
A BILL FOR AN ACT

RELATING TO GOVERNMENT.

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

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PART I

SECTION 1. (a) The purpose of this Act is to:

- (1) Promote economic development for local food and energy businesses by providing necessary funding, guidance, and infrastructure;
- (2) Ensure Hawaii is energy and food self-sufficient and sustainable to the maximum extent feasible; and
- (3) Help Hawaii's natural resources and population adapt and be resilient to the inevitable challenges brought on by climate change caused by carbon dioxide and other greenhouse gas emissions from burning fossil fuels.

Hawaii is at a crossroads. As the most geographically isolated state in the country, we are dangerously dependent on imports for basic food and energy. We import about eighty-five per cent of our food and ninety-five per cent of our energy. It has been estimated that Hawaii exported \$8,600,000,000 for food and oil in 2008, and every dollar exported is a lost opportunity



1 to support and invest in local businesses. Our dependence on
2 imports also exposes residents and businesses to volatile food
3 and energy costs as oil prices fluctuate.

4 In addition, the mass consumption of fossil fuels, driven
5 by our dependence on food and energy imports, contributes to
6 climate change and the deterioration of the environment,
7 including severe storm events, less rainfall, warmer
8 temperatures that favor invasive species, a rise in sea levels,
9 and ocean acidification that hampers coral growth. These
10 climate changes will likely impose major, but not fully
11 understood, costs and other impacts on Hawaii's people and the
12 natural capital we depend upon to support our lives in the
13 middle of the Pacific Ocean. Nowhere is it more obvious than in
14 remote island chains like Hawaii that our lives and the economy
15 are intertwined with the health and function of the natural
16 world around us.

17 Although Hawaii has available renewable resources like
18 solar, wind, ocean, and geothermal energy, we as a community
19 have not taken full advantage of alternative-energy and energy-
20 efficiency solutions to make the state more energy-independent.
21 As an example, despite year-round sunshine, only thirty per cent
22 of Hawaii's residents have solar water heaters.



1 Similarly, many acres of highly productive agricultural
2 lands are not being farmed. Currently, Hawaii has a fresh
3 supply of produce for no more than ten days. Ninety per cent of
4 the beef, sixty-seven per cent of fresh vegetables, sixty-five
5 per cent of fresh fruits, and seventy per cent of all milk
6 consumed in the State are imported. While Hawaii may never
7 produce one hundred per cent of its food, the risks and costs to
8 society for dependence on imported food cannot be ignored.

9 Like energy, producing local food would reduce Hawaii's
10 demand for fossil fuels, keep money in our community, and
11 decrease the State's vulnerability to food-supply disruptions
12 caused by natural disasters or worldwide economic events.

13 Now is the time for bold action to squarely address
14 Hawaii's energy and food requirements and plan for and address
15 the inevitable effects of climate change. It will require long-
16 term commitment, dedication, and the investment of capital and
17 human resources by government, the private sector, and Hawaii's
18 people to dramatically shift our present course of importing
19 food and energy toward a more energy-independent and
20 agriculturally sustainable society. As a state and as a people,
21 we must decide whether we will continue to be dependent on
22 external sources for our basic needs, or whether we will build,



1 invest in, and develop the capacity to become food- and energy-
2 independent.

3 The legislature finds that it is in the best interests of
4 Hawaii's people to build the capacity we need to become energy-
5 and food-self-sufficient and protect the health and function of
6 our environment. As discussed in the "Hawaii 2050
7 Sustainability Plan" and the "Hawaii Clean Energy Initiative,"
8 Hawaii has all the necessary assets to significantly improve the
9 state's energy and food sustainability and independence over the
10 next twenty years if appropriate personnel resources and funding
11 are used wisely. To succeed, the State must ensure that our
12 long-term strategy is well-resourced, coordinated, and focused.

