

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO GREENHOUSE GAS EMISSIONS.

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

1           SECTION 1. The legislature finds that in 2015, one hundred  
2 ninety-six countries met to discuss and adopt the Paris Climate  
3 Change Agreement, where they formally recognized "the need for  
4 an effective and progressive response to the urgent threat of  
5 climate change". These countries, representing a vast majority  
6 of the world, agreed that in order to achieve the goal of  
7 limiting the impacts and risks of climate change they  
8 collectively must "aim to reach global peaking of greenhouse gas  
9 emissions as soon as possible, recognizing that peaking will  
10 take longer for developing country parties, and to undertake  
11 rapid reductions thereafter in accordance with the best  
12 available science, so as to achieve a balance between  
13 anthropogenic emissions by sources and removals by sinks of  
14 greenhouse gases in the second half of this century, on the  
15 basis of equity, and in the context of sustainable development  
16 and efforts to eradicate poverty." The landmark Paris Agreement  
17 also marked a fundamental truth: for nations to succeed in



1 tackling climate change, reducing greenhouse gas emissions will  
2 mean making changes at the state and local level.

3       The legislature also finds that Hawaii currently targets a  
4 reduction of greenhouse gas emissions to 1990 levels by 2020.  
5 This is a first step. To reflect the urgency and scale of the  
6 climate crisis, Hawaii must and can do more. Furthermore,  
7 greenhouse gas reductions can be undertaken in ways that will  
8 create new markets and strengthen our local economy, by enabling  
9 emissions offsets based on activities within the State that  
10 provide multiple layers of benefits for local communities, such  
11 as sustainable agriculture and reforestation.

12       This purpose of this Act is to implement a 2030 target for  
13 creating a carbon neutral state where greenhouse gas emissions  
14 are offset by sustainable agriculture, reforestation, and carbon  
15 sequestration that can strengthen the local economy while also  
16 serving as a sink for emissions.

17       SECTION 2. Section 342B-71, Hawaii Revised Statutes, is  
18 amended to read as follows:

19       "**[+]§342B-71[+]** **Statewide greenhouse gas emissions limit,**  
20 **adoption.** (a) A statewide greenhouse gas emissions limit to be  
21 achieved by 2020 is hereby established that is equal to or below



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1 the level of the statewide greenhouse gas emissions in 1990, as  
2 determined by section 3 of Act 234, Session Laws of Hawaii 2007;  
3 provided that for the purposes of this ~~[Act]~~ subsection,  
4 greenhouse gas emissions from airplanes shall not be included.

5 (b) No later than December 31, 2030, the statewide  
6 greenhouse gas emissions limit to be achieved shall be one  
7 hundred per cent below statewide greenhouse gas emissions in  
8 1990, as determined by section 3 of Act 234, Session Laws of  
9 Hawaii 2007; provided that for the purposes of this subsection,  
10 greenhouse gas emissions shall include emissions associated with  
11 all transportation fuels sold in the State, including aviation  
12 fuel. In achieving the target of one hundred per cent reduction  
13 below 1990 emission level, greenhouse gas emissions may be  
14 offset by certain activities approved by the director."

15 SECTION 3. Section 342B-72, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "[~~+~~]**§342B-72**[~~+~~] **Greenhouse gas emissions limits; rules.**

18 (a) Before December 31, 2011, the director shall adopt rules  
19 pursuant to chapter 91:

20 (1) Establishing greenhouse gas emission limits applicable  
21 to sources or categories of sources, to be achieved by



1           January 1, 2020, and establishing emission reduction  
2           measures to achieve the maximum practically and  
3           technically feasible and cost-effective reductions in  
4           greenhouse gas emissions in furtherance of achieving  
5           the statewide greenhouse gas emissions limit; and  
6           (2) Requiring the reporting and verification of statewide  
7           greenhouse gas emissions and to monitor and enforce  
8           compliance with this part,  
9           to become operative beginning on January 1, 2012.

10           (b) The director, to the extent feasible to achieve the  
11           statewide 1990 greenhouse gas emissions limit, shall adopt rules  
12           pursuant to chapter 91 and this section based upon the  
13           recommendations and findings of the work plan created pursuant  
14           to section 6 of Act 234, Session Laws of Hawaii 2007.

15           (c) Before December 31, 2019, the director shall adopt  
16           rules pursuant to chapter 91:

17           (1) Establishing greenhouse gas emission limits applicable  
18           to sources or categories of sources to be achieved by  
19           December 31, 2030;

20           (2) Establishing emission reduction measures to achieve  
21           the maximum practically and technically feasible and



1 cost-effective reductions in greenhouse gas emissions  
2 in furtherance of achieving the statewide greenhouse  
3 gas emissions limit; and

4 (3) A mechanism by which emitters of greenhouse gases may  
5 qualify for offsets against greenhouse gas emissions,  
6 to become operative beginning on January 1, 2020. In  
7 establishing these rules, the director shall consider offsets,  
8 including but not limited to sustainable agriculture,  
9 reforestation, carbon sequestration, and other activities within  
10 the State that can serve as a sink of greenhouse gases in  
11 proportion to greenhouse gases actually released into the air.

12 [~~e~~] (d) Any rule adopted by the director pursuant to  
13 this section shall ensure all of the following:

14 (1) The greenhouse gas emission reductions achieved are  
15 real, permanent, quantifiable, verifiable, and  
16 enforceable by the director; and

17 (2) If applicable, the greenhouse gas emission reduction  
18 occurs over the same time period and is equivalent in  
19 amount to any direct emission reduction required  
20 pursuant to this part.



1            [~~(d)~~] (e) The director shall periodically review and  
2 update state emission reporting requirements and endeavor to  
3 make the requirements consistent with the requirements of  
4 international, federal, and other states' greenhouse gas  
5 emission reporting programs, as necessary.

6            [~~(e)~~] (f) After January 1, 2012, the director may revise  
7 rules adopted pursuant to this section and adopt additional  
8 rules to further this part."

9            SECTION 4. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11            SECTION 5. This Act shall take effect on July 1, 2017.

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INTRODUCED BY: Paul Rhoads

# S.B. NO. 154

**Report Title:**

Greenhouse Gas Emissions

**Description:**

Sets the greenhouse gas emission limit to be achieved by 2030 to 100% below the 1990 level, including all transportation fuel emissions. Requires the director of health to adopt rules by 12/31/19 for achieving the target of 100% below greenhouse gas emissions in 1990 by 2030 and establishing mechanisms to offset emissions.

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

