THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 1016

JAN 17 2025

A BILL FOR AN ACT

RELATING TO DECARBONIZATION.

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

SECTION 1. The legislature finds that reducing carbon emissions is necessary to combat the ongoing climate crisis. The legislature enacted statutory goals outlined in section 225P-5, Hawaii Revised Statutes, to sequester more atmospheric carbon and greenhouse gases than emitted within the State as quickly as practicable, but no later than 2045; provided that the statewide target includes a greenhouse gas emissions limit, to be achieved no later than 2030, of at least fifty per cent below the level of the statewide greenhouse gas emissions in 2005.

The legislature has determined that, although the State is committed to reducing carbon and greenhouse gas emissions, current regulations and actions do not effectively promote the use of public funds for infrastructure projects in a manner that aligns with the State's goals for reducing these emissions. The legislature further finds that Hawaii can enhance environmental outcomes and expedite essential reductions in greenhouse gas

emissions by leveraging its purchasing power. By incorporating emissions data from the entire supply chain and product life cycle into procurement decisions, Hawaii can use this information to guide its spending to protect public health and the environment and ensure a livable climate.

The legislature also finds that upstream industrial greenhouse gas emissions from the lifecycle of construction materials are an untapped area for decarbonization. Multiple states, including California, Colorado, Oregon, and Washington, have addressed these emissions by adopting "buy clean" initiatives. The "buy clean" programs in these states require environmental product declarations for each eligible material used in the construction of capital public projects and direct state agencies to prioritize bids that use materials with the lowest global warming potential.

California's Buy Clean California Act is established in public contract code sections 3500-3505 and sets a maximum acceptable global warming potential for construction materials, including carbon steel rebar, structural steel, glass, and mineral wool board insulation, and requires materials in

contracted projects to fall below the maximum acceptable global warming potential.

Section 24-92-117, Colorado Revised Statutes, establishes a buy clean program that sets a maximum acceptable global warming potential for construction materials, including asphalt, concrete and cement, glass, post-tension, reinforcing and structural steel, and wood structural elements, and requires materials in contracted projects to fall below the maximum acceptable global warming potential.

Sections 184.879 through 184.884, Oregon Revised Statutes, require environmental product declarations for state transportation projects using concrete, asphalt, or steel and require the applicable department to establish a program to decrease the emissions of the eligible materials used in products over time.

Washington's "buy clean, buy fair" policy, established by chapter 39.116, Revised Code of Washington, requires an environmental product declaration, health declaration, and supplier code of conduct for contractors on eligible projects. The program also creates a database to track eligible materials' industry-standard global warming potential and forms a working

group composed of materials producers to address challenges to producing lower carbon materials.

The legislature notes that the Hawaii state energy office's report to the 2024 legislature, "Hawaii Pathways to Decarbonization", pursuant to Act 238, Session Laws of Hawaii 2022, recommended adopting a "buy clean" state policy as a key action to achieve a carbon-negative economy.

Accordingly, the purpose of this Act is to require the Hawaii climate change mitigation and adaption commission to study the feasibility of implementing a "buy clean" state policy and program including an analysis of best practices and standards informed by scientific evidence.

SECTION 2. The Hawaii climate change mitigation and adaption commission shall, with administrative and substantive support from the department of land and natural resources, study the feasibility of implementing a "buy clean" decarbonization state policy and program in Hawaii, including an analysis of available scientific evidence, potential frameworks, best practices, standards, and implications. The commission shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than

twenty days prior to the convening of the regular session of 2027.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $ or so much thereof as may be necessary for fiscal year 2025-2026 for the Hawaii climate change mitigation and adaption commission to study the feasibility of implementing a "buy clean" decarbonization policy and program in Hawaii pursuant to section 2 of this Act.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

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

INTRODUCED BY: _____

S.B. NO. 1016

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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