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# A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1           SECTION 1. The legislature finds that the climate crisis  
2 is the overriding challenge of the twenty-first century,  
3 presenting significant threats to the environment, public  
4 health, and economic stability of the State.

5           In 2024, the department of transportation reached an  
6 unprecedented settlement in the *Navahine v. Hawaii Department of*  
7 *Transportation* constitutional climate lawsuit, underscoring the  
8 State's commitment to addressing climate change through  
9 responsible governance and innovative solutions. The settlement  
10 further emphasized the importance of ensuring that future  
11 generations and youth will inherit a life-sustaining climate  
12 with access to the same diversity and cultural resources enjoyed  
13 by previous generations.

14           The legislature recognized in Act 32, Session Laws of  
15 Hawaii 2017 (Act 32), that on December 12, 2015, one hundred  
16 ninety-five countries at the 21st Conference of the Parties of  
17 the United Nations Framework Convention on Climate Change



1 adopted an agreement addressing greenhouse gas emissions  
2 mitigation, adaptation, and finance starting in the year 2020,  
3 known as the Paris Agreement. Act 32 further documented the  
4 State's commitment to implement the goals of the Paris  
5 Agreement, demonstrating the State's proactive stance in  
6 contributing to global climate mitigation efforts by  
7 systematically reducing greenhouse gas emissions.

8 Furthermore, the United States has set ambitious,  
9 nationally determined contributions under the Paris Agreement,  
10 aiming to significantly reduce national greenhouse gas  
11 emissions. In December 2023, the Hawaii state energy office  
12 completed the first Hawai'i Pathways to Decarbonization report to  
13 estimate sector and category-level projections of greenhouse gas  
14 emissions necessary to reach the overarching emissions target  
15 established in section 225P-5, Hawaii Revised Statutes, by Act  
16 238, Session Laws of Hawaii 2022. Through this work, sector-  
17 specific targets can be derived, providing a clearer roadmap for  
18 achieving comprehensive emissions reductions across all sectors  
19 of the State's economy.

20 The legislature further finds that the current overarching  
21 targets established within section 225P-5, Hawaii Revised



1 Statutes, are consistent with the nationally determined  
2 contributions but can be strengthened by providing more  
3 specificity and clarity. Similarly, the responsibilities and  
4 powers of the Hawaii climate change mitigation and adaptation  
5 commission could be updated to better address the environmental  
6 threats facing the State.

7 Accordingly, the purpose of this Act is to:

- 8 (1) Establish an executive committee and amend the  
9 membership and duties of the Hawaii climate change  
10 mitigation and adaptation commission;
- 11 (2) Require each member agency of the Hawaii climate  
12 change mitigation and adaptation commission to  
13 implement its own actions to address certain  
14 strategies and goals established by the commission;
- 15 (3) Establish reporting and review requirements for member  
16 agencies relating to climate change mitigation and  
17 adaptation efforts and clean economy targets;
- 18 (4) Update reporting requirements for the sea level rise  
19 vulnerability and adaptation reports;



1 (5) Allow the Hawaii climate change mitigation and  
2 adaptation commission to enter into certain  
3 procurement contracts; and

4 (6) Update the zero emissions clean economy target.

5 SECTION 2. Section 225P-2, Hawaii Revised Statutes, is  
6 amended by adding twelve new definitions to be appropriately  
7 inserted and to read as follows:

8 "Anthropogenic greenhouse gas emissions" means the release  
9 of greenhouse gases into the atmosphere as a direct result of  
10 human activities generated through sources including but not  
11 limited to fuel combustion, industrial operations,  
12 deforestation, agricultural practices, and waste management.

13 "Carbon sink" means any process, activity, or mechanism  
14 that removes greenhouse gases, an aerosol, or a precursor of a  
15 greenhouse gas from the atmosphere.

16 "Emission leakage" means the net increase of anthropogenic  
17 greenhouse gas emissions occurring outside an established  
18 inventory system boundary in one location or sector that results  
19 from efforts to reduce greenhouse gas emissions in another  
20 location or sector.



1 "Greenhouse gas" means any gas in the atmosphere that traps  
2 or emits heat and results in increasing the Earth's surface  
3 temperatures. "Greenhouse gas" includes carbon dioxide,  
4 methane, nitrous oxide, and fluorinated gases.

