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# A BILL FOR AN ACT

RELATING TO GOVERNMENT.

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

**PART I**

SECTION 1. (a) The purpose of this Act is to:

- (1) Promote economic development for local food and energy businesses by providing necessary funding, guidance, and infrastructure;
- (2) Ensure Hawaii is energy and food self-sufficient and sustainable to the maximum extent feasible; and
- (3) Help Hawaii's natural resources and population adapt and be resilient to the inevitable challenges brought on by climate change caused by carbon dioxide and other greenhouse gas emissions from burning fossil fuels.

Hawaii is at a crossroads. As the most geographically isolated state in the country, we are dangerously dependent on imports for basic food and energy. We import about eighty-five per cent of our food and ninety-five per cent of our energy. It has been estimated that Hawaii exported \$8,600,000,000 for food and oil in 2008, and every dollar exported is a lost opportunity



1 to support and invest in local businesses. Our dependence on  
2 imports also exposes residents and businesses to volatile food  
3 and energy costs as oil prices fluctuate.

4 In addition, the mass consumption of fossil fuels, driven  
5 by our dependence on food and energy imports, contributes to  
6 climate change and the deterioration of the environment,  
7 including severe storm events, less rainfall, warmer  
8 temperatures that favor invasive species, a rise in sea levels,  
9 and ocean acidification that hampers coral growth. These  
10 climate changes will likely impose major, but not fully  
11 understood, costs and other impacts on Hawaii's people and the  
12 natural capital we depend upon to support our lives in the  
13 middle of the Pacific Ocean. Nowhere is it more obvious than in  
14 remote island chains like Hawaii that our lives and the economy  
15 are intertwined with the health and function of the natural  
16 world around us.

17 Although Hawaii has available renewable resources like  
18 solar, wind, ocean, and geothermal energy, we as a community  
19 have not taken full advantage of alternative-energy and energy-  
20 efficiency solutions to make the state more energy-independent.  
21 As an example, despite year-round sunshine, only thirty per cent  
22 of Hawaii's residents have solar water heaters.



1           Similarly, many acres of highly productive agricultural  
2 lands are not being farmed. Currently, Hawaii has a fresh  
3 supply of produce for no more than ten days. Ninety per cent of  
4 the beef, sixty-seven per cent of fresh vegetables, sixty-five  
5 per cent of fresh fruits, and seventy per cent of all milk  
6 consumed in the State are imported. While Hawaii may never  
7 produce one hundred per cent of its food, the risks and costs to  
8 society for dependence on imported food cannot be ignored.

9           Like energy, producing local food would reduce Hawaii's  
10 demand for fossil fuels, keep money in our community, and  
11 decrease the State's vulnerability to food-supply disruptions  
12 caused by natural disasters or worldwide economic events.

13           Now is the time for bold action to squarely address  
14 Hawaii's energy and food requirements and plan for and address  
15 the inevitable effects of climate change. It will require long-  
16 term commitment, dedication, and the investment of capital and  
17 human resources by government, the private sector, and Hawaii's  
18 people to dramatically shift our present course of importing  
19 food and energy toward a more energy-independent and  
20 agriculturally sustainable society. As a state and as a people,  
21 we must decide whether we will continue to be dependent on  
22 external sources for our basic needs, or whether we will build,



1 invest in, and develop the capacity to become food- and energy-  
2 independent.

3       The legislature finds that it is in the best interests of  
4 Hawaii's people to build the capacity we need to become energy-  
5 and food-self-sufficient and protect the health and function of  
6 our environment. As discussed in the "Hawaii 2050  
7 Sustainability Plan" and the "Hawaii Clean Energy Initiative,"  
8 Hawaii has all the necessary assets to significantly improve the  
9 state's energy and food sustainability and independence over the  
10 next twenty years if appropriate personnel resources and funding  
11 are used wisely. To succeed, the State must ensure that our  
12 long-term strategy is well-resourced, coordinated, and focused.

