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# A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1           SECTION 1. Recognizing that Hawaii's natural resources are  
2 valuable to our culture, quality of life, and tourism-based  
3 economy, the 1970 legislature created the natural area reserve  
4 system under the control of the department of land and natural  
5 resources to preserve and protect numerous native ecosystems.

6           The legislature finds that both the department of land and  
7 natural resources and the natural area reserve system lack the  
8 necessary funding to properly carry out their critical role as  
9 guardians of the environment. This lack of funding puts  
10 Hawaii's environment at risk and, therefore, seriously threatens  
11 an important foundation of Hawaii's tourism industry.

12           Act 156, Session Laws of Hawaii 2005, established the  
13 legacy lands program, to preserve, protect, and enhance the  
14 State's land, coastal areas, and natural resources, and to  
15 provide a permanent adequate funding source for that purpose.  
16 The legislature also finds while the program has been  
17 successful, its own funding has dwindled for preservation of  
18 certain essential ecosystems and threatened habitats.



1           The legislature further finds that other states have  
2 successfully used voluntary contribution check-off boxes to  
3 raise money for the protection of their natural resources. A  
4 similar program in Hawaii will raise funds for the State's own  
5 environmental management and will engage visitors for this  
6 purpose.

7           The purpose of this Act is to provide the opportunity for  
8 persons renting cars in Hawaii to make a voluntary contribution  
9 toward the protection of the State's unique environment, which  
10 is a critical component of our tourism-based economy.

11           SECTION 2. Chapter 437D, Hawaii Revised Statutes, is  
12 amended by adding a new section to be appropriately designated  
13 and to read as follows:

14           "§437D-       Optional environmental impact contribution.

15           (a) Every lessor who is required to register with the director  
16 under section 251-3 shall include an option in each rental  
17 agreement for the lessee to make a voluntary contribution to the  
18 department of land and natural resources to preserve and protect  
19 the environment. The option shall be printed in the rental  
20 agreement and the language of the option shall clearly state  
21 that the option is voluntary and does not affect the rental



1 agreement. The department of land and natural resources shall  
2 approve the option language.

3 (b) The lessor shall collect and keep all records of all  
4 contributions collected pursuant to this section and shall  
5 provide receipts to all lessees who elect to contribute.

6 (c) Contributions collected pursuant to this section shall  
7 be remitted to the department of land and natural resources,  
8 which shall deposit the contributions at the end of every fiscal  
9 year as follows:

10 (1) Fifty per cent into the natural area reserve fund  
11 established under section 195-9; and

12 (2) Fifty per cent into the land conservation fund  
13 established under section 173A-5."

14 SECTION 3. Section 173A-5, Hawaii Revised Statutes, is  
15 amended by amending subsection (d) to read as follows:

16 "(d) The appropriate percentage identified under section  
17 247-7 of all taxes imposed and collected under chapter 247 and  
18 contributions collected through rental agreements under section  
19 437D- shall be deposited in or credited to the fund every  
20 fiscal year."

21 SECTION 4. Section 195-9, Hawaii Revised Statutes, is  
22 amended by amending subsection (b) to read as follows:



1           "(b) The fund shall consist of moneys received from any  
2 public or private [~~sources-~~] sources, including contributions  
3 collected through rental agreements under section 437D- . The  
4 fund shall be held separate and apart from all other moneys,  
5 funds, and accounts in the state treasury, except that any  
6 moneys received from the federal government or from private  
7 contributions shall be deposited and accounted for in accordance  
8 with conditions established by the agencies or persons from whom  
9 the moneys are received. Investment earnings credited to the  
10 assets of the fund shall become a part of the assets of the  
11 fund. Any balance remaining in the fund at the end of any  
12 fiscal year shall be carried forward in the fund for the next  
13 fiscal year."

14           SECTION 5. The department of land and natural resources  
15 shall adopt rules to effectuate the purpose of this Act by July  
16 1, 2014.

17           SECTION 6. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19           SECTION 7. This Act shall take effect upon its approval  
20 and shall be repealed on July 1, 2018; provided that sections 2,  
21 3, and 4 shall take effect on July 1, 2015; provided further  
22 that sections 173A-5(d) and 195-9(b), Hawaii Revised Statutes,



1 shall be reenacted in the form in which they read on June 30,  
2 2015.



**Report Title:**

Environmental Conservation; Optional Contribution; Rental Motor Vehicles

**Description:**

Requires lessors of rental motor vehicles to include an option to the lessee in the motor vehicle agreement to contribute a sum to the Department of Land and Natural Resources for the preservation and protection of the environment commencing on July 1, 2015. Repeals on July 1, 2018. (HB760 HD1)

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