5 "Greenhouse gas emission" means the production or release  
6 of greenhouse gases from human activities including but not  
7 limited to the burning of carbon-based fuels, the release of  
8 gases from certain chemical reactions, the release and leakage  
9 of refrigerants, the application of fertilizer, or  
10 deforestation.

11 "Greenhouse gas emissions inventory" means the statewide  
12 greenhouse gas emissions inventory report published by the  
13 department of health pursuant to section 342B-71.

14 "Greenhouse gas emitting category" means the various  
15 economic sub-classifications within each sector as defined by  
16 the Intergovernmental Panel on Climate Change of the United  
17 Nations.

18 "Greenhouse gas emitting sector" means the various economic  
19 classifications that contribute to greenhouse gas emissions,  
20 including the energy, transport, buildings, industry,  
21 agriculture, forestry, and waste management sectors, as



1 determined by the Intergovernmental Panel on Climate Change of  
2 the United Nations.

3 "Greenhouse gas reservoir" means a physical unit or  
4 component of the biosphere, geosphere, or hydrosphere with the  
5 capability to store, accumulate, or release a greenhouse gas  
6 removed from the atmosphere by a greenhouse gas sink or a  
7 greenhouse gas captured from a greenhouse gas emission source.

8 "Member agency" mean any state or county agency represented  
9 by a member of the commission pursuant to section 225P-3(c).

10 "Member state agency" mean any state agency represented by  
11 a member of the commission pursuant to section 225P-3(c).

12 "Net greenhouse gas emission" means the estimated balance  
13 between the emissions produced or released into the atmosphere,  
14 subtracted from the emissions sequestered through natural and  
15 technological processes, or the sum of emissions sources and  
16 sinks."

17 SECTION 3. Section 225P-3, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 **"§225P-3 Hawaii climate change mitigation and adaptation**  
20 **commission; general functions, duties, and powers. (a) There**  
21 **is established the Hawaii climate change mitigation and**



1 adaptation commission that shall be placed within the department  
2 of land and natural resources for administrative purposes only.

3 (b) ~~[Coordination of the]~~ The commission shall be ~~[headed~~  
4 ~~jointly by the chairperson of the board of land and natural~~  
5 ~~resources, or the chairperson's designee, and the director of~~  
6 ~~the office of planning and sustainable development, or the~~  
7 ~~director's designee.]~~ headed by a five-member executive  
8 committee, to be elected annually from among the members of the  
9 commission at its first meeting of the calendar year. The  
10 executive committee shall consist of:

11 (1) One of the commission members described in subsection

12 (c) (1);

13 (2) Two of the commission members described in subsection

14 (c) (2) to (14);

15 (3) One of the commission members described in subsection

16 (c) (15); and

17 (4) One of the commission members described in subsection

18 (c) (2), (4), (6), (8), (9), (10), (12), or (13) that

19 is not elected under paragraph (2).

20 (c) The commission shall include the following members:



- 1           (1) The chairs of the standing committees of the  
2           legislature with subject matter jurisdiction  
3           encompassing environmental protection, climate  
4           mitigation, transportation, and land use;
- 5           (2) The chairperson of the board of land and natural  
6           resources or the chairperson's designee [~~, who shall be~~  
7           ~~the co-chair of the commission~~];
- 8           (3) The director of the office of planning and sustainable  
9           development or the director's designee [~~, who shall be~~  
10          ~~the co-chair of the commission~~];
- 11          (4) The director of business, economic development, and  
12          tourism or the director's designee;
- 13          (5) The chairperson of the board of directors of the  
14          Hawaii tourism authority or the chairperson's  
15          designee;
- 16          (6) The chairperson of the board of agriculture and  
17          biosecurity or the chairperson's designee;
- 18          (7) The chief executive officer of the office of Hawaiian  
19          affairs or the officer's designee;
- 20          (8) The chairperson of the Hawaiian homes commission or  
21          the chairperson's designee;



