

JAN 19 2007

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 climate change due
2 to human-produced greenhouse gas emissions is a serious issue
3 that must be addressed to protect our health and environment.

4 In 2001, the Intergovernmental Panel on Climate Change
5 reported that most of the global warming observed over the last
6 fifty years is largely attributable to human activities. Our
7 greenhouse gas emissions come mostly from energy use. These are
8 driven largely by economic growth, fuel used for electricity
9 generation, and weather patterns affecting heating and cooling
10 needs. Energy-related carbon dioxide emissions, resulting from
11 petroleum and natural gas, represent eighty-two per cent of
12 total United States human-made greenhouse gas emissions

13 This growth may be reduced by ongoing efforts to increase
14 the use of newer, cleaner technologies and other measures.
15 Additionally, our everyday choices about such things as
16 commuting, housing, electricity use, and recycling can influence
17 the amount of greenhouse gases being emitted.



1 The purpose of this Act is to bring the State into the
2 forefront of environmental change by setting an example and
3 promoting policies and regulations within the state departments
4 and agencies that will decrease the release of greenhouse gas
5 emissions.

6 SECTION 2. Section 26-38, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§26-38 Powers and duties of heads of departments.** (a)

9 Except as otherwise provided by this chapter, every power and
10 duty conferred by law and required to be performed by any
11 officer, board, department, bureau, commission, administrative
12 agency, or instrumentality of the State existing immediately
13 prior to November 25, 1959, shall hereafter be exercised and
14 performed by the head of the respective department established
15 by this chapter, whether the head of the department be a single
16 executive, board, or commission.

17 Except as otherwise provided by this chapter, the head of a
18 department may assign any function vested in [~~his~~] the
19 department to any subordinate officer or employee as [~~he deems~~]
20 deemed desirable. With the approval of the governor, the head
21 of a department may establish or abolish within [~~his~~] the
22 department any division or other administrative unit to achieve



1 economy and efficiency and in accord with sound administrative
2 principles and practices and procedures.

3 The head of each department may prescribe regulations for
4 the administration of [~~his~~] the department, for the conduct of
5 its employees, for the performance of its business, and for the
6 custody, use, and preservation of records, equipment, and other
7 property pertaining thereto; provided that the regulations shall
8 not be inconsistent with the requirements of chapters 76, 91,
9 and 92, or rules [~~promulgated~~] adopted by the governor, or other
10 laws of the State.

11 (b) The head of each department, through planning
12 processes, regulations, and permit applications, shall decrease
13 greenhouse gas emissions where feasible."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17

INTRODUCED BY: *[Signature]*
[Signature]



Report Title:

Greenhouse Gas Emissions; State Agencies; Department Heads

Description:

Requires state department heads to promote policies and regulations that will decrease the release of greenhouse gas emissions.

