

JAN 18 2019

A BILL FOR AN ACT

RELATING TO PREFERENTIAL ELECTRICITY RATES FOR PROTECTED
AGRICULTURE.

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

1 SECTION 1. The legislature finds that it is the policy of
2 the State to promote the increased production of fruits and
3 vegetables for local consumption. The legislature also finds
4 that protected agriculture, a term that encompasses a variety of
5 crop production technologies and techniques that use partial or
6 full control of a plant's micro-climate to target the particular
7 species' requirements, helps overcome local pest and weather
8 pressures that negatively impact agriculture in the State. When
9 properly managed, protected agriculture allows for more
10 efficient use of water and fertilizer while also reducing the
11 need for pesticides and herbicides.

12 The legislature further finds that protected agriculture
13 aligns with the federal Food and Drug Administration's Food
14 Safety Modernization Act, P.L. 111-353, by producing fruits and
15 vegetables in a safe and optimum environment. However, without
16 a preferential rate for electricity, protected agriculture



1 cannot economically produce the quantities of fruits and
2 vegetables needed to advance Hawaii's sustainability
3 initiatives.

4 The purpose of this Act is to authorize the public
5 utilities commission to establish preferential electricity rates
6 for agricultural activities that utilize protected agriculture
7 to produce fruits or vegetables for distribution.

8 SECTION 2. Chapter 269, Hawaii Revised Statutes, is
9 amended by adding a new section to part I to be appropriately
10 designated and to read as follows:

11 "§269- Preferential electricity rates; protected
12 agriculture. (a) The public utilities commission may establish
13 preferential electricity rates for agricultural activities that
14 utilize protected agriculture to produce fruits or vegetables
15 for distribution.

16 (b) A public utility shall provide a request for
17 preferential electricity rates to the public utilities
18 commission for approval upon receipt of:

19 (1) A bona fide request for preferential electricity rates
20 for agricultural activities that utilize protected



1 agriculture to produce fruits or vegetables for
 2 distribution; and
 3 (2) Proof that the fruits or vegetables cited in the
 4 request are produced in a manner consistent with this
 5 section.

6 (c) For purposes of this section, "protected agriculture"
 7 means any crop production technologies or techniques that
 8 partially or fully control a plant's micro-climate to target the
 9 particular species' requirements; provided that the term shall
 10 not include agricultural activities that produce medical
 11 cannabis."

12 SECTION 3. This Act does not affect rights and duties that
 13 matured, penalties that were incurred, and proceedings that were
 14 began before its effective date.

15 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY:

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S.B. NO. 389

Report Title:

PUC; Preferential Electricity Rates; Protected Agriculture

Description:

Authorizes the Public Utilities Commission to establish preferential electricity rates for agricultural activities that utilize protected agriculture to produce fruits or vegetables for distribution.

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