
A BILL FOR AN ACT

RELATING TO NATIVE WILDLIFE.

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

1 SECTION 1. The legislature finds that Hawaii has the
2 largest concentration of endangered and threatened species in
3 the world, a majority of which are birds. Of more than one
4 hundred types of endemic Hawaiian birds, more than two-thirds
5 are already extinct and over eighty per cent of those that
6 remain are threatened with extinction. Furthermore, there are
7 more than fourteen million seabirds that rely on habitats in the
8 Hawaiian archipelago. It is imperative that the State protect
9 these endangered and endemic animals if an oil or fuel-related
10 disaster affecting native wildlife were to occur.

11 The legislature finds that the Hawaii Wildlife Center's
12 mission is to conserve Hawaii's native wildlife through
13 emergency response, rehabilitation, education, and research.
14 The Center is the only native wildlife emergency response and
15 rehabilitation facility in the State and in the Pacific Island
16 region. In addition, the Center is the only facility within the
17 State that meets all federal and state standards for
18 accommodating a large-scale rescue and rehabilitation effort



1 targeting sick, injured, or oiled wildlife. A purpose built and
2 operational oiled-wildlife response facility is the standard set
3 for highly successful emergency responses as it provides
4 efficient, state-of-the-art wildlife care, control of animal and
5 hazardous waste handling and tracking, and ensures the safety of
6 everyone working with oiled wildlife. Also, the Center serves
7 as a critical emergency response facility for the training of
8 response personnel and volunteers and for the rehabilitation of
9 injured, sick, and contaminated wildlife throughout the Pacific
10 Islands region.

11 The purpose of this Act is to increase the environmental
12 response, energy, and food security tax to support the
13 operations of an environmental disaster standby and response
14 facility to respond to oil and fuel-related disasters affecting
15 native wildlife in the State.

16 SECTION 2. Chapter 195D, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 "§195D- Wildlife recovery and rehabilitation special
20 fund. (a) There is created within the state treasury the
21 wildlife recovery and rehabilitation special fund, which shall
22 consist of:



1 (1) The portion of the tax specified under section 243-
2 3.5;

3 (2) Moneys appropriated to the fund by the legislature;

4 (3) All interest attributable to investment of money
5 deposited in the fund; and

6 (4) Moneys allotted to the fund from other sources.

7 (b) Moneys from the fund shall be expended by the
8 department of land and natural resources to support the
9 operations of an environmental disaster standby and response
10 facility in the State that shall be responsible for the recovery
11 and rehabilitation of native wildlife that are sickened,
12 injured, or contaminated as a result of an oil or fuel-related
13 disaster in the State.

14 (c) Moneys from the fund shall not be expended for any
15 other purpose except for those set forth in this section."

16 SECTION 3. Section 243-3.5, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) In addition to any other taxes provided by law,
19 subject to the exemptions set forth in section 243-7, there is
20 hereby imposed a state environmental response, energy, and food
21 security tax on each barrel or fractional part of a barrel of
22 petroleum product sold by a distributor to any retail dealer or



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

5 (1) The first \$275,000 shall be deposited into the
6 wildlife recovery and rehabilitation special fund
7 established under section 195D- ;

8 (2) 5 cents of the tax on each barrel shall be deposited
9 into the environmental response revolving fund
10 established under section 128D-2;

11 [~~+2~~] (3) 15 cents of the tax on each barrel shall be
12 deposited into the energy security special fund
13 established under section 201-12.8;

14 [~~+3~~] (4) 10 cents of the tax on each barrel shall be
15 deposited into the energy systems development special
16 fund established under section 304A-2169; and

17 [~~+4~~] (5) 15 cents of the tax on each barrel shall be
18 deposited into the agricultural development and food
19 security special fund established under section 141-
20 10.

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



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

3 1. By amending subsection (a) to read:

4 "(a) In addition to any other taxes provided by law,
5 subject to the exemptions set forth in section 243-7, there is
6 hereby imposed at times provided in section 128D-2 a state
7 environmental response tax of [~~5~~] 7 cents on each barrel or
8 fractional part of a barrel of petroleum product sold by a
9 distributor to any retail dealer or end user, other than a
10 refiner, of petroleum product; provided that _____ cents of the
11 tax on each barrel shall be used pursuant to section 128D-2 to
12 address concerns relating to drinking water[-] and \$275,000 of
13 the tax revenues shall be deposited into the wildlife recovery
14 and rehabilitation special fund established under section 195D-
15 _____. The tax imposed by this subsection shall be paid by the
16 distributor of the petroleum product."

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

18 "(c) Notwithstanding section 248-8 to the contrary, the
19 environmental response tax collected under this section shall be
20 paid over to the director of finance for deposit [~~into the~~
21 ~~environmental response revolving fund established by section~~
22 ~~128D-2.~~] as provided in subsection (a)."



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect on July 1, 2013;
4 provided that section 4 of this Act shall take effect on July 1,
5 2015.

6

INTRODUCED BY:

Cindy Evans
Hickman

JAN 22 2013



Report Title:

Environmental Disaster Responses; Wildlife Rehabilitation and Recovery

Description:

Increases the environmental response, energy, and food security tax by an unspecified amount until 06/30/15 and then by 2 cents per barrel on 07/01/15, and deposits the increases into the wildlife recovery and rehabilitation special fund. Establishes the wildlife recovery and rehabilitation special fund to support the operations of a facility to respond to oil and fuel-related disasters affecting native wildlife in the State. Effective 07/01/13.

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