- 1 (9) The director of transportation or the director's  
2 designee;
- 3 (10) The director of health or the director's designee;
- 4 (11) The ~~[adjutant general]~~ administrator of the Hawaii  
5 emergency management agency or the ~~[adjutant~~  
6 ~~general's]~~ administrator's designee;
- 7 (12) The ~~[chairperson]~~ superintendent of ~~[the board of]~~  
8 education or the ~~[chairperson's]~~ superintendent's  
9 designee;
- 10 ~~[-(13) The directors of each of the county planning~~  
11 ~~departments, or the directors' designees; and~~
- 12 ~~-(14)]~~ (13) The ~~[manager of the coastal zone management~~  
13 ~~program.]~~ comptroller or the comptroller's designee;
- 14 (14) The chief energy officer or the officer's designee;  
15 and
- 16 (15) The directors of each of the county planning  
17 departments, or the directors' designees.
- 18 (d) In addition to the members listed in subsection (c),  
19 the ~~[chairs of the commission]~~ executive committee may request  
20 ~~[the participation or input of]~~ members of the public; experts  
21 in the field; ~~[and]~~ county, state, or federal officials ~~[or]~~;



1 and others as necessary[-] to participate in or provide input to  
2 the commission.

3 (e) The members of the commission shall serve without pay  
4 but shall be reimbursed for their actual and necessary expenses,  
5 including travel expenses, incurred in carrying out their  
6 duties.

7 (f) The commission shall provide policy direction,  
8 facilitation, coordination, and planning among state and county  
9 agencies, federal agencies, and other partners as appropriate.

10 (g) The commission shall establish climate change  
11 mitigation and adaptation strategies and goals to help guide  
12 planning and implementation statewide using the latest  
13 scientific analysis and risk assessment to monitor and forecast  
14 climate change related impacts at the regional, state, and local  
15 level, including any additional information deemed necessary.  
16 Each member agency shall implement actions within its own agency  
17 to address the strategies and goals established by the  
18 commission.

19 (h) The commission shall identify vulnerable people,  
20 communities, industries, ecosystems, and the potential economic



1 and public health ramifications for climate change related  
2 impacts.

3 (i) The commission shall identify existing climate change  
4 mitigation and adaptation efforts at the federal, state, and  
5 local levels and make recommendations [~~for how~~] and determine  
6 direct actions needed to meet or exceed Hawaii's state  
7 mitigation goals and shall adopt a liberal approach in  
8 preparation, so as to minimize future risk to the people and  
9 environment of Hawaii.

10 (j) The commission shall assess the capacity and  
11 availability of existing resources and identify new sources of  
12 revenue necessary to address climate change mitigation and  
13 adaptation and shall advise the governor, legislature, and  
14 counties on the economic and budgetary ramifications of climate  
15 change impacts, mitigation, and adaptation.

16 (k) The commission shall identify the information  
17 necessary to track progress in implementing climate change  
18 mitigation and adaptation efforts and shall submit an annual  
19 report to the governor and legislature no later than twenty days  
20 prior to the convening of each regular session of the  
21 legislature.



1 (1) The commission shall maintain a website that includes  
2 a mission statement as well as access to climate change related  
3 actions, plans, policies, and results.

4 (m) The commission shall conduct a comprehensive review of  
5 the implementation as required by this section and submit a  
6 report to the governor, legislature, and the counties no later  
7 than twenty days prior to the convening of the regular session  
8 of 2023 and every five years thereafter. Each member agency  
9 shall identify information necessary to track progress in  
10 implementing climate change mitigation and adaptation efforts,  
11 select implementation actions that align with the agency's  
12 primary purpose, and submit to the commission a comprehensive  
13 review of its implementation actions and progress no later than  
14 twenty days prior to the convening of the regular session of  
15 2028 and every five years thereafter. The commission shall  
16 assist member agencies with the documentation requirements  
17 specific to each agency and make the reports publicly available.

18 (n) The commission shall [~~as a first step, focus on and~~  
19 ~~develop~~] maintain and publish sea level rise vulnerability and  
20 adaptation reports that shall include:



- 1 (1) Identification of the major areas of sea level rise  
2 impacts affecting the State and counties through  
3 2050[+] and shall publish updated reports as these  
4 impacts over a fifty-year planning horizon are  
5 identified;
- 6 (2) Identification of expected impacts of sea level rise  
7 based on the latest scientific research for each area  
8 through 2050[+] and shall publish updated reports as  
9 these expected impacts over a fifty-year planning  
10 horizon are identified;
- 11 (3) Identification of the economic ramifications of sea  
12 level rise;
- 13 (4) Identification of applicable federal laws, policies,  
14 or programs that impact affected areas; and
- 15 (5) Recommendations for planning, management, and  
16 adaptation for hazards associated with increasing sea  
17 level rise.

