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# A BILL FOR AN ACT

RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL.

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

1           SECTION 1. The legislature finds that the office of  
2 environmental quality control is greatly understaffed, and, as a  
3 result, struggles to fulfill its duty to ensure environmental  
4 protection in Hawaii.

5           The purpose of this Act is to:

- 6           (1) Establish fees to help fund the activities of the  
7           office of environmental quality control;  
8           (2) Hire adequate staff;  
9           (3) Support outreach, training, education, and research;  
10          (4) Modernize and maintain technology systems; and  
11          (5) Develop technology training.

12          SECTION 2. Chapter 341, Hawaii Revised Statutes, is  
13 amended by adding two new sections to be appropriately  
14 designated and to read as follows:

15          "§341-A Environmental review special fund; use of funds.

16          (a) There is established in the state treasury the  
17 environmental review special fund, into which shall be  
18 deposited:



1       (1) All filing fees and other administrative fees  
2           collected by the office;

3       (2) Moneys collected pursuant to section 341-B;

4       (3) All accrued interest from the special fund; and

5       (4) Moneys appropriated to the special fund by the  
6           legislature.

7       (b) Moneys in the environmental review special fund shall  
8       not supplant the office budget base or any portion thereof and  
9       shall be used to:

10       (1) Fund the activities of the office and the council in  
11           fulfillment of their duties pursuant to this chapter  
12           and chapter 343, including administrative, staffing,  
13           and office expenses and servicing of agency documents  
14           relating to the environmental review process; provided  
15           that the director may appoint personnel exempt from  
16           chapters 76 and 89;

17       (2) Support outreach, training, education, and research  
18           programs pursuant to section 341-4; and

19       (3) Modernize technology, maintain technology systems, and  
20           develop technology training programs within the limits  
21           established by section 341-B.



1       §341-B Fees. (a) The office, in consultation with the  
2 council, shall adopt rules pursuant to chapter 91 to establish  
3 filing fees and any other fees necessary for the administration  
4 and management of the office and the council.

5       (b) The office shall collect interim filing fees from all  
6 applicants, including state and county agencies, required to  
7 file environmental review documents pursuant to chapter 343.

8       Until fees are established by rules adopted by the office  
9 pursuant to subsection (a), the office may collect interim  
10 filing fees in the following amounts:

- 11       (1) \$1500 for a draft environmental assessment;  
12       (2) \$1000 for a final environmental assessment;  
13       (3) \$500 for an environmental impact statement preparation  
14       notice;  
15       (4) \$4,000 for a draft environmental impact statement;  
16       (5) \$3,000 for a final environmental impact statement;  
17       (6) \$500 for other significant addendum to a final  
18       environmental assessment;  
19       (7) \$500 for a final environmental assessment or  
20       supplemental environmental impact statement  
21       preparation notice;



1       (8) \$2000 for a supplemental draft environmental impact  
2             statement; and

3       (9) \$1000 for any supplemental final environmental impact  
4             statement.

5       (c) The office shall waive the filing fees required by  
6 this section for an applicant who demonstrates that:

7       (1) The cost of the proposed action does not exceed  
8             \$ \_\_\_\_\_ ;

9       (2) The applicant's annual revenue does not exceed  
10            \$ \_\_\_\_\_ ; and

11       (3) The applicant has fewer than ten employees."

12       SECTION 3. In codifying the new sections added by section  
13 2 of this Act, the revisor of statutes shall substitute  
14 appropriate section numbers for the letters used in designating  
15 the new sections in this Act.

16       SECTION 4. New statutory material is underscored.

17       SECTION 5. This Act shall take effect on July 1, 2050;  
18 provided that the interim filing fees established under this Act  
19 shall not take effect until 30 days after the enactment of this  
20 Act and shall apply to initial filings and all related  
21 subsequent filings until such time that fees established by rule  
22 pursuant to section 341-B(a), Hawaii Revised Statutes, go into



1 effect; provided further that any environmental studies filed  
2 with the office of environmental quality control prior to the  
3 enactment of this Act shall be exempt from the payment of any  
4 filing fees under section 341-B, Hawaii Revised Statutes, for  
5 one hundred eighty days from the date of the enactment of this  
6 Act.



**Report Title:**

Office of Environmental Quality Control; Fees; Special Fund

**Description:**

Establishes filing fees to help fund operations of the Office of Environmental Quality Control. Creates special fund. Effective July 1, 2050. Provides for a lag time for the collection of fees. (SB699 HD1)

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

