

---

---

## A BILL FOR AN ACT

RELATING TO GREENHOUSE GASES.

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

1           SECTION 1. Chapter 269, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4                           **"PART           .   GREENHOUSE GAS INITIATIVE**

5           **§269-           Greenhouse gas initiative standard.** (a) The  
6 carbon dioxide emissions level of all electric utility companies  
7 that sell electricity for consumption in the state, shall be  
8 capped at the 2007 carbon dioxide emissions level. This  
9 standard shall be entitled the greenhouse gas initiative  
10 standard.

11           Between 2015 and 2019, each electric utility company shall  
12 incrementally reduce its carbon dioxide emissions to achieve a  
13 ten per cent reduction of 2007 carbon dioxide emissions level by  
14 January 1, 2020.

15           (b) As used in this part:

16           "Electric utility company" means a public utility as  
17 defined under section 269-1, for the production, conveyance,  
18 transmission, delivery, or furnishing of electricity.



1 "2007 carbon dioxide emissions level" means the statewide  
2 aggregate short tons of carbon dioxide emissions produced in  
3 2007 by all existing electric utility companies that sell  
4 electricity for consumption in the state, per kilowatt hour of  
5 electricity produced.

6 **§269- Rulemaking.** The public utilities commission may  
7 adopt rules necessary for the purposes of this part, pursuant to  
8 chapter 91, to ensure the annual aggregate amount of carbon  
9 dioxide emissions does not exceed the 2007 carbon dioxide  
10 emissions level.

11 **§269- Violations.** Any electric utility company not  
12 meeting the greenhouse gas initiative standard shall report to  
13 the public utilities commission within ninety days following the  
14 violation, and provide an explanation for not meeting the  
15 standard. The public utilities commission shall have the option  
16 to either grant a waiver from the standard or an extension for  
17 meeting the prescribed standard.

18 **§269- Penalties.** If the public utilities commission  
19 determines that an electric utility company fails to meet the  
20 greenhouse gas initiative standard set forth in this part, after  
21 a hearing in accordance with chapter 91, the utility shall be  
22 subject to penalties to be established by the public utilities



1 commission; provided that if the commission determines that the  
2 electric utility company is unable to meet the greenhouse gas  
3 initiative program standards due to reasons beyond the  
4 reasonable control of the electric utility, the commission, in  
5 its discretion, may waive in whole or in part any otherwise  
6 applicable penalties."

7 SECTION 2. No later than January 1, 2008, the public  
8 utilities commission shall determine the 2007 carbon dioxide  
9 emissions level to be used as the basis of the reduction goal by  
10 determining the total short tons per kilowatt hour of carbon  
11 dioxide emissions from the aggregate amount of carbon dioxide  
12 emitted from all existing electric utility companies governed  
13 under this Act.

14 The department of business, economic development, and  
15 tourism and the department of health shall provide assistance to  
16 and cooperate with the public utilities commission to determine  
17 the 2007 carbon dioxide emissions level.

18 SECTION 3. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$ or so much  
20 thereof as may be necessary for fiscal year 2007-2008 for the  
21 purposes of this Act.



# H.B. NO. 1524

1           The sum appropriated shall be expended by the public  
2 utilities commission for the purposes of this Act.

3           SECTION 4. This Act shall take effect on July 1, 2007,  
4 provided that section 1 shall take effect on January 1, 2008.

5

INTRODUCED BY:

Lyla B. Berg

Maria L.

JTS

Wella C. Palatti

[Signature]

JAN 23 2007



**Report Title:**

Greenhouse Gas Initiative

**Description:**

Caps carbon dioxide emission levels of electricity plants at 2007 levels, and requires electricity plants to incrementally reduce carbon dioxide emissions to achieve a 10% reduction of 2007 carbon dioxide emission levels between 2015 and 2019. Appropriates \$ to the PUC for the program.

