 (1) Any producer or developer of [~~electrical or thermal~~]
21 renewable energy [~~produced by wind, solar energy,~~



1 ~~hydropower, geothermal resources, landfill gas, waste-~~
2 ~~to energy, ocean thermal energy conversion, cold~~
3 ~~seawater, wave energy, biomass, including municipal~~
4 ~~solid waste, biofuels or fuels derived from organic~~
5 ~~sources, hydrogen fuels derived primarily from~~
6 ~~renewable energy, or fuel cells where the fuel is~~
7 ~~derived primarily from renewable sources] as defined~~
8 ~~in section 269-91, that [sell all of] sells the net~~
9 ~~power produced from the demised premises [to an~~
10 ~~electric utility company regulated under chapter 269~~
11 ~~or that sells all of the thermal energy it produces to~~
12 ~~customers of district cooling systems; provided that~~
13 ~~up to twenty five per cent of the power produced by a~~
14 ~~renewable energy producer and sold to the utility or~~
15 ~~to district cooling system customers may be derived~~
16 ~~from fossil fuels; or] ;~~

17 (2) Any grower or producer of plant or animal materials
18 used primarily for the production of biofuels or other
19 fuels; provided that nothing herein is intended to
20 prevent the waste product or byproduct of the plant or
21 animal material grown or produced for the production



1 of biofuel, biogas, hydrogen, or other fuels[~~7~~
2 ~~electrical energy, or thermal energy,~~] from being used
3 for other useful purposes [~~-~~]; or
4 (3) Any provider of district heating or cooling services
5 utilizing renewable energy."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on January 1, 2060.



Report Title:

BLNR; Disposition of Public Lands; Direct Negotiation; Renewable Energy Producers; Definition

Description:

Amends the definition of "renewable energy producer" in section 171-95, HRS, which allows the Board of Land and Natural Resources to lease public lands to renewable energy producers without public auction, to: incorporate the definition of "renewable energy" as defined in section 269-91, HRS; repeal the requirement that the renewable energy producer sell all of the net power produced from the public land to electric utility companies regulated under chapter 269, HRS, and all of the thermal energy it produces to customers of district cooling systems; and include any provider of district heating or cooling services utilizing renewable energy. Takes effect 1/1/2060.
(SD2)

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