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

14 The legislature finds that the department needs flexibility
15 to adopt greenhouse gas rules after national requirements become
16 clearer and a regulatory structure has been developed by the
17 State. The purpose of this Act is to extend the deadlines
18 provided in Act 234 for the adoption of greenhouse gas emission



1 rules, thereby providing the department of health with the
2 flexibility it needs to regulate the greenhouse gas emissions
3 and to incorporate a reporting requirement.

4 SECTION 2. Section 342B-72, Hawaii Revised Statutes, is
5 amended to read as follows:

6 **"§342B-72 Greenhouse gas emissions limits; rules. (a)**

7 Before [~~December 31, 2011,~~] June 30, 2012, the director shall
8 adopt rules pursuant to chapter 91:

9 (1) Establishing greenhouse gas emission limits applicable
10 to sources or categories of sources, to be achieved by
11 January 1, 2020, and establishing emission reduction
12 measures to achieve the maximum practically and
13 technically feasible and cost-effective reductions in
14 greenhouse gas emissions in furtherance of achieving
15 the statewide greenhouse gas emissions limit; and

16 (2) Requiring the reporting and verification of statewide
17 greenhouse gas emissions and to monitor and enforce
18 compliance with this part, to become operative
19 beginning on [~~January 1, 2012,~~] July 1, 2012.

20 (b) The director, to the extent feasible to achieve the
21 statewide greenhouse gas emissions limit, [~~shall~~] may adopt
22 rules pursuant to chapter 91 and this section based upon the



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

3 (c) Any rule adopted by the director pursuant to this
4 section shall ensure all of the following:

5 (1) The greenhouse gas emission reductions achieved are
6 real, permanent, quantifiable, verifiable, and
7 enforceable by the director; and

8 (2) If applicable, the greenhouse gas emission reduction
9 occurs over the same time period and is equivalent in
10 amount to any direct emission reduction required
11 pursuant to this part.

12 (d) The director shall periodically review and update
13 state emission reporting requirements and endeavor to make the
14 requirements consistent with the requirements of international,
15 federal, and other states' greenhouse gas emission reporting
16 programs, as necessary.

17 (e) After [~~January 1, 2012,~~] July 1, 2012, the director
18 may revise rules adopted pursuant to this section and adopt
19 additional rules to further this part."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



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

2



Report Title:

Greenhouse Gas; Emissions

Description:

Extends the deadline for the department of health to adopt rules to implement a greenhouse gas emission reduction plan from December 31, 2011, to June 30, 2012. (SD1)

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