

STAND. COM. REP. NO. 3655

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 2020
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 2020, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,"

begs leave to report as follows:

The purpose and intent of this measure is to expand the definition of "renewable energy producer" in section 171-95, Hawaii Revised Statutes, which is used to determine the Board of Land and Natural Resources' disposition of public lands to renewable energy producers.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Public Utilities Commission, Kaua'i Island Utility Cooperative, and Eurus Energy America Corporation.

Your Committee received testimony in opposition to this measure from the Chamber of Sustainable Commerce and 350Hawaii.org.

Your Committee received comments on this measure from Hawaiian Electric.

Your Committee finds that section 171-95, Hawaii Revised Statutes, allows the Board of Land and Natural Resources to lease



public lands to renewable energy producers without public auction, enabling the renewable energy producers to directly negotiate with the Board for favorable terms and conditions. However, under existing law, to be eligible for a directly negotiated lease, a renewable energy producer is required to sell all of the net power produced from the demised premises to an electric utility company regulated under the state Public Utilities Commission law. Your Committee finds that by amending the definition of "renewable energy producer" to remove these limitations, this measure will expand the pool of potential applicants eligible for leases, provide the Board of Land and Natural Resources with greater flexibility to generate revenue, and support the State in achieving its ambitious renewable energy goals.

Your Committee has amended this measure to clarify that this is not a wheeling measure, by inserting language specifying that the definition of "renewable energy producer" shall not be construed to allow wheeling of electricity over electric public utility lines or infrastructure that is not otherwise authorized by law or rule or order of the Public Utilities Commission.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2020, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2020, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



BARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2020 HD2 SD1	EET/WTL, CPN	3/28/24

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOPE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.		✓		
RICHARDS, III, Herbert M. "Tim"				✓
AWA, Brenton			✓	
TOTAL	2	1	1	1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**