13 This Act creates a Hawaii economic development task force
14 to accelerate and support public and private efforts to make
15 Hawaii energy- and food-self-sufficient, consistent with the
16 "Hawaii 2050 Sustainability Plan," the "Hawaii Clean Energy
17 Initiative," and other government and community planning
18 efforts. The Hawaii economic development task force shall:

19 (1) Recommend priorities for government agencies and the
20 legislature to consider in determining how funds may
21 be allocated;



1 (2) Develop new or modify existing strategies to implement
2 and achieve the purposes of this Act; and

3 (3) Identify the economic development, workforce, and
4 consumer-education issues relating to the production
5 of food and energy.

6 The legislature intends for the Hawaii economic development
7 task force to take an interdisciplinary approach to seeking the
8 most efficient and effective pathways for interagency
9 coordination. The Hawaii economic development task force shall
10 work collaboratively with all levels of government and the
11 private and nonprofit sectors to address water, land,
12 regulatory, and natural-resource issues intertwined with food
13 and fuel production. This approach ensures that energy and food
14 policy development will be integrated within the overall
15 economic, social, environmental, and cultural aspects of
16 society. With an understanding of these overlapping goals and
17 resources, the State can maximize the opportunities to ensure
18 food and energy security for generations to come.

19 (b) This Act also:

20 (1) Establishes a clean energy initiative to manage the
21 state's transition to a clean energy economy;



1 (2) Establishes an agricultural development and food
2 security special fund to fund activities intended to
3 increase agricultural production or processing that
4 may lead to reduced importation of food, fodder, or
5 feed from outside the State; and

6 (3) Appropriates funds for the climate change task force
7 established under Act 20, Special Session Laws of
8 Hawaii 2009, to study the effects global warming will
9 have on the economic well-being, public health,
10 natural resources, and environment of Hawaii.

11 The legislature finds that undertaking this important task
12 of energy and food security requires a long-term commitment and
13 the investment of substantial financial resources. To that end,
14 this Act also increases the per-barrel tax on petroleum products
15 under the environmental response, energy, and food security tax,
16 formerly known as the environmental response tax, and it
17 appropriates funds from that tax for the energy and food
18 security initiatives established by this Act.

19 **PART II**

20 ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX

21 SECTION 2. Section 128D-2, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "§128D-2 Environmental response revolving fund; uses.

2 (a) There is created within the state treasury an environmental
3 response revolving fund, which shall consist of moneys
4 appropriated to the fund by the legislature, moneys paid to the
5 fund as a result of departmental compliance proceedings, moneys
6 paid to the fund pursuant to court-ordered awards or judgments,
7 moneys paid to the fund in court-approved or out-of-court
8 settlements, all interest attributable to investment of money
9 deposited in the fund, moneys ~~[generated by]~~ deposited in the
10 fund from the environmental response, energy, and food security
11 tax [established in] pursuant to section 243-3.5, and moneys
12 allotted to the fund from other sources ~~[-; provided that when the~~
13 ~~total balance of the fund exceeds \$20,000,000, the department of~~
14 ~~health shall notify the department of taxation of this fact in~~
15 ~~writing within ten days. The department of taxation then shall~~
16 ~~notify all distributors liable for collecting the tax imposed by~~
17 ~~section 243 3.5 of this fact in writing, and the imposition of~~
18 ~~the tax shall be discontinued beginning the first day of the~~
19 ~~second month following the month in which notice is given to the~~
20 ~~department of taxation. If the total balance of the fund~~
21 ~~thereafter declines to less than \$3,000,000, the department of~~
22 ~~health shall notify the department of taxation which then shall~~



1 ~~notify all distributors liable for collecting the tax imposed by~~
2 ~~section 243 3.5 of this act in writing, and the imposition of~~
3 ~~the tax shall be reinstated beginning the first day of the~~
4 ~~second month following the month in which notice is given to the~~
5 ~~department of taxation].~~

