

Honolulu, Hawaii

MAR 14 , 2024

RE: S.B. No. 3195
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 3195, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to broaden the definition of "renewable energy producer" that is used to determine the Board of Land and Natural Resources' disposition of public lands by direct negotiation, in order to allow more public lands to be leased for the generation of more types of renewable energy.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii State Energy Office; Public Utilities Commission; Life of the Land; and Hawai'i Gas. Your Committee received testimony in opposition to this measure from the Environmental Caucus of the Democratic Party of Hawai'i; 350Hawaii.org; Greenpeace Hawaii; and one individual. Your Committee received comments on this measure from the Kaua'i Island Utility Cooperative and Hawaiian Electric.

Your Committee finds that state laws provide opportunities for the Board of Land and Natural Resources to lease, without public auction, certain public lands to public utilities and renewable energy producers. Your Committee finds that the



operative definition of "renewable energy producer" under existing law could be broadened to allow more public lands to be leased for the generation of additional types of renewable energy. This measure would broaden the definition to include producers and developers of all types of renewable energy as defined in section 269-91, Hawaii Revised Statutes, instead of solely producers of electrical or thermal energy.

Your Committee has amended this measure by:

- (1) Requiring the production or development of the renewable energy, biofuel, or other fuel to reduce lifecycle greenhouse gas emissions by seventy-five percent below that of the fossil fuel most likely to be replaced in order for the producer, developer, or grower of that energy or fuel to meet the definition of "renewable energy producer";
- (2) Clarifying that nothing in the definition of "renewable energy producer" shall be construed to allow wheeling that is not authorized by law or rule or approved by the Public Utilities Commission;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3195, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3195, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



NICOLE E. LOWEN, Chair



