
A BILL FOR AN ACT

RELATING TO ENERGY DATA.

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

1 SECTION 1. The legislature finds that climate change poses
2 a serious environmental, economic and public health threat
3 worldwide. Hawaii is particularly vulnerable to increases in
4 sea levels, storm intensity, flooding, and beach erosion which
5 will result in disastrous impacts to our island state.

6 The legislature finds that to address Hawaii's contribution
7 to climate change, it passed Act 234, Session Laws of Hawaii
8 (SLH) 2007, which mandated that the State of Hawaii reduce its
9 statewide greenhouse gas emissions to levels at or below 1990
10 levels by January 1, 2020.

11 The legislature further finds that section 342B-72, Hawaii
12 Revised Statutes (HRS), as enacted by section 8 of Act 234, SLH
13 2007, mandated that the department of health adopt rules to
14 ensure that any greenhouse gas emission reductions achieved are
15 real, permanent, quantifiable, verifiable, and enforceable by
16 the director of health.



1 In 2014, pursuant to section 342B-72, HRS, the department
2 of health adopted chapter 11-60.1, subchapter 11, Hawaii
3 Administrative Rules (HAR), to regulate greenhouse gas emissions
4 to achieve the 2020 emissions limit.

5 Section 11-60.1-204(k), HAR, requires that the department
6 of health conduct an annual evaluation, beginning in 2016, of
7 progress to achieve the statewide greenhouse gas emission limit
8 in a manner consistent with that done by the department of
9 business, economic development, and tourism in its preparation
10 of the 1990 greenhouse gas emission estimates under Act 234, SLH
11 2007.

12 Pursuant to section 342B-72, HRS, and section 11-60.1-
13 204(k), HAR, the department of health is now responsible for
14 preparing the annual greenhouse gas progress reports that
15 provide statewide greenhouse gas emission inventory estimates
16 and updates.

17 The annual reports are essential in order for the
18 department of health to assess the progress being made toward
19 achieving the 2020 greenhouse gas emissions limit, to estimate
20 uncertainties, and to support the determination of whether or
21 not the 2020 limit has been met and will be sustained.



1 Currently, access to the energy data obtained via chapter
 2 486J, HRS, for compiling statewide greenhouse gas inventories,
 3 is restricted to a few state departments and authorized
 4 individuals. The department of health is currently not one of
 5 the listed state departments allowed access to this essential
 6 energy data. Without access to the data, the department of
 7 health has been having difficulty developing the most accurate
 8 and reliable estimates of the state greenhouse gas emission
 9 levels possible.

10 The purpose of this Act is to add the department of health
 11 to the list of state departments that have access to the energy
 12 data contained in chapter 486J, HRS, in order to increase the
 13 accuracy and reduce the levels of uncertainty in the department
 14 of health's annual greenhouse gas progress reports.

15 SECTION 2. Section 486J-5.5, Hawaii Revised Statutes, is
 16 amended to read as follows:

17 "**§486J-5.5 Energy data collection program.** The department
 18 shall establish the energy data collection program that includes
 19 development and maintenance of an energy database system that
 20 meets the requirements of government and industry, while
 21 promoting sound policy making, greenhouse gas emission inventory



1 reporting, energy planning, energy assurance planning, and
2 energy security."

3 SECTION 3. Section 486J-6, Hawaii Revised Statutes, is
4 amended by amending subsection (c) to read as follows:

5 "(c) Unless otherwise provided by law, with respect to
6 data that the commission or department obtained or was provided
7 pursuant to this chapter, neither the commission or department
8 nor any employee of the commission or department may do any of
9 the following:

- 10 (1) Use the information furnished or obtained for any
11 purpose other than the purposes for which it is
12 supplied;
- 13 (2) Make any publication whereby the data furnished by any
14 person can be identified; or
- 15 (3) Permit any person other than the commission, the
16 department of taxation, the attorney general, the
17 consumer advocate, the department of business,
18 economic development, and tourism, the department of
19 health, and the authorized representatives and
20 employees of each to examine the individual reports or
21 statements provided."



1 SECTION 4. Section 486J-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§486J-7 Confidential information obtained by another
4 state agency. Any confidential information pertinent to the
5 responsibilities of the commission or the department specified
6 in this chapter that is obtained by another state agency,
7 including the department of taxation, the attorney general, and
8 the consumer advocate, shall be available only to the attorney
9 general, the attorney general's authorized representatives, the
10 department of business, economic development, and tourism, the
11 department of health, and the commission and shall be treated in
12 a confidential manner."

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2100.



Report Title:

Greenhouse Gas Data; Department of Health

Description:

Permits the Department of Business, Economic Development, and Tourism to share energy data with the Department of Health for purposes of regulating greenhouse gas emissions. (HB1015 HD1)

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