

JAN 21 2022

A BILL FOR AN ACT

RELATING TO CLIMATE MITIGATION.

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

1 PART I

2 SECTION 1. The legislature finds that climate change is
3 the overriding challenge of the twenty-first century. Climate
4 change poses immediate and long-term threats to Hawaii's
5 economy, public health, natural resources, environment, and way
6 of life.

7 The legislature further finds that numerous measures were
8 passed in recent decades to address climate change and reduce
9 the State's contribution to climate-warming greenhouse gas
10 emissions. In the regular session of 2021, Senate Concurrent
11 Resolution No. 44, S.D. 1, H.D. 1, was adopted, making Hawaii
12 the first state in the nation to declare a climate emergency and
13 calling for a statewide commitment to a decarbonized economy.
14 Through Act 74, Session Laws of Hawaii 2021, the legislature set
15 a goal to transition all light-duty state fleet vehicles to be
16 zero-emissions by 2035. Act 15, Session Laws of Hawaii 2018,
17 established a zero emissions clean economy target for the State



1 to sequester more atmospheric carbon and greenhouse gases than
2 emitted by no later than 2045. With Act 97, Session Laws of
3 Hawaii 2015, a one hundred per cent renewable portfolio standard
4 for electric utilities was established, requiring one hundred
5 per cent of the State's electricity to be generated from
6 renewable energy sources by 2045, making Hawaii the first state
7 to set out to eliminate fossil fuels from the electric grid.

8 The legislature additionally finds that fifteen years ago,
9 Act 234, Session Laws of Hawaii 2007, was passed, which
10 established a goal to reduce statewide greenhouse gas emissions
11 to below 1990 levels by 2020. The 2020 goal was achieved, but
12 it is notable that there are no decarbonization targets in
13 Hawaii law until 2045, which is twenty-three years into the
14 future. The legislature believes that it is imperative to
15 continue to build on Hawaii's momentum in its climate mitigation
16 efforts by establishing near-term decarbonization targets.

17 The legislature also finds that, as the State progresses
18 toward a fully decarbonized economy, the challenges of
19 addressing hard-to-decarbonize sectors will also increase. In
20 order to achieve the goal of a fully decarbonized economy, the
21 State needs to plan ahead and understand the steps that need to



1 be taken to create a carbon-negative economy by 2045, as
2 required by Act 15, Session Laws of Hawaii 2018.

3 Therefore, the purpose of this Act is to:

4 (1) Establish a goal for the statewide greenhouse gas
5 emissions limit to be at least seventy per cent below
6 2005 levels by 2030; and

7 (2) Require the Hawaii state energy office to conduct a
8 study to determine Hawaii's pathway to decarbonization
9 and identify challenges, opportunities, and actions
10 that will be needed to achieve those goals.

11 PART II

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

14 "[+]§342B-71[+] **Statewide greenhouse gas emissions limit,**
15 **adoption.** (a) A statewide greenhouse gas emissions limit to be
16 achieved by [~~2020~~] 2030 is hereby established that is [~~equal to~~
17 ~~or~~] at least seventy per cent below the level of the statewide
18 greenhouse gas emissions in [~~1990, as determined by section 3 of~~
19 ~~Act 234, Session Laws of Hawaii 2007; provided that for the~~
20 ~~purposes of this Act greenhouse gas emissions from airplanes~~
21 ~~shall not be included.~~] 2005.



1 (b) The director shall submit a report to the legislature
2 by December 31, 2023, indicating a measurement of the 2005
3 greenhouse gas emissions in the State, including emissions from
4 airplanes.

5 (c) The director shall complete an annual greenhouse gas
6 inventory report to track emissions and determine progress
7 towards achieving the greenhouse gas emissions limit established
8 in subsection (a) and submit the report to the legislature no
9 later than twenty days prior to the convening of each regular
10 session."

