



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

September 15, 2020

GOV. MSG. NO. 1128

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on September 15, 2020, the following bill was signed into law:

SB2629 SD2 HD1

RELATING TO THE ENVIRONMENT.
Act 023 (20)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on SEP 15 2020

THE SENATE
THIRTIETH LEGISLATURE, 2020
STATE OF HAWAII

ACT 023

S.B. NO. 2629
S.D. 2
H.D. 1

A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

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

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



1 Furthermore, coal-fired power plants are responsible for
2 seventy per cent of the 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. Mercury is one of the
8 leading causes of preventable birth defects, including brain
9 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 the
13 island of Oahu, the power purchase agreement between the coal
14 plant and the electric utility is set to expire in 2022. The
15 electric utility has publicly stated that it does not intend to
16 extend the contract with the coal plant beyond 2022. The
17 electric utility has stated that the large power plant, with a
18 relatively inflexible power output, is ill-suited for a small
19 island electricity grid that increasingly relies on renewable
20 energy. Despite the stated intentions, nothing currently in



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

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

17 The purpose of this Act is to eliminate the use of coal in
18 Hawaii for electricity production.

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



1 "§269- Coal power purchase agreements; prohibited.
2 Beginning after June 30, 2020, the public utilities commission
3 shall not approve:

4 (1) Any new or renewed power purchase agreement that
5 proposes to burn or consume coal to generate
6 electricity; or

7 (2) A modification of a coal power purchase agreement that
8 proposes to extend the term or increase the amount of
9 generation that is allowed to be produced under the
10 existing agreement."

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

14 "§342B- Use of coal for electricity generation. The
15 department may issue or renew a permit to an owner or operator
16 of a covered source that will burn or consume coal to generate
17 electricity; provided that as a condition of the permit, all
18 coal burning shall cease on December 31, 2022. Beginning after
19 December 31, 2022, the department shall not issue or renew any
20 permit to an owner or operator of a covered source which will
21 burn or consume coal to generate electricity."



- 1 SECTION 4. New statutory material is underscored.
- 2 SECTION 5. This Act shall take effect upon its approval.

APPROVED this 15 day of SEP , 2020

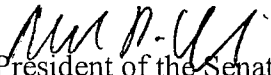
A handwritten signature in black ink, appearing to read "David Ige", with a stylized flourish at the end.

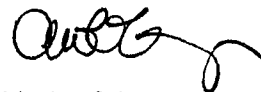
GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: July 10, 2020
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020.

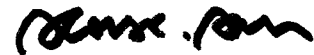

President of the Senate


Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: July 1, 2020
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives