H.B. NO. 787

# A BILL FOR AN ACT

RELATING TO DECARBONIZATION.

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

1    SECTION 1.  The legislature finds that reducing carbon

2  emissions is necessary to combat the ongoing climate crisis.

3  The legislature enacted statutory goals outlined in

4  section 225P-5, Hawaii Revised Statutes, to sequester more

5  atmospheric carbon and greenhouse gases than emitted within the

6  State as quickly as practicable, but no later than 2045;

7  provided that the statewide target includes a greenhouse gas

8  emissions limit, to be achieved no later than 2030, of at least

9  fifty per cent below the level of the statewide greenhouse gas

10  emissions in 2005.

11    The legislature has determined that, although the State is

12  committed to reducing carbon and greenhouse gas emissions,

13  current regulations and actions do not effectively promote the

14  use of public funds for infrastructure projects in a manner that

15  aligns with the State's goals for reducing these emissions.  The

16  legislature further finds that Hawaii can enhance environmental

17  outcomes and expedite essential reductions in greenhouse gas

# H.B. NO. 787

1 emissions by leveraging its purchasing power. By incorporating

2 emissions data from the entire supply chain and product life

3 cycle into procurement decisions, Hawaii can use this

4 information to guide its spending to protect public health and

5 the environment and ensure a livable climate.

6 The legislature also finds that upstream industrial

7 greenhouse gas emissions from the lifecycle of construction

8 materials are an untapped area for decarbonization. Multiple

9 states, including California, Colorado, Oregon, and Washington,

10 have addressed these emissions by adopting "buy clean"

11 initiatives. The "buy clean" programs in these states require

12 environmental product declarations for each eligible material

13 used in the construction of capital public projects and direct

14 state agencies to prioritize bids that use materials with the

15 lowest global warming potential.

16 California's Buy Clean California Act is established in

17 public contract code sections 3500-3505 and sets a maximum

18 acceptable global warming potential for construction materials,

19 including carbon steel rebar, structural steel, glass, and

20 mineral wool board insulation, and requires materials in

1 contracted projects to fall below the maximum acceptable global

2 warming potential.

3      Section 24-92-117, Colorado Revised Statutes, establishes a

4 buy clean program that sets a maximum acceptable global warming

5 potential for construction materials, including asphalt,

6 concrete and cement, glass, post-tension, reinforcing and

7 structural steel, and wood structural elements, and requires

8 materials in contracted projects to fall below the maximum

9 acceptable global warming potential.

10      Sections 184.879 through 184.884, Oregon Revised Statutes,

11 require environmental product declarations for state

12 transportation projects using concrete, asphalt, or steel and

13 require the applicable department to establish a program to

14 decrease the emissions of the eligible materials used in

15 products over time.

16      Washington's "buy clean, buy fair" policy, established by

17 chapter 39.116, Revised Code of Washington, requires an

18 environmental product declaration, health declaration, and

19 supplier code of conduct for contractors on eligible projects.

20 The program also creates a database to track eligible materials'

21 industry-standard global warming potential and forms a working

1  group composed of materials producers to address challenges to

2  producing lower carbon materials.

3      The legislature notes that the Hawaii state energy office's

4  report to the 2024 legislature, "Hawaii Pathways to

5  Decarbonization", pursuant to Act 238, Session Laws of Hawaii

6  2022, recommended adopting a "buy clean" state policy as a key

7  action to achieve a carbon-negative economy.

8      Accordingly, the purpose of this Act is to require the

9  Hawaii climate change mitigation and adaption commission to

10  study the feasibility of implementing a "buy clean" state policy

11  and program including an analysis of best practices and

12  standards informed by scientific evidence.

13      SECTION 2.  The Hawaii climate change mitigation and

14  adaption commission shall, with administrative and substantive

15  support from the department of land and natural resources, study

16  the feasibility of implementing a "buy clean" decarbonization

17  state policy and program in Hawaii, including an analysis of

18  available scientific evidence, potential frameworks, best

19  practices, standards, and implications.  The commission shall

20  submit a report of its findings and recommendations, including

21  any proposed legislation, to the legislature no later than

1 twenty days prior to the convening of the regular session of

2 2027.

3     SECTION 3.  There is appropriated out of the general

4 revenues of the State of Hawaii the sum of $        or so much

5 thereof as may be necessary for fiscal year 2025-2026 for the

6 Hawaii climate change mitigation and adaption commission to

7 study the feasibility of implementing a "buy clean"

8 decarbonization policy and program in Hawaii pursuant to section

9 2 of this Act.

10     The sum appropriated shall be expended by the department of

11 land and natural resources for the purposes of this Act.

12     SECTION 4.  This Act shall take effect on July 1, 2025.

13

INTRODUCED BY: _Nicole E. Lowen_____

JAN 1 7 2025

**Report Title:**
DLNR; Climate Commission; Study; Decarbonization; Carbon; Standards; Buy Clean; Procurement; Construction Materials; Appropriation

**Description:**
Requires the Hawaii Climate Change Mitigation and Adaption Commission to study the feasibility of implementing a "buy clean" decarbonization policy and program in Hawaii. Requires administrative and substantive support from the Department of Land and Natural Resources. Appropriates moneys.

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