

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO A COAL-FREE HAWAII.

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

1           SECTION 1. The State of Hawai'i has committed to a decisive  
2 and irreversible transition away from fossil fuels, and a swift  
3 transition to a clean energy economy powered by one hundred per  
4 cent renewable energy. This renewable energy transformation  
5 will help to stabilize and strengthen Hawai'i's economy by  
6 reducing its dependency on imported fossil fuels, foster  
7 innovation and clean energy job growth, help protect Hawai'i's  
8 environment by greatly reducing carbon emissions, and position  
9 Hawai'i as a global leader on climate solutions.

10           Coal is currently the largest source of carbon dioxide  
11 emissions in the world. The United Nation's Intergovernmental  
12 Panel on Climate Change's 2018 "Special Report on 1.5 Degrees  
13 Celsius" found that limiting the Earth's warming to 1.5 degrees  
14 Celsius, believed to be a threshold to avoid devastating climate  
15 change by many scientists, would mean a complete phase out of  
16 the use of coal for electricity generation globally.



1           Moreover, coal-fired power plants are responsible for  
2 seventy per cent of our nation's mercury emissions. After being  
3 released into the air, mercury accumulates in soil and water,  
4 where it contaminates food consumed, especially fish. Mercury  
5 is especially threatening to pregnant women and young children.  
6 As many as one in six American women have enough mercury in  
7 their bodies to put a baby at risk during pregnancy. Mercury is  
8 one of the leading causes of preventable birth defects including  
9 brain damage and cerebral palsy. Federal regulations to reduce  
10 mercury from coal power plants have been significantly weakened  
11 by the current administration.

12           While coal is currently used to generate electricity on  
13 O'ahu, the power purchase agreement between the coal plant and  
14 the electric utility is set to expire in 2022. The electric  
15 utility has publicly stated that they do not intend to extend  
16 the contract with the coal plant beyond 2022. The electric  
17 utility has stated that the large power plant, with a relatively  
18 inflexible power output, is ill-suited for a small island  
19 electricity grid that increasingly relies on renewable energy.  
20 Despite the stated intentions, nothing currently in state law



1 prohibits the continued use of coal for electricity generation  
2 into the future.

3       Hawai'i has emerged as a leader on clean energy policy,  
4 adopting a number of bold, first-in-the-nation targets that have  
5 helped inspire other states to take similar action. Hawai'i was  
6 the first state in the country to adopt a one hundred per cent  
7 renewable energy requirement for electricity by 2045, pursuant  
8 to Act 97, Session Laws of Hawaii 2015, and California adopted a  
9 similar law in 2018. Hawai'i has also pledged to achieve carbon  
10 neutrality by 2045, pursuant to Act 15, Session Laws of Hawaii  
11 2018, another first in the nation. Despite the clear threat  
12 that coal-powered electricity presents to health and the  
13 climate, no state has proscribed its use.

14       The legislature finds that coal power, as one of the  
15 dirtiest fossil fuels, has no role in Hawai'i's clean energy  
16 future. The purpose of this Act is to eliminate the use of coal  
17 in Hawai'i for electricity production.

18       SECTION 2. Chapter 269, Hawaii Revised Statutes, is  
19 amended by adding a new section to be appropriately designated  
20 and to read as follows:

1            "§269-    No coal power purchase agreements.    After  
 2 June 30, 2020, the public utilities commission shall not approve  
 3 any new, modified, or renewed power purchase agreement that  
 4 proposes to burn or consume coal to generate electricity."

5            SECTION 3. Chapter 342B, Hawaii Revised Statutes, is  
 6 amended by adding a new section to be appropriately designated  
 7 and to read as follows:


8            "§342B-    Use of coal for electricity generation.    The  
 9 department may issue or renew a permit to an owner or operator  
 10 of a covered source that will burn or consume coal to generate  
 11 electricity; provided that a condition of the permit shall be  
 12 that all coal burning ceases on December 31, 2022.    After  
 13 December 31, 2022, the department shall not issue or renew any  
 14 permit to an owner or operator of a covered source that will  
 15 burn or consume coal to generate electricity."

16            SECTION 4. New statutory material is underscored.

17            SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: J. Kolomi English

RouE Pde                      Karl Nhoon   
D. K. ...                              Yudha...  
Kurt Fauer                      ...

# S.B. NO. 2366

*Clarence & Nichiko*

*Ronald R. Biki*

~~*2005 DC Tech-Log*~~

*Breene Hunt*

*[Signature]*

*Thomas [Signature]*



# S.B. NO. 2366

**Report Title:**

Electricity Generation from Coal; Coal Free Hawaii

**Description:**

Prohibits the issuance of covered source air permits for coal-burning electricity generation facilities after 2022. Prohibits the approval of new power purchase agreements for electricity generated from coal.

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