18 The [~~reports shall be made publicly available no later than~~  
19 ~~December 31, 2017, and the~~] commission shall reevaluate and  
20 update the 2017 sea level rise vulnerability and adaptation  
21 report every five years.



1 (o) In developing the report, pursuant to subsection (n),  
2 the commission shall:

3 (1) Solicit public views and concerns; and

4 (2) Coordinate with the various county, state, and federal  
5 agencies involved in ongoing climate change adaptation  
6 planning initiatives.

7 (p) The commission may enter into contracts for the  
8 procurement of goods and services to advance climate change  
9 mitigation and adaptation."

10 SECTION 4. Section 225P-5, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 "**§225P-5 Zero emissions clean economy target.** (a)  
13 Considering [~~both atmospheric carbon and~~] all in-state  
14 anthropogenic greenhouse gas emissions as well as [~~offsets~~]  
15 carbon sink capacity from the local in-state sequestration of  
16 atmospheric carbon [~~and greenhouse gases~~] through long-term  
17 carbon sinks and greenhouse gas reservoirs, a statewide net  
18 greenhouse gas emission target is hereby established to  
19 sequester more atmospheric carbon and greenhouse gases than  
20 [~~emitted~~] anthropogenic greenhouse gas emissions within the  
21 State as quickly as practicable [~~, but no later than 2045;~~



1 ~~provided that the statewide target includes a greenhouse gas~~  
2 ~~emissions limit, to be achieved no later than].~~

3 The net greenhouse gas emissions target shall be as  
4 follows:

5 (1) By December 31, 2030, [of] statewide net greenhouse  
6 gas emissions shall be at least fifty per cent below  
7 the level of the statewide net greenhouse gas  
8 emissions in 2005[-], as determined by the greenhouse  
9 gas emissions inventory; and

10 (2) By December 31, 2045, statewide net greenhouse gas  
11 emissions shall be no greater than zero.

12 (b) The commission shall work:

13 (1) With stakeholders in all greenhouse gas emitting  
14 sectors and categories to develop and inform science-  
15 based targets in those sectors and categories; and

16 (2) To ensure that all member agencies avoid emission  
17 leakage resulting from policies, projects, and  
18 programs implemented to achieve the targets  
19 established pursuant to this section.

20 ~~[-(b)]~~ (c) ~~The [Hawaii climate change mitigation and~~  
21 ~~adaptation]~~ commission shall [endeavor to] provide policy and



1 program guidance to member agencies and non-governmental  
2 agencies on the actions needed to achieve the goals of this  
3 section.

4 (d) After January 1, [2020,] 2027, member state agency  
5 plans, decisions, including procurement decisions, and  
6 strategies shall [give consideration to] consider the impact of  
7 those plans, decisions, and strategies on the State's ability to  
8 achieve the [goals] targets outlined in this section, weighed  
9 appropriately against their primary purpose.

10 (e) Each member agency shall submit to the commission and  
11 include in its annual report to the legislature and governor  
12 pursuant to section 225P-3(k) a summary of actions taken, or not  
13 taken, to help the State meet the established clean economy  
14 targets. The commission shall develop a standardized reporting  
15 template to facilitate reporting for member agencies."

16 SECTION 5. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

Hawaii Climate Change Mitigation and Adaptation Commission;  
Duties; Executive Committee; Member Agencies; Reports; Sea Level  
Rise Vulnerability and Adaptation Reports; Zero Emissions Clean  
Economy Target

**Description:**

Establishes an executive committee and amends the membership and  
duties of the Hawaii Climate Change Mitigation and Adaptation  
Commission (Commission). Requires each member agency of the  
Commission to implement its own actions to address certain  
strategies and goals established by the Commission. Establishes  
reporting and review requirements for member agencies relating  
to climate change mitigation and adaptation efforts and clean  
economy targets. Updates reporting requirements for the Sea  
Level Rise Vulnerability and Adaptation reports. Allows the  
Commission to enter into certain procurement contracts. Updates  
the zero emissions clean economy target. Effective 7/1/3000.  
(HD1)

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not legislation or evidence of legislative intent.*