6 (b) Moneys from the fund shall be expended by the
7 department for response actions and preparedness, including
8 removal and remedial actions, consistent with this chapter;
9 provided that the revenues generated by the [~~"environmental~~
10 ~~response tax" and] environmental response, energy, and food
11 security tax deposited into the environmental response revolving
12 fund:~~

13 (1) Shall [~~also~~] be used:

14 (A) For oil spill planning, prevention, preparedness,
15 education, research, training, removal, and
16 remediation; and

17 (B) For direct support for county used oil recycling
18 programs; and

19 [~~(C) For deposit into the energy security special~~
20 ~~fund, established under section 201 12.8, as may~~
21 ~~be appropriated by the legislature; and]~~



1 (2) May also be used to support environmental protection
 2 and natural resource protection programs, including
 3 ~~[but not limited to]~~ energy conservation and
 4 alternative energy development, and to address
 5 concerns related to air quality, global warming, clean
 6 water, polluted runoff, solid and hazardous waste,
 7 drinking water, and underground storage tanks,
 8 including support for the underground storage tank
 9 program of the department and funding for the
 10 acquisition by the State of a soil remediation site
 11 and facility."

12 SECTION 3. Section 201-12.8, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "[+]§201-12.8[+] **Energy security special fund; uses.** (a)

15 There is created within the state treasury an energy security
 16 special fund, which shall consist of:

17 (1) The portion of the environmental response, energy, and
 18 food security tax specified under section 243-3.5;

19 ~~[-(1)]~~ (2) Moneys appropriated to the fund by the
 20 legislature;

21 ~~[-(2)]~~ (3) All interest attributable to investment of money
 22 deposited in the fund; and



1 ~~[(3)]~~ (4) Moneys allotted to the fund from other sources.

2 (b) ~~[Moneys]~~ Subject to legislative appropriation, moneys
3 from the fund ~~[shall]~~ may be expended by the department of
4 business, economic development, and tourism for the following
5 purposes and ~~[shall be]~~ used for no other purposes, except for
6 those set forth in this section:

7 (1) To support ~~[its]~~ the Hawaii clean energy initiative
8 program, including its energy division and projects
9 that ensure dependable, efficient, and economical
10 energy, promote energy self-sufficiency, and provide
11 greater energy security for the ~~[State, and]~~ state;

12 (2) To fund the renewable energy facilitator pursuant to
13 section 201-12.5 and any other positions necessary for
14 the purposes of paragraph (1) as determined by the
15 legislature~~[-]~~; and

16 (3) To fund, to the extent possible, the greenhouse gas
17 emissions reduction task force, climate change task
18 force, grants-in-aid to the economic development
19 boards of each county, and grants-in-aid to economic
20 development agencies of each county to meet the stated
21 objectives of the Hawaii clean energy initiative
22 program.



1 (c) The department of business, economic development, and
2 tourism shall submit a report to the legislature, no later than
3 twenty days prior to the convening of each regular session, on
4 the status and progress of existing programs and activities and
5 the status of new programs and activities funded by the energy
6 security special fund. The report shall also include:

7 (1) The spending plan of the energy security special fund;

8 (2) All expenditures of energy security special fund
9 moneys; and

10 (3) The targeted markets of the expenditures, including
11 the reason for selecting those markets; the persons to
12 be served; and the specific objectives of the
13 expenditures, including measurable outcomes."

