
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 also from
10 transportation and aviation, which utilize fossil fuels.
11 Electric vehicle targets have been additionally undermined by
12 the fact that electric vehicles are charged by the grid, which
13 is powered by seventy per cent fossil fuels. With the
14 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 its renewable energy targets.

6 The legislature further finds that section 171-95, Hawaii
7 Revised Statutes, provides opportunities for the board of land
8 and natural resources to assist in reaching the State's
9 renewable energy goals by authorizing the board to lease,
10 without public auction, certain public lands to public utilities
11 and renewable energy producers. However, the legislature finds
12 that the operative definition of "renewable energy producers"
13 within that law should be broadened to allow more public lands
14 to be leased for the generation of more types of renewable
15 energy.

16 Accordingly, the purpose of this Act is to broaden the
17 definition of "renewable energy producer" that is used to
18 determine the board of land and natural resources' disposition
19 of public lands to renewable energy producers.

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



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

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



1 (2) Any grower or producer of plant or animal materials
2 used primarily for the production of biofuels or other
3 fuels; provided that nothing herein is intended to
4 prevent the waste product or byproduct of the plant or
5 animal material grown or produced for the production
6 of biofuel, biogas, hydrogen, or other fuels[-
7 ~~electrical energy, or thermal energy,~~] from being used
8 for other useful purposes [-]; or

9 (3) Any producer of renewable energy, as defined in
10 section 269-91, that uses the renewable energy to
11 provide district heating or cooling services;
12 provided that nothing in this definition shall be construed to
13 allow wheeling of electricity over electric public utility lines
14 or infrastructure that is not otherwise authorized by law or
15 rule or order of the public utilities commission."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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



Report Title:

Renewable Energy; Renewable Energy Producer; Definition;
Disposition of Public Lands

Description:

Expands the definition of "renewable energy producer" that is used to determine the Board of Land and Natural Resources' disposition of public lands to renewable energy producers. Takes effect 1/1/2060. (SD2)

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