

H.B. NO. 2396

A BILL FOR AN ACT

RELATING TO FOREST STEWARDSHIP.

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

1 SECTION 1. Section 183-16, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§183-16** ~~[Income]~~ Revenue from forest reserves. ~~[(a)]~~

4 Any moneys accrued from:

- 5 (1) The harvest of non-native forest products from forest
6 reserves;
- 7 (2) The harvest of native forest products from degraded
8 forests as defined in section 186-5.5, within forest
9 reserves;
- 10 (3) The sale of forest products found dead and lying on
11 the ground; ~~[e]~~
- 12 (4) The sale of tree seedlings from state nurseries;
- 13 (5) The sale of any other products, services, or values
14 derived from forest reserves not described above; or
- 15 (6) The imposition of fines or penalties for violations of
16 chapters 183, 185, and 195F or any rule adopted
17 thereunder,

1 (6) The imposition of fines or penalties for violations of
2 chapters 183, 185, and 195F or any rule adopted
3 thereunder,

4 shall be deposited into the forest stewardship fund.

5 [~~(b) Any other moneys accrued from any forest reserve or~~
6 ~~the products thereof shall be deposited into the general fund.]"~~

7 SECTION 2. Section 195F-4, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) There is established a special fund within the state
10 treasury known as the forest stewardship fund which shall be used
11 as follows:

12 (1) Payments shall be made by the board pursuant to
13 agreements entered into with qualified landowners to
14 further the purposes of this chapter;

15 (2) Moneys collected from [the]:

16 (A) The harvest of non-native forest products from
17 forest reserves [~~7~~ ~~from the~~];

18 (B) The harvest of native forest products from
19 degraded forests as defined in section 186-5.5,
20 within forest reserves [~~7~~ ~~from~~];

21 (C) The sale of forest products found dead and lying
22 on the ground [~~7~~ ~~or from the~~];

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1 (D) The sale of tree seedlings from [the] state
2 nurseries~~[7]~~;

3 (E) The sale of any other products, services, or
4 values derived from forests reserves not
5 described above; or

6 (F) The imposition of fines or penalties for
7 violations of chapter 183, 185, and 195F or any
8 rule adopted thereunder;

9 shall be used for [~~the following activities: (A)~~
10 ~~Replanting,~~] (i) replanting, managing, and maintaining
11 designated timber management areas; [~~(B) Enhancing~~]
12 (ii) enhancing the management of public forest reserves
13 with an emphasis on restoring degraded koa forests; and
14 [~~(C) Developing~~] (iii) developing environmental
15 education and training programs pertaining to
16 sustainable forestry; provided that the activities
17 described in [~~subparagraphs (B) and (C)]~~ clauses (ii)
18 and (iii) may not be funded unless the activities
19 described in approved management plans pertaining to
20 [~~subparagraph (A)]~~ clause (i) are adequately funded;
21 and

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1 (3) Moneys deposited into the fund as authorized by section
2 247-7 may also be used by the department to administer
3 the program[-] and manage the forest reserve system."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2006.

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8 INTRODUCED BY: Calvin K. Say
9 BY REQUEST
10 JAN 23 2006
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JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO FOREST STEWARDSHIP.

PURPOSE: To allow revenue derived from forest reserves to be deposited into the Forest Stewardship Fund for management of the State Forest Reserve System.

MEANS: Amend sections 183-16 and 195F-4(a), Hawaii Revised Statutes.

JUSTIFICATION: General fund support for the Department's Forest Products Program has declined 40 percent over the past 13 years with a corresponding decline in ability to provide public services and perform core functions within the State Forest Reserve System. This bill establishes public policy where revenue generated from the products, services, and values in forest reserves and harvest of trees and forest products can be reinvested back into the State Forest Reserve System to support its maintenance and improvement for the public benefit. This would allow the Department to become more proactive in generating revenue from forest reserves and improved management of the State Forest Reserve System.

Presently, revenue for deposit in the Forest Stewardship Fund is essentially limited to sales of timber from forest reserves or seedlings from state tree nurseries. This bill would authorize the deposit of additional categories of revenue including but not be limited to: fines; sand, cinder or rock mining; cabin rental fees; camping permits; ecotourism activities; utility rights-of-way; watershed or hydrological values; temporary grazing; film, special use, and other permit fees; etc. The revenues generated from these sources could

be used to maintain cabins, campgrounds, road access, signage, fences, viewpoints, and public use facilities.

Impact on the public: Allows the Department to improve and provide additional services for camping and other recreation activities, as well as improve the capability to maintain forest reserve fence lines adjacent to other landowners.

Impact on the department and other agencies: This bill will provide an additional source of funding to the Department to maintain, monitor, and manage the State Forest Reserve System.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: LNR 172.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: July 1, 2006.