

JAN 25 2010

A BILL FOR AN ACT

RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT SPECIAL FUND.

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

1 SECTION 1. Chapter 199, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§199- Conservation and resources enforcement special
5 fund; established. (a) There is hereby established in the
6 treasury of the State a special fund known as the conservation
7 and resources enforcement special fund, which shall be
8 administered by the department of land and natural resources.

9 (b) The following shall be deposited into the conservation
10 and resources enforcement special fund:

11 (1) Grants, awards, donations, gifts, transfers, or moneys
12 derived from public or private sources for the
13 purposes of enforcing the provisions of title 12,
14 chapters 6D, 6E, and 6K, or any rule adopted
15 thereunder;

16 (2) Fees, reimbursements, administrative charges, and
17 penalties collected for activities related to the

S.B. NO. 2737

- 1 enforcement of natural, cultural, and historic
2 resources protection laws and rules;
- 3 (3) Moneys derived from interest, dividends, or other
4 income from the above sources; and
- 5 (4) Appropriations by the legislature to this special
6 fund.
- 7 (c) The conservation and resources enforcement special
8 fund shall be used for the following:
- 9 (1) Expenditures including but not limited to training,
10 research, equipment, preparation and dissemination of
11 information to the public, data collection and
12 development, information technology, safety, wireless
13 communication, management, travel, equipment rental,
14 repairs, planning, information, education, operations,
15 maintenance functions authorized and deemed necessary
16 by the department, and funding for consultants or
17 contractual hires, related to the enforcement of title
18 12, chapters 6D, 6E, and 6K, or any rule adopted
19 thereunder, and;
- 20 (2) Expenditures including but not limited to training,
21 research, equipment, preparation and dissemination of
22 information to the public, data collection and

1 development, information technology, safety, wireless
2 communication, management, travel, equipment rental,
3 repairs, planning, information, education, operations,
4 maintenance functions authorized and deemed necessary
5 by the department, and funding for consultants or
6 contractual hires, related to work performed in
7 cooperation with enforcement authorities of the State,
8 the counties, and the federal government.

9 (d) The fund shall be held separate and apart from all
10 other moneys, funds, and accounts in the department of land and
11 natural resources, except that any moneys received from the
12 federal government or from private contributions shall be
13 deposited and accounted for in accordance with conditions
14 established by the department of land and natural resources and
15 agencies or persons from whom the moneys are received. Any
16 balance remaining in the fund at the end of any fiscal year
17 shall be carried forward in the fund for the next fiscal year."

18 SECTION 2. There is appropriated out of the conservation
19 and resources enforcement special fund the sum of \$250,000, or
20 so much thereof as may be necessary, for fiscal year 2010-2011
21 for the purposes of covering expenses related to enforcing

S.B. NO. 2737

1 natural, cultural, and historic resources protection laws and
2 rules.

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

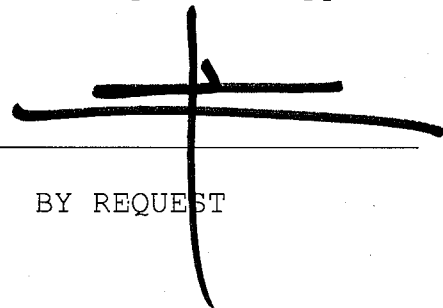
5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: _____

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9

BY REQUEST

Report Title:

Conservation and Resources Enforcement Special Fund

Description:

Establishes the Conservation and Resources Enforcement Special Fund in the Department of Land and Natural Resources for the purpose of setting aside monies to be used toward the protection of the State's natural resources.

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT SPECIAL FUND.

PURPOSE: To establish the Conservation and Resources Enforcement Special Fund in the Department for the purpose of setting aside moneys to be used toward the protection of the State's natural resources.

MEANS: Add a new section to chapter 199, Hawaii Revised Statutes.

JUSTIFICATION: At the current time, the Department's Division of Conservation and Resources Enforcement (DOCARE) has been approached by private grant-funding sources that are interested in partnering with DOCARE to improve natural, cultural, and historic resources, public education, and information, as well as providing an opportunity to enhance enforcement operations. However, the Department does not have a special fund to receive and access moneys that could directly support DOCARE program activities.

This bill would establish a Conservation and Resources Enforcement Special Fund to receive supplemental funding from various sources, for the enforcement of state, county, or federal laws relating to natural, cultural, and historic resources management and protection.

Impact on the public: This bill would benefit the public through the enhancement of our enforcement program and by increasing opportunities for better compliance through an improved public information and education program.

Impact on the department and other agencies:
This bill will strengthen the Department's efforts to enforce existing resources protection measures.

GENERAL FUND: None.

OTHER FUNDS: \$250,000 in special funds for Fiscal Year 2010-2011.

PPBS PROGRAM
DESIGNATION: LNR 405

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.