13       This Act creates a Hawaii economic development task force  
14 to accelerate and support public and private efforts to make  
15 Hawaii energy- and food-self-sufficient, consistent with the  
16 "Hawaii 2050 Sustainability Plan," the "Hawaii Clean Energy  
17 Initiative," and other government and community planning  
18 efforts. The Hawaii economic development task force shall:

- 19       (1) Recommend priorities for government agencies and the  
20             legislature to consider in determining how funds may  
21             be allocated;



1           (2) Develop new or modify existing strategies to implement  
2                   and achieve the purposes of this Act; and

3           (3) Identify the economic development, workforce, and  
4                   consumer-education issues relating to the production  
5                   of food and energy.

6           The legislature intends for the Hawaii economic development  
7 task force to take an interdisciplinary approach to seeking the  
8 most efficient and effective pathways for interagency  
9 coordination. The Hawaii economic development task force shall  
10 work collaboratively with all levels of government and the  
11 private and nonprofit sectors to address water, land,  
12 regulatory, and natural-resource issues intertwined with food  
13 and fuel production. This approach ensures that energy and food  
14 policy development will be integrated within the overall  
15 economic, social, environmental, and cultural aspects of  
16 society. With an understanding of these overlapping goals and  
17 resources, the State can maximize the opportunities to ensure  
18 food and energy security for generations to come.

19           (b) This Act also:

20           (1) Establishes a clean energy initiative to manage the  
21                   state's transition to a clean energy economy;



1 (2) Establishes an agricultural development and food  
2 security special fund to fund activities intended to  
3 increase agricultural production or processing that  
4 may lead to reduced importation of food, fodder, or  
5 feed from outside the State; and

6 (3) Appropriates funds for the climate change task force  
7 established under Act 20, Special Session Laws of  
8 Hawaii 2009, to study the effects global warming will  
9 have on the economic well-being, public health,  
10 natural resources, and environment of Hawaii.

11 The legislature finds that undertaking this important task  
12 of energy and food security requires a long-term commitment and  
13 the investment of substantial financial resources. To that end,  
14 this Act also increases the per-barrel tax on petroleum products  
15 under the environmental response, energy, and food security tax,  
16 formerly known as the environmental response tax, and it  
17 appropriates funds from that tax for the energy and food  
18 security initiatives established by this Act.

19 PART II

20 ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX

21 SECTION 2. Section 128D-2, Hawaii Revised Statutes, is  
22 amended to read as follows:



1           "§128D-2 Environmental response revolving fund; uses.

2   (a) There is created within the state treasury an environmental  
3 response revolving fund, which shall consist of moneys  
4 appropriated to the fund by the legislature, moneys paid to the  
5 fund as a result of departmental compliance proceedings, moneys  
6 paid to the fund pursuant to court-ordered awards or judgments,  
7 moneys paid to the fund in court-approved or out-of-court  
8 settlements, all interest attributable to investment of money  
9 deposited in the fund, moneys [~~generated by~~] deposited in the  
10 fund from the environmental response, energy, and food security  
11 tax [~~established in~~] pursuant to section 243-3.5, and moneys  
12 allotted to the fund from other sources[; ~~provided that when the~~  
13 total balance of the fund exceeds \$20,000,000, the department of  
14 health shall notify the department of taxation of this fact in  
15 writing within ten days. ~~The department of taxation then shall~~  
16 notify all distributors liable for collecting the tax imposed by  
17 section 243-3.5 of this fact in writing, and the imposition of  
18 the tax shall be discontinued beginning the first day of the  
19 second month following the month in which notice is given to the  
20 department of taxation. If the total balance of the fund  
21 thereafter declines to less than \$3,000,000, the department of  
22 health shall notify the department of taxation which then shall



1 ~~notify all distributors liable for collecting the tax imposed by~~  
2 ~~section 243-3.5 of this act in writing, and the imposition of~~  
3 ~~the tax shall be reinstated beginning the first day of the~~  
4 ~~second month following the month in which notice is given to the~~  
5 ~~department of taxation].~~

6 (b) Moneys from the fund shall be expended by the  
7 department for response actions and preparedness, including  
8 removal and remedial actions, consistent with this chapter;  
9 provided that the revenues generated by the [~~environmental~~  
10 ~~response tax" and] environmental response, energy, and food  
11 security tax deposited into the environmental response revolving  
12 fund:~~

13 (1) Shall [~~also~~] be used:

14 (A) For oil spill planning, prevention, preparedness,  
15 education, research, training, removal, and  
16 remediation; and

17 (B) For direct support for county used oil recycling  
18 programs; and

19 [~~(C) For deposit into the energy security special~~  
20 ~~fund, established under section 201-12.8, as may~~  
21 ~~be appropriated by the legislature; and]~~





1           (2) May also be used to support environmental protection  
2           and natural resource protection programs, including  
3           ~~[but not limited to]~~ energy conservation and  
4           alternative energy development, and to address  
5           concerns related to air quality, global warming, clean  
6           water, polluted runoff, solid and hazardous waste,  
7           drinking water, and underground storage tanks,  
8           including support for the underground storage tank  
9           program of the department and funding for the  
10          acquisition by the State of a soil remediation site  
11          and facility."

12          SECTION 3. Section 201-12.8, Hawaii Revised Statutes, is  
13          amended to read as follows:

14          "~~[+]~~§201-12.8~~[+]~~ **Energy security special fund; uses.** (a)

15          There is created within the state treasury an energy security  
16          special fund, which shall consist of:

17          (1) The portion of the environmental response, energy, and  
18          food security tax specified under section 243-3.5;

19          ~~[-1-]~~ (2) Moneys appropriated to the fund by the  
20          legislature;

21          ~~[-2-]~~ (3) All interest attributable to investment of money  
22          deposited in the fund; and



1       ~~[(3)]~~ (4) Moneys allotted to the fund from other sources.

2       (b) ~~[Moneys]~~ Subject to legislative appropriation, moneys  
3 from the fund ~~[shall]~~ may be expended by the department of  
4 business, economic development, and tourism for the following  
5 purposes and ~~[shall-be]~~ used for no other purposes, except for  
6 those set forth in this section:

7       (1) To support ~~[its]~~ the Hawaii clean energy initiative  
8 program, including its energy division, including  
9 funding staff positions within the division, and  
10 projects that ensure dependable, efficient, and  
11 economical energy, promote energy self-sufficiency,  
12 and provide greater energy security for the [State,  
13 and] state;

14       (2) To fund the renewable energy facilitator pursuant to  
15 section 201-12.5 and any other positions necessary for  
16 the purposes of paragraph (1) as determined by the  
17 legislature~~[-]~~; and

18       (3) To fund, to the extent possible, the greenhouse gas  
19 emissions reduction task force, climate change task  
20 force, grants-in-aid to the economic development  
21 boards of each county, and grants-in-aid to economic  
22 development agencies of each county to meet the stated



1 objectives of the Hawaii clean energy initiative  
2 program.

3 (c) The department of business, economic development, and  
4 tourism shall submit a report to the legislature, no later than  
5 twenty days prior to the convening of each regular session, on  
6 the status and progress of existing programs and activities and  
7 the status of new programs and activities funded by the energy  
8 security special fund. The report shall also include:

9 (1) The spending plan of the energy security special fund;

10 (2) All expenditures of energy security special fund  
11 moneys; and

12 (3) The targeted markets of the expenditures, including  
13 the reason for selecting those markets; the persons to  
14 be served; and the specific objectives of the  
15 expenditures, including measurable outcomes."

16 SECTION 4. Section 243-3.5, Hawaii Revised Statutes, is  
17 amended as follows:

18 1. By amending its title and subsection (a) to read:

19 "§243-3.5 Environmental response, energy, and food

20 security tax; uses. (a) In addition to any other taxes

21 provided by law, subject to the exemptions set forth in section

22 243-7, there is hereby imposed [~~at times provided in section~~



1 ~~128D-2~~] a state environmental response, energy, and food  
2 security tax [of 5 cents] on each barrel or fractional part of a  
3 barrel of petroleum product sold by a distributor to any retail  
4 dealer or end user~~[,]~~ of petroleum product, other than a  
5 refiner~~[, of petroleum product,]~~. The tax shall be \$1.55 on  
6 each barrel or fractional part of a barrel of petroleum product  
7 that is not aviation fuel; provided that of the tax collected  
8 pursuant to this subsection:

- 9       (1) 5 cents of the tax on each barrel shall be [used  
10           pursuant to section 128D-2 to address concerns  
11           relating to drinking water.] deposited into the  
12           environmental response revolving fund established  
13           under section 128D-2;
- 14       (2) 10 cents of the tax on each barrel shall be deposited  
15           into the energy security special fund established  
16           under section 201-12.8;
- 17       (3) 10 cents of the tax on each barrel shall be deposited  
18           into the energy systems development special fund  
19           established under section 304A-2169; and
- 20       (4) 30 cents of the tax on each barrel shall be deposited  
21           into the agricultural development and food security  
22           special fund established under section 141-



1           The tax imposed by this subsection shall be paid by the  
2 distributor of the petroleum product."

3           2. By amending subsection (c) to read:

4           "(c) Notwithstanding section 248-8 to the contrary, the  
5 environmental response, energy, and food security tax collected  
6 under this section shall be paid over to the director of finance  
7 for deposit [~~into the environmental response revolving fund~~  
8 ~~established by section 128D-2.~~] as provided in subsection (a)."

9           SECTION 5. Section 243-7, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "**§243-7 Tax not applicable, when.** (a) This chapter  
12 requiring the payment of license fees shall not be held or  
13 construed to apply to fuel imported into the State in interstate  
14 or foreign commerce while and so long as such fuel is beyond the  
15 taxing power of the State, nor to any such fuel exported or sold  
16 to the government of the United States or any department thereof  
17 for official use of the government, nor to any fuel exported or  
18 sold to another licensed distributor; but every distributor  
19 shall be required to report such imports, exports, and sales as  
20 provided by this chapter and in such detail as the department of  
21 taxation shall require.



1 (b) This chapter shall not apply to the sale of liquid  
2 fuel sold or used in the State for ultimate use by an intra-  
3 county ferry service that serves a county with a population of  
4 less than five hundred thousand residents and that includes at  
5 least three islands inhabited by permanent residents.

6 (c) This chapter shall not apply to the sale of a  
7 petroleum product that is used by a provider of commercial air  
8 transportation to transport persons or property."

9 SECTION 6. Section 304A-2169, Hawaii Revised Statutes, is  
10 amended by amending subsection (b) to read as follows:

11 "(b) The special fund shall be funded by:

12 (1) Appropriations from the legislature; [~~and~~]

13 (2) The portion of the environmental response, energy, and  
14 food security tax specified under section 243-3.5; and

15 [~~2~~] (3) Investment earnings, gifts, donations, or other  
16 income received by the [~~+~~]Hawaii natural energy[~~+~~]  
17 institute."

18 PART III

19 HAWAII ECONOMIC DEVELOPMENT TASK FORCE

20 SECTION 7. (a) There is established the Hawaii economic  
21 development task force within the department of business,  
22 economic development, and tourism for administrative purposes.



1 The purpose of the Hawaii economic development task force shall  
2 be to facilitate the accelerated adoption and completion of  
3 renewable-energy projects, energy-efficiency programs,  
4 agricultural infrastructure and development, and other measures  
5 to meet the purposes of this Act. The Hawaii economic  
6 development task force shall develop and maintain a broad  
7 overview of energy and food security issues that apply an  
8 interdisciplinary approach to ensure that Hawaii's energy and  
9 food policy and program development is integrated within the  
10 overall economic, social, environmental, and cultural aspects of  
11 society. The Hawaii economic development task force shall, with  
12 the assistance of the department of business, economic  
13 development, and tourism:

- 14 (1) Identify and review each state and county agency's  
15 policy objectives, mandates, organizational structure,  
16 and resources to address energy and food security  
17 issues;
- 18 (2) Identify all federal and private funds available to  
19 the State and counties to address energy and food  
20 security issues;
- 21 (3) Identify effective measures for interagency  
22 cooperation, coordinate efforts with the counties, and



- 1 promote public- and private-sector partnerships to  
2 achieve the objective of energy and food security;
- 3 (4) Identify existing programs and agreements addressing  
4 energy and food security that may be enhanced through  
5 legislation;
- 6 (5) Investigate alternative institutional mechanisms to  
7 promote the efficient execution and implementation of  
8 a multi-year strategy to achieve energy and food  
9 security;
- 10 (6) Investigate the streamlining of administrative  
11 processes to accelerate and achieve energy and food  
12 security;
- 13 (7) Provide an appropriate forum for all affected or  
14 interested parties to address energy and food security  
15 issues;
- 16 (8) Recommend appropriate legislation resulting from its  
17 findings to improve, accelerate, and achieve the  
18 objective of energy and food security;
- 19 (9) Review whether:
- 20 (A) The apportionment of the environmental response,  
21 energy, and food security tax among the funds





1 listed under section 243-3.5, Hawaii Revised  
2 Statutes, is appropriate;

3 (B) The apportionment should be changed; and

4 (C) Any additional special, trust, or revolving fund  
5 should receive a share of the tax;

6 and

7 (10) Perform any other function necessary to effectuate the  
8 purposes of this part.

9 (b) The Hawaii economic development task force shall  
10 consist of the following members:

11 (1) The director of business, economic development, and  
12 tourism or the director's designee, who shall chair  
13 the Hawaii economic development task force;

14 (2) The chairperson of the board of agriculture or the  
15 chairperson's designee;

16 (3) The director of the office of planning or the  
17 director's designee;

18 (4) The chairperson of the board of land and natural  
19 resources or the chairperson's designee;

20 (5) The dean of the University of Hawaii college of  
21 tropical agriculture and human resources or the dean's  
22 designee;



1 (6) Three members to be designated by the speaker of the  
2 house of representatives;

3 (7) Three members to be designated by the president of the  
4 senate; and

5 (8) A representative from each county's private economic  
6 development board.

7 (c) The Hawaii economic development task force's members  
8 shall serve without compensation but shall be reimbursed for  
9 expenses, including travel expenses, necessary for the  
10 performance of their duties.

11 (d) In the performance of its duties, the Hawaii economic  
12 development task force shall consult with appropriate private,  
13 nonprofit, community, and government stakeholders.

14 (e) The department of business, economic development, and  
15 tourism may contract with the University of Hawaii for any  
16 services to support the work of the Hawaii economic development  
17 task force.

18 (f) The Hawaii economic development task force shall  
19 submit a report of its findings and recommendations, including  
20 any proposed legislation, to the legislature no later than  
21 twenty days prior to the convening of the regular session of  
22 2011.





1 SECTION 9. Chapter 141, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§141- Agricultural development and food security  
5 special fund; establishment. (a) There is established within  
6 the state treasury the agricultural development and food  
7 security special fund.

8 (b) The following moneys shall be deposited into the  
9 special fund:

10 (1) The portion of the environmental response, energy, and  
11 food security tax specified under section 243-3.5;

12 (2) Any appropriation by the legislature into the special  
13 fund;

14 (3) Any grant or donation made to the special fund; and

15 (4) Any interest earned on the balance of the special  
16 fund.

17 (c) Subject to legislative appropriation, moneys in the  
18 special fund may be expended for the following purposes:

19 (1) The awarding of grants to farmers for agricultural  
20 production or processing activity;

21 (2) The acquisition of real property for agricultural  
22 production or processing activity;



- 1        (3) The improvement of real property, irrigation systems,  
2                    and transportation networks necessary to promote  
3                    agricultural production or processing activity;
- 4        (4) The purchase of equipment necessary for agricultural  
5                    production or processing activity;
- 6        (5) The conduct of research on and testing of agricultural  
7                    products and markets;
- 8        (6) The funding of agricultural inspector positions within  
9                    the department of agriculture;
- 10       (7) The promotion and marketing of agricultural products  
11                   grown or raised in the State; and
- 12       (8) Any other activity intended to increase agricultural  
13                   production or processing that may lead to reduced  
14                   importation of food, fodder, or feed from outside the  
15                   State.
- 16       (d) The department of agriculture shall submit a report to  
17       the legislature no later than twenty days prior to the convening  
18       of each regular session on the status and progress of existing  
19       programs and activities and the status of new programs and  
20       activities funded under the agricultural development and food  
21       security special fund. The report shall also include:



- 1        (1) The spending plan of the agricultural development and
- 2        food security special fund;
- 3        (2) All expenditures of agricultural development and food
- 4        security special fund moneys;
- 5        (3) The targeted markets of the expenditures, including
- 6        the reason for selecting those markets;
- 7        (4) The persons to be served using the expenditures; and
- 8        (5) The specific objectives of the expenditures,
- 9        including measurable outcomes."

10        SECTION 10. There is appropriated out of the agricultural  
 11 development and food security special fund the sum of  
 12 \$                    or so much thereof as may be necessary for fiscal  
 13 year 2010-2011 for the purpose of supporting the following  
 14 projects:

- 15        (1) \$                    for Varroa mite control and eradication
- 16        efforts;
- 17        (2) \$                    for the operation of pest inspection,
- 18        quarantine, eradication, biosecurity, and monitoring
- 19        programs, related facilities, and the execution of
- 20        emergency remedial measures when pests are detected in
- 21        the course of inspection and quarantine activities by
- 22        the department of agriculture;



1 (3) \$ for the expansion of the food safety and  
2 security program administered by the department of  
3 agriculture;

4 (4) \$ for the livestock revitalization program  
5 under chapter 155D, Hawaii Revised Statutes;

6 (5) \$ for improvements to the lower Hamakua  
7 ditch in Hawaii county;

8 (6) \$ for the construction of an agricultural  
9 water main distribution pipeline in the upcountry Maui  
10 watershed;

11 (7) \$ to fund agricultural inspector positions  
12 within the department of agriculture;

13 (8) \$ for the construction of the Kealahou  
14 pipeline in the upcountry Maui watershed; and

15 (9) \$ for the planning phase of the state  
16 agricultural water use and development plan.

17 The sum appropriated shall be expended by the department of  
18 agriculture for the purpose of this section. Any part of the  
19 sum appropriated in this section may be used to match federal  
20 funds.

21 PART V

22 HAWAII CLEAN ENERGY INITIATIVE



1 SECTION 11. Chapter 196, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§196- Hawaii clean energy initiative program. (a)

5 There is established within the department of business, economic  
6 development, and tourism, a Hawaii clean energy initiative  
7 program to manage the state's transition to a clean energy  
8 economy. The clean energy program shall design, implement, and  
9 administer activities that include:

- 10 (1) Strategic partnerships for the research, development,  
11 testing, deployment, and permitting of clean and  
12 renewable technologies;
- 13 (2) Engineering and economic evaluations of Hawaii's  
14 potential for near-term project opportunities for the  
15 state's renewable energy resources;
- 16 (3) Electric grid reliability and security projects that  
17 will enable the integration of a substantial increase  
18 of electricity from renewable-energy resources;
- 19 (4) A statewide clean energy public education and outreach  
20 plan to be developed in coordination with Hawaii's  
21 institutions of public education;





1       (5) Promotion of Hawaii's clean and renewable resources to  
2       potential partners and investors;

3       (6) A plan, to be implemented from 2011 to 2030, to  
4       transition the state to a clean energy economy; and

5       (7) A plan, to be implemented from 2011 to 2030, to assist  
6       each county in transitioning to a clean energy  
7       economy.

8       (b) Prior to the initiation of any activities authorized  
9       under subsection (a), the department of business, economic  
10       development, and tourism shall develop a plan of action with the  
11       intent of promoting effective prioritization and focusing of  
12       efforts consistent with the State's energy programs and  
13       objectives.

14       (c) The department of business, economic development, and  
15       tourism shall submit a report to the legislature no later than  
16       twenty days prior to the convening of each regular session on  
17       the status and progress of new and existing clean energy  
18       initiatives. The report shall also include:

19       (1) The spending plan of the Hawaii clean energy  
20       initiative program;

21       (2) All expenditures of energy security special fund  
22       moneys; and



1 (3) The targeted markets of the expenditures, including  
2 reasons for selecting those markets, the persons to be  
3 served, specific objectives of the program, and  
4 program expenditures, including measurable outcomes."

5 **PART VI**

6 **CLIMATE CHANGE TASK FORCE**

7 SECTION 12. There is appropriated out of the energy  
8 security special fund, established pursuant to section 201-12.8,  
9 Hawaii Revised Statutes, the sum of \$                      or so much  
10 thereof as may be necessary for fiscal year 2010-2011 for the  
11 climate change task force established pursuant to Act 20,  
12 Special Session Laws of Hawaii 2009.

13 The sum appropriated shall be expended by the department of  
14 business, economic development, and tourism for the purposes of  
15 this part.

16 **PART VII**

17 **GREENHOUSE GAS EMISSIONS REDUCTION TASK FORCE**

18 SECTION 13. There is appropriated out of the energy  
19 security special fund, established pursuant to section 201-12.8,  
20 Hawaii Revised Statutes, the sum of \$                      or so much  
21 thereof as may be necessary for fiscal year 2010-2011 for the



1 greenhouse gas emissions reduction task force established  
2 pursuant to Act 234, Session Laws of Hawaii 2007.

3 The sum appropriated shall be expended by the department of  
4 business, economic development, and tourism for the purposes of  
5 this part.

6 PART VIII

7 SECTION 14. Subject to the availability of federal funding  
8 for energy programs provided by grants, and subject to the  
9 constraints, oversight, and reporting requirements of those  
10 federal programs, the governor is authorized to establish  
11 positions necessary to accomplish the management of those energy  
12 projects funded by federal grants; provided that the positions  
13 shall be exempt from chapters 76 and 89, Hawaii Revised  
14 Statutes; and provided further that the governor shall submit a  
15 report to the legislature on all positions established as of  
16 December 31 and June 30 of each fiscal year that the positions  
17 exist and are occupied.

18 PART IX

19 SECTION 15. Any unexpended or unencumbered funds remaining  
20 in the agricultural development and food security special fund  
21 established by this Act, as of the close of business on June 30,  
22 2015, shall lapse to the credit of the general fund.



1 SECTION 16. This Act does not affect rights and duties  
2 that matured, penalties that were incurred, and proceedings that  
3 were begun, before its effective date.

4 SECTION 17. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 18. This Act shall take effect on July 1, 2020;  
7 provided that sections 2, 3, 4, 5, and 9 shall be repealed on  
8 June 30, 2015, and sections 128D-2, 201-12.8, 243-3.5, and  
9 243-7, Hawaii Revised Statutes, shall be reenacted in the form  
10 in which they read on June 30, 2010.



**Report Title:**

Food and Energy Security; Appropriation

**Description:**

Establishes various initiatives, and appropriates funds to promote economic development for local food and energy businesses, ensures Hawaii is energy and food self-sufficient and sustainable to the maximum extent feasible, and helps Hawaii's natural resources and humankind adapt and be resilient to the inevitable challenges brought on by climate change. Increases and changes the name of the environmental response tax, and sunsets the tax on June 30, 2015. Effective July 1, 2020.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