14 SECTION 4. Section 243-3.5, Hawaii Revised Statutes, is
15 amended as follows:

16 1. By amending its title and subsection (a) to read:

17 "**§243-3.5 Environmental response, energy, and food**

18 **security tax; uses.** (a) In addition to any other taxes
19 provided by law, subject to the exemptions set forth in section
20 243-7, there is hereby imposed [~~at times provided in section~~
21 ~~428D-2~~] a state environmental response, energy, and food
22 security tax [~~of 5 cents~~] on each barrel or fractional part of a



1 barrel of petroleum product sold by a distributor to any retail
2 dealer or end user~~[,]~~ of petroleum product, other than a
3 refiner~~[, of petroleum product,]~~. The tax shall be \$1.05 on
4 each barrel or fractional part of a barrel of petroleum product
5 that is not aviation fuel; provided that of the tax collected
6 pursuant to this subsection:

- 7 (1) 5 cents of the tax on each barrel shall be [used
8 pursuant to section 128D-2 to address concerns
9 relating to drinking water.] deposited into the
10 environmental response revolving fund established
11 under section 128D-2;
- 12 (2) 55 cents of the tax on each barrel shall be deposited
13 into the energy security special fund established
14 under section 201-12.8;
- 15 (3) 10 cents of the tax on each barrel shall be deposited
16 into the energy systems development special fund
17 established under section 304A-2169; and
- 18 (4) 35 cents of the tax on each barrel shall be deposited
19 into the agricultural development and food security
20 special fund established under section 141-

21 The tax imposed by this subsection shall be paid by the
22 distributor of the petroleum product."



1 2. By amending subsection (c) to read:

2 "(c) Notwithstanding section 248-8 to the contrary, the
3 environmental response, energy, and food security tax collected
4 under this section shall be paid over to the director of finance
5 for deposit [~~into the environmental response revolving fund~~
6 ~~established by section 128D-2.~~] as provided in subsection (a)."

7 SECTION 5. Section 243-7, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§243-7 Tax not applicable, when.** (a) This chapter
10 requiring the payment of license fees shall not be held or
11 construed to apply to fuel imported into the State in interstate
12 or foreign commerce while and so long as such fuel is beyond the
13 taxing power of the State, nor to any such fuel exported or sold
14 to the government of the United States or any department thereof
15 for official use of the government, nor to any fuel exported or
16 sold to another licensed distributor; but every distributor
17 shall be required to report such imports, exports, and sales as
18 provided by this chapter and in such detail as the department of
19 taxation shall require.

20 (b) This chapter shall not apply to the sale of liquid
21 fuel sold or used in the State for ultimate use by an intra-
22 county ferry service that serves a county with a population of



1 less than five hundred thousand residents and that includes at
2 least three islands inhabited by permanent residents.

3 (c) This chapter shall not apply to the sale of a
4 petroleum product that is used by a provider of commercial air
5 transportation to transport persons or property."

6 SECTION 6. Section 304A-2169, Hawaii Revised Statutes, is
7 amended by amending subsection (b) to read as follows:

8 "(b) The special fund shall be funded by:

9 (1) Appropriations from the legislature; [and]

10 (2) The portion of the environmental response, energy, and
11 food security tax specified under section 243-3.5; and

12 [~~2~~] (3) Investment earnings, gifts, donations, or other
13 income received by the [Hawaii natural energy]
14 institute."

15 PART III

16 HAWAII ECONOMIC DEVELOPMENT TASK FORCE

17 SECTION 7. (a) There is established the Hawaii economic
18 development task force within the department of business,
19 economic development, and tourism for administrative purposes.
20 The purpose of the Hawaii economic development task force shall
21 be to facilitate the accelerated adoption and completion of
22 renewable-energy projects, energy-efficiency programs,



1 agricultural infrastructure and development, and other measures
2 to meet the purposes of this Act. The Hawaii economic
3 development task force shall develop and maintain a broad
4 overview of energy and food security issues that apply an
5 interdisciplinary approach to ensure that Hawaii's energy and
6 food policy and program development is integrated within the
7 overall economic, social, environmental, and cultural aspects of
8 society. The Hawaii economic development task force shall, with
9 the assistance of the department of business, economic
10 development, and tourism:

- 11 (1) Identify and review each state and county agency's
12 policy objectives, mandates, organizational structure,
13 and resources to address energy and food security
14 issues;
- 15 (2) Identify all federal and private funds available to
16 the State and counties to address energy and food
17 security issues;
- 18 (3) Identify effective measures for interagency
19 cooperation, coordinate efforts with the counties, and
20 promote public- and private-sector partnerships to
21 achieve the objective of energy and food security;



- 1 (4) Identify existing programs and agreements addressing
2 energy and food security that may be enhanced through
3 legislation;
- 4 (5) Investigate alternative institutional mechanisms to
5 promote the efficient execution and implementation of
6 a multi-year strategy to achieve energy and food
7 security;
- 8 (6) Investigate the streamlining of administrative
9 processes to accelerate and achieve energy and food
10 security;
- 11 (7) Provide an appropriate forum for all affected or
12 interested parties to address energy and food security
13 issues;
- 14 (8) Recommend appropriate legislation resulting from its
15 findings to improve, accelerate, and achieve the
16 objective of energy and food security;
- 17 (9) Review whether:
 - 18 (A) The apportionment of the environmental response,
19 energy, and food security tax among the funds
20 listed under section 243-3.5, Hawaii Revised
21 Statutes, is appropriate;
 - 22 (B) The apportionment should be changed; and



- 1 (C) Any additional special, trust, or revolving fund
- 2 should receive a share of the tax;
- 3 and
- 4 (10) Perform any other function necessary to effectuate the
- 5 purposes of this part.
- 6 (b) The Hawaii economic development task force shall
- 7 consist of the following members:
- 8 (1) The director of business, economic development, and
- 9 tourism or the director's designee, who shall chair
- 10 the Hawaii economic development task force;
- 11 (2) The chairperson of the board of agriculture or the
- 12 chairperson's designee;
- 13 (3) The director of the office of planning or the
- 14 director's designee;
- 15 (4) The chairperson of the board of land and natural
- 16 resources or the chairperson's designee;
- 17 (5) The dean of the University of Hawaii college of
- 18 tropical agriculture and human resources or the dean's
- 19 designee;
- 20 (6) Three members to be designated by the speaker of the
- 21 house of representatives;

1 (7) Three members to be designated by the president of the
2 senate; and

3 (8) A representative from each county's private economic
4 development board.

5 (c) The Hawaii economic development task force's members
6 shall serve without compensation but shall be reimbursed for
7 expenses, including travel expenses, necessary for the
8 performance of their duties.

9 (d) In the performance of its duties, the Hawaii economic
10 development task force shall consult with appropriate private,
11 nonprofit, community, and government stakeholders.

12 (e) The department of business, economic development, and
13 tourism may contract with the University of Hawaii for any
14 services to support the work of the Hawaii economic development
15 task force.

16 (f) The Hawaii economic development task force shall
17 submit a report of its findings and recommendations, including
18 any proposed legislation, to the legislature no later than
19 twenty days prior to the convening of the regular session of
20 2011.

21 The task force shall also submit a follow-up report to the
22 legislature no later than twenty days prior to the convening of



1 the regular session of 2012. The report shall include a
2 description of the activities funded by the environmental
3 response, energy, and food security tax, progress made toward
4 energy and food self-sufficiency, and any additional action
5 necessary to achieve energy and food self-sufficiency.

6 (g) The Hawaii economic development task force shall cease
7 to exist on June 30, 2012.

8 SECTION 8. Notwithstanding section 201-12.8(b), Hawaii
9 Revised Statutes, there is appropriated out of the energy
10 security special fund the sum of \$ or so much thereof
11 as may be necessary for fiscal year 2010-2011 for the purpose of
12 supporting the work of the Hawaii economic development task
13 force. The appropriation shall be made from the portion of the
14 environmental response, energy, and food security tax that is
15 deposited into the energy security special fund.

16 The sum appropriated shall be expended by the department of
17 business, economic development, and tourism for the purposes of
18 this part.

19 PART IV

20 AGRICULTURAL DEVELOPMENT AND FOOD SECURITY



1 SECTION 9. Chapter 141, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§141- Agricultural development and food security
5 special fund; establishment. (a) There is established within
6 the state treasury the agricultural development and food
7 security special fund.

8 (b) The following moneys shall be deposited into the
9 special fund:

10 (1) The portion of the environmental response, energy, and
11 food security tax specified under section 243-3.5;

12 (2) Any appropriation by the legislature into the special
13 fund;

14 (3) Any grant or donation made to the special fund; and

15 (4) Any interest earned on the balance of the special
16 fund.

17 (c) Subject to legislative appropriation, moneys in the
18 special fund may be expended for the following purposes:

19 (1) The awarding of grants to farmers for agricultural
20 production or processing activity;

21 (2) The acquisition of real property for agricultural
22 production or processing activity;



- 1 (3) The improvement of real property, irrigation systems,
2 and transportation networks necessary to promote
3 agricultural production or processing activity;
- 4 (4) The purchase of equipment necessary for agricultural
5 production or processing activity;
- 6 (5) The conduct of research on and testing of agricultural
7 products and markets;
- 8 (6) The promotion and marketing of agricultural products
9 grown or raised in the State; and
- 10 (7) Any other activity intended to increase agricultural
11 production or processing that may lead to reduced
12 importation of food, fodder, or feed from outside the
13 State.
- 14 (d) The department of agriculture shall submit a report to
15 the legislature no later than twenty days prior to the convening
16 of each regular session on the status and progress of existing
17 programs and activities and the status of new programs and
18 activities funded under the agricultural development and food
19 security special fund. The report shall also include:
- 20 (1) The spending plan of the agricultural development and
21 food security special fund;



- 1 (2) All expenditures of agricultural development and food
- 2 security special fund moneys;
- 3 (3) The targeted markets of the expenditures, including
- 4 the reason for selecting those markets;
- 5 (4) The persons to be served using the expenditures; and
- 6 (5) The specific objectives of the expenditures,
- 7 including measurable outcomes."

8 SECTION 10. There is appropriated out of the agricultural
 9 development and food security special fund the sum of
 10 \$ or so much thereof as may be necessary for fiscal
 11 year 2010-2011 for the purpose of supporting the following
 12 projects:

- 13 (1) \$ for Varroa mite control and eradication
- 14 efforts;
- 15 (2) \$ for the operation of pest inspection,
- 16 quarantine, eradication, biosecurity, and monitoring
- 17 programs, related facilities, and the execution of
- 18 emergency remedial measures when pests are detected in
- 19 the course of inspection and quarantine activities by
- 20 the department of agriculture;



1 SECTION 11. Chapter 196, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§196- Hawaii clean energy initiative program. (a)

5 There is established within the department of business, economic
6 development, and tourism, a Hawaii clean energy initiative
7 program to manage the state's transition to a clean energy
8 economy. The clean energy program shall design, implement, and
9 administer activities that include:

10 (1) Strategic partnerships for the research, development,
11 testing, deployment, and permitting of clean and
12 renewable technologies;

13 (2) Engineering and economic evaluations of Hawaii's
14 potential for near-term project opportunities for the
15 state's renewable energy resources;

16 (3) Electric grid reliability and security projects that
17 will enable the integration of a substantial increase
18 of electricity from renewable-energy resources;

19 (4) A statewide clean energy public education and outreach
20 plan to be developed in coordination with Hawaii's
21 institutions of public education;



1 (5) Promotion of Hawaii's clean and renewable resources to
2 potential partners and investors;

3 (6) A plan, to be implemented from 2011 to 2030, to
4 transition the state to a clean energy economy; and

5 (7) A plan, to be implemented from 2011 to 2030, to assist
6 each county in transitioning to a clean energy
7 economy.

