
A BILL FOR AN ACT

RELATING TO THE KAHOO LAWE ISLAND RESERVE.

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

1 SECTION 1. The Kahoolawe island reserve commission is
2 funded predominantly by a dwindling trust fund created in 1994
3 during the federal unexploded ordnance cleanup of Kahoolawe.
4 Although considerable, this federal appropriation, totaling
5 \$44,000,000 over a period of several years, is not substantial
6 enough to establish a sustainable endowment for the long-term
7 restoration of Kahoolawe.

8 As stated in the federally-mandated Kahoolawe island
9 conveyance commission final report to Congress in 1993, "in the
10 short term, federal funds will provide the bulk of the program
11 support for specific soil conservation projects and related
12 activities. In the longer term, however, state revenues will be
13 needed to continue and enhance those activities initiated with
14 federal funds." For the past sixteen years, federal funding has
15 allowed the Kahoolawe island reserve commission to establish
16 many of its innovative programs that emphasize ancestral and
17 traditional knowledge, provide a cultural approach of respect



1 and connectivity to the environment, and integrate ancient and
2 modern resource management techniques.

3 The purpose of this Act is to utilize a portion of state
4 conveyance taxes to replenish the Kahoolawe rehabilitation trust
5 fund to be used for the long-term restoration of Kahoolawe.

6 SECTION 2. Section 6K-9.5, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) There is created in the state treasury a trust fund
9 to be designated as the Kaho'olawe rehabilitation trust fund to
10 be administered by the department with the prior approval of the
11 commission. Subject to Public Law 103-139, and this chapter:

12 (1) All moneys received from the federal government for
13 the rehabilitation and environmental restoration of
14 the island of Kaho'olawe or other purposes consistent
15 with this chapter;

16 (2) A portion of the conveyance tax under section 247-7;

17 ~~[-(2)]~~ (3) Any moneys appropriated by the legislature to the
18 trust fund;

19 ~~[-(3)]~~ (4) Any moneys received from grants, donations, or
20 the proceeds from contributions; and

21 ~~[-(4)]~~ (5) The interest or return on investments earned from
22 moneys in the trust fund,



1 shall be deposited in the trust fund and shall be used to
2 fulfill the purposes of this chapter."

3 SECTION 3. Section 247-7, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§247-7 Disposition of taxes. All taxes collected under
6 this chapter shall be paid into the state treasury to the credit
7 of the general fund of the State, to be used and expended for
8 the purposes for which the general fund was created and exists
9 by law; provided that of the taxes collected each fiscal year:

- 10 (1) Ten per cent shall be paid into the land conservation
11 fund established pursuant to section 173A-5;
- 12 (2) Twenty-five per cent from July 1, 2009, until June 30,
13 2012, and thirty per cent in each fiscal year
14 thereafter shall be paid into the rental housing trust
15 fund established by section 201H-202; [and]
- 16 (3) Twenty per cent from July 1, 2009, until June 30,
17 2012, and twenty-five per cent in each fiscal year
18 thereafter shall be paid into the natural area reserve
19 fund established by section 195-9; provided that the
20 funds paid into the natural area reserve fund shall be
21 annually disbursed by the department of land and
22 natural resources in the following priority:



- 1 (A) To natural area partnership and forest
- 2 stewardship programs after joint consultation
- 3 with the forest stewardship committee and the
- 4 natural area reserves system commission;
- 5 (B) Projects undertaken in accordance with watershed
- 6 management plans pursuant to section 171-58 or
- 7 watershed management plans negotiated with
- 8 private landowners, and management of the natural
- 9 area reserves system pursuant to section 195-3;
- 10 and
- 11 (C) The youth conservation corps established under
- 12 chapter 193 [-]; and
- 13 (4) Ten per cent shall be paid into the Kahoolawe
- 14 rehabilitation trust fund established under section
- 15 6K-9.5."

16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Kahoolawe Island Reserve Commission; Rehabilitation Trust Fund

Description:

Authorizes a portion of the conveyance tax revenues to be used to replenish the Kahoolawe rehabilitation trust fund for the long-term restoration of Kahoolawe.

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