

STAND. COM. REP. NO.

1044

Honolulu, Hawaii

MAR 22 2013

RE: H.B. No. 988
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Energy and Environment and Water and Land,
to which was referred H.B. No. 988, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO NATIVE WILDLIFE,"

beg leave to report as follows:

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

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Wildlife Center, Friends of Midway Atoll National Wildlife Refuge, Friends of Hakalau Forest National Wildlife Refuge, Surety Kohala Corporation, Umemoto Cassandro Design, Rhoady Lee Architecture and Design, and twenty individuals. Your Committees received comments on this measure from the Department of Taxation, Department of Budget and Finance, Department of Land and Natural Resources, Tax Foundation of Hawaii, and one individual.

Your Committees find that Hawaii has the largest concentration of endangered and threatened species in the world, a majority of which are birds. Of more than one hundred types of endemic Hawaiian birds, more than two-thirds are already extinct, and over eighty percent of those that remain are threatened with extinction. Your Committees also find that there are more than



14,000,000 seabirds that rely on habitats in the Hawaiian archipelago.

Your Committees find that a purpose-built and operational oiled-wildlife response facility is the standard set for highly successful emergency responses, as it provides efficient, state-of-the-art wildlife care, provides control of animal and hazardous waste handling and tracking, and ensures the safety of everyone working with oiled wildlife.

Your Committees find that the environmental response revolving fund would be a more appropriate source of funding to support the operations of the environmental disaster standby and response facility.

Your Committees have amended this measure by:

- (1) Removing sections 2 through 4 of the measure regarding the establishment of the wildlife recovery and rehabilitation special fund and amendment of related sections of the Hawaii Revised Statutes addressing the environmental response, energy, and food security tax;
- (2) Inserting language to amend section 128D-2, Hawaii Revised Statutes, to add, as an authorized use of the environmental response, energy, and food security tax revenues deposited into the environmental response revolving fund, support for the operations of an environmental disaster standby and response facility in the State that shall be responsible for the recovery and rehabilitation of native wildlife that are sickened, injured, or contaminated as a result of an oil or fuel-related disaster in the State;
- (3) Amending the purpose section for consistency;
- (4) Changing the effective date to July 1, 2013; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

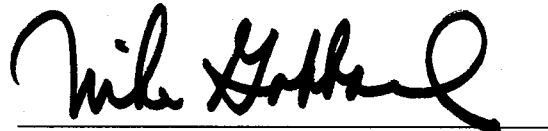
As affirmed by the records of votes of the members of your Committees on Energy and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 988, H.D. 2, as amended herein, and



recommend that it pass Second Reading in the form attached hereto as H.B. No. 988, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Energy and
Environment and Water and Land,


MALAMA SOLOMON, Chair


MIKE GABBARD, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB 988 HD2	Committee Referral: ENE/WTL, WAM	Date: 3/19/2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SOLOMON, Malama (C)	/			
SHIMABUKURO, Maile S.L. (VC)				/
DELA CRUZ, Donovan M.	/			
IHARA, Jr., Les	/			
RUDERMAN, Russell E.	/			
THIELEN, Laura H.	/			
SLOM, Sam	/			
TOTAL	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes