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# A BILL FOR AN ACT

RELATING TO GREENHOUSE GAS EMISSION RULES.

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

1           SECTION 1. Act 234, Session Laws of Hawaii 2007, in part  
2 required that the director of health adopt rules, by  
3 December 31, 2011, to achieve reductions of greenhouse gas  
4 emissions "based upon the recommendations and findings of the  
5 work plan created" by the greenhouse gas emission reduction task  
6 force that the Act also created. The task force's final report  
7 and work plan to the 2010 legislature did not specify a  
8 regulatory air pollution control scheme for the department of  
9 health to adopt and specifically recognized the need to  
10 coordinate state efforts with ongoing United States  
11 Environmental Protection Agency developments. The Environmental  
12 Protection Agency continues to adopt new regulations regarding  
13 greenhouse gases, both as to reporting and emission controls.

14           The department of health needs flexibility to adopt  
15 greenhouse gas rules after national requirements become clearer  
16 and a regulatory scheme has been developed by the State. This  
17 bill will change the mandate of the Act by extending the  
18 deadline for the adoption of specific rules and providing the



19 department of health with some flexibility in its efforts to  
20 regulate the greenhouse gas emissions and to incorporate a  
21 reporting requirement.

22 SECTION 2. Section 342B-72, Hawaii Revised Statutes, is  
23 amended as follows:

24 1. By amending subsections (a) and (b) to read:

25 "(a) Before December 31, [~~2011~~] 2015, the director shall  
26 adopt rules pursuant to chapter 91:

27 (1) Establishing greenhouse gas emission limits applicable  
28 to sources or categories of sources, to be achieved by  
29 January 1, 2020, and establishing emission reduction  
30 measures to achieve the maximum practically and  
31 technically feasible and cost-effective reductions in  
32 greenhouse gas emissions in furtherance of achieving  
33 the statewide greenhouse gas emissions limit; and

34 (2) Requiring the reporting and verification of statewide  
35 greenhouse gas emissions and to monitor and enforce  
36 compliance with this part,

37 to become operative beginning on January 1, [~~2012~~] 2016.

38 (b) The director, to the extent feasible to achieve the  
39 statewide greenhouse gas emissions limit, shall adopt rules  
40 pursuant to chapter 91 and this section based upon the



41 recommendations and findings of the work plan created pursuant  
42 to section 6 of Act 234, Session Laws of Hawaii 2007."

43 2. By amending subsection (e) to read:

44 "(e) After January 1, [~~2012~~] 2016, the director may revise  
45 rules adopted pursuant to this section and adopt additional  
46 rules to further this part."

47 SECTION 3. Statutory material to be repealed is bracketed  
48 and stricken. New statutory material is underscored.

49 SECTION 4. This Act shall take effect on July 1, 2011.



**Report Title:**

Green House Gas; Emissions

**Description:**

Extends the requirement that the Department of Health adopt rules by the end of 2011 to the end of 2015 to implement a Greenhouse Gas reduction plan. Requires implementation of rules by January 1, 2016. (HB1068 HD1)

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