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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. Act 102, Session Laws of Hawaii 2002, relating  
2 to leasing of public lands for renewable energy purposes,  
3 authorized the board of land and natural resources to lease  
4 public lands to renewable energy producers through direct  
5 negotiation. The intention of Act 102 was to encourage the  
6 development of renewable energy projects and to reduce the  
7 State's dependency on fossil fuels.

8           Act 95, Session Laws of Hawaii 2004, relating to renewable  
9 energy, required electric utilities to meet a renewable  
10 portfolio standard of fifteen per cent for 2015 and a goal of  
11 twenty per cent for 2020. Act 95 also included seawater  
12 air-conditioning district cooling systems in the definition of  
13 renewable energy technologies.

14           With the addition of seawater air-conditioning district  
15 cooling systems to the definition of renewable energy, the  
16 legislature recognized and codified an important precedent and  
17 principal established by solar water heating, that the



1 displacement of electrical use by thermal applications of  
2 renewable energy technologies is just as important as  
3 electricity generation from renewable resources.

4 The purpose of this Act is to amend the definition of  
5 renewable energy producers to include producers of thermal  
6 energy from renewable energy resources, including those who  
7 produce cooling from seawater air conditioning district cooling  
8 systems, so that they will be eligible for leases of public  
9 land.

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

12 "(c) For the purposes of this section, "renewable energy  
13 producer" means any producer of electrical or thermal energy  
14 produced by wind, solar energy, hydropower, landfill gas,  
15 waste-to-energy, ocean thermal energy conversion, cold seawater,  
16 wave energy, biomass including municipal solid waste, biofuels  
17 or fuels derived from organic sources, hydrogen fuels derived  
18 primarily from renewable energy, or fuel cells where the fuel is  
19 derived primarily from renewable sources that ~~sell~~ sells all  
20 of the net power produced from the demised premises to an  
21 electric utility company regulated under chapter 269[-] or that  
22 sells all of the thermal energy that the producer produces to



1 customers of district cooling systems. Up to twenty-five per  
2 cent of the power produced by a renewable energy producer and  
3 sold to the utility or to district cooling system customers may  
4 be derived from fossil fuels."

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

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

**Report Title:**

Renewable Energy

**Description:**

Clarifies definition of "renewable energy producer" to include thermal energy sold to customers of district cooling systems, for purposes of leasing public lands. (SD1)