8 (b) Prior to the initiation of any activities authorized
9 under subsection (a), the department of business, economic
10 development, and tourism shall develop a plan of action with the
11 intent of promoting effective prioritization and focusing of
12 efforts consistent with the State's energy programs and
13 objectives.

14 (c) The department of business, economic development, and
15 tourism shall submit a report to the legislature no later than
16 twenty days prior to the convening of each regular session on
17 the status and progress of new and existing clean energy
18 initiatives. The report shall also include:

19 (1) The spending plan of the Hawaii clean energy
20 initiative program;

21 (2) All expenditures of energy security special fund
22 moneys; and



1 (3) The targeted markets of the expenditures, including
2 reasons for selecting those markets, the persons to be
3 served, specific objectives of the program, and
4 program expenditures, including measurable outcomes."

PART VI

CLIMATE CHANGE TASK FORCE

7 SECTION 12. There is appropriated out of the energy
8 security special fund, established pursuant to section 201-12.8,
9 Hawaii Revised Statutes, the sum of \$ or so much
10 thereof as may be necessary for fiscal year 2010-2011 for the
11 climate change task force established pursuant to Act 20,
12 Special Session Laws of Hawaii 2009.

13 The sum appropriated shall be expended by the department of
14 business, economic development, and tourism for the purposes of
15 this part.

PART VII

GREENHOUSE GAS EMISSIONS REDUCTION TASK FORCE

18 SECTION 13. There is appropriated out of the energy
19 security special fund, established pursuant to section 201-12.8,
20 Hawaii Revised Statutes, the sum of \$ or so much
21 thereof as may be necessary for fiscal year 2010-2011 for the



1 greenhouse gas emissions reduction task force established
2 pursuant to Act 234, Session Laws of Hawaii 2007.

3 The sum appropriated shall be expended by the department of
4 business, economic development, and tourism for the purposes of
5 this part.

6 PART VIII

7 SECTION 14. Subject to the availability of federal funding
8 for energy programs provided by grants, and subject to the
9 constraints, oversight, and reporting requirements of those
10 federal programs, the governor is authorized to establish
11 positions necessary to accomplish the management of those energy
12 projects funded by federal grants; provided that the positions
13 shall be exempt from chapters 76 and 89, Hawaii Revised
14 Statutes; and provided further that the governor shall submit a
15 report to the legislature on all positions established as of
16 December 31 and June 30 of each fiscal year that the positions
17 exist and are occupied.

18 PART IX

19 SECTION 15. On June 1, 2011, the director of finance is
20 authorized to transfer from the energy security special fund to
21 the general fund the sum of \$10,000,000 or so much thereof as
22 may be necessary for fiscal year 2010-2011; provided that



1 \$1,000,000 of the sum transferred shall be used to fund
2 agricultural inspectors at the department of agriculture.

3 **PART X**

4 SECTION 16. Any unexpended or unencumbered funds remaining
5 in the agricultural development and food security special fund
6 established by this Act, as of the close of business on June 30,
7 2015 shall lapse to the credit of the general fund.

8 SECTION 17. This Act does not affect rights and duties
9 that matured, penalties that were incurred, and proceedings that
10 were begun, before its effective date.

11 SECTION 18. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 19. This Act shall take effect on July 1, 2020;
14 provided that sections 2, 3, 4, 5, and 9 shall be repealed on
15 June 30, 2015, and sections 128D-2, 201-12.8, 243-3.5, and
16 243-7, Hawaii Revised Statutes, shall be reenacted in the form
17 in which they read on June 30, 2010.

18



Report Title:

Food and Energy Security; Appropriation

Description:

Establishes various initiatives, and appropriates funds to promote economic development for local food and energy businesses, ensures Hawaii is energy and food self-sufficient and sustainable to the maximum extent feasible, and helps Hawaii's natural resources and humankind adapt and be resilient to the inevitable challenges brought on by climate change. Increases and changes the name of the environmental response tax, and sunsets the tax on June 30, 2015. Effective July 1, 2020. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