11 SECTION 3. Section 342B-72, Hawaii Revised Statutes, is
12 amended as follows:

13 1. By amending subsections (a) and (b) to read:

14 "(a) Before December 31, [~~2011~~,] 2023, the director shall
15 adopt rules pursuant to chapter 91:

16 (1) Establishing greenhouse gas emission limits applicable
17 to sources or categories of sources, to be achieved by
18 January 1, [~~2020~~,] 2030, and establishing emission
19 reduction measures to achieve the maximum practically
20 and technically feasible and cost-effective reductions
21 in greenhouse gas emissions in furtherance of



1 achieving the statewide greenhouse gas emissions
 2 limit; and
 3 (2) Requiring the reporting and verification of statewide
 4 greenhouse gas emissions and to monitor and enforce
 5 compliance with this part[~~7~~
 6 ~~to become operative beginning on January 1, 2012~~].

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

12 2. By amending subsection (e) to read:

13 (e) [~~After January 1, 2012, the~~] The director may revise
 14 rules adopted pursuant to this section and adopt additional
 15 rules to further this part."

16 PART III

17 SECTION 4. (a) The Hawaii state energy office shall
 18 analyze pathways and develop recommendations for achieving the
 19 State's economy-wide decarbonization goals, including the
 20 statewide greenhouse gas emissions limit established pursuant to
 21 section 342B-71, Hawaii Revised Statutes, and the goal to



1 sequester more atmospheric carbon and greenhouse gases than
2 emitted by no later than 2045, as detailed in Act 15, Session
3 Laws of Hawaii 2018, codified at section 225P-5, Hawaii Revised
4 Statutes.

5 (b) As part of its analysis and development of
6 recommendations, the Hawaii state energy office shall:

7 (1) Recommend regulatory or other state actions that will
8 ensure the attainment of the State's decarbonization
9 goals;

10 (2) Include measures to reduce emissions from electricity,
11 including accelerating the adoption of clean energy
12 and improving energy efficiency for residential,
13 commercial, and government users;

14 (3) Include land use and transportation planning measures
15 aimed at reducing emissions from the transportation
16 sector;

17 (4) Recommend state actions to address emissions
18 associated with air travel and shipping, including how
19 to encourage electrification and adoption of
20 alternative fuels;



- 1 (5) Recommend best management practices in the
2 agricultural sector;
- 3 (6) Include long-term carbon sequestration and carbon
4 capture and utilization opportunities;
- 5 (7) Make recommendations to aid in the transition of the
6 state workforce to meet the needs of a decarbonized
7 economy;
- 8 (8) Consider impacts to environmental justice, frontline,
9 and low-income communities and make recommendations
10 for how to mitigate any impacts to these communities
11 and to facilitate a just transition to a decarbonized
12 economy;
- 13 (9) Determine the most cost-effective pathway to
14 decarbonization; and
- 15 (10) Rank recommendations based on level of impact, cost,
16 and ease of implementation.
- 17 (c) In preparing the analysis, the Hawaii state energy
18 office shall consult and collaborate with other state agencies,
19 the counties, and relevant stakeholders and organizations.
- 20 (d) The Hawaii state energy office shall submit a report
21 of its analysis and recommendations to the legislature no later



1 than twenty days prior to the convening of the regular session
2 of 2023.

3 SECTION 5. There is appropriated out of the energy
4 security special fund the sum of \$ or so much thereof
5 as may be necessary for fiscal year 2022-2023 for the Hawaii
6 state energy office to analyze pathways and develop
7 recommendations for achieving the State's economy-wide
8 decarbonization goals, as required pursuant to section 4 of this
9 Act; provided that the amount expended shall not count toward
10 any expenditure ceiling of the energy security special fund.

11 The sum appropriated shall be expended by the Hawaii state
12 energy office for the purposes of this Act.

13 PART IV

14 SECTION 6. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect upon its approval;
17 provided that section 5 shall take effect on July 1, 2022.

18

INTRODUCED BY: 



S.B. NO. 2970

Report Title:

Greenhouse Gas Emissions Limit; Hawaii State Energy Office;
Pathway to Decarbonization; Study; Energy Security Special Fund;
Appropriation

Description:

Establishes a goal for the statewide greenhouse gas emissions limit to be at least seventy per cent below 2005 levels by 2030. Requires the Hawaii state energy office to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals. Appropriates funds out of the energy security special fund for the study.

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