
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, in 1970 the legislature created the natural area
4 reserve system under the control of the department of land and
5 natural resources to preserve and protect numerous native
6 ecosystems.

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

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



1 successful, its own funding has dwindled for preservation of
2 certain essential ecosystems and threatened habitats.

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

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

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

16 "§437D- Optional environmental impact contribution. (a)
17 Every lessor who is required to register with the director under
18 section 251-3 shall include an option in each rental agreement
19 for the lessee to make a voluntary contribution to the
20 department of land and natural resources to preserve and protect
21 the environment. The option shall be printed in the rental
22 agreement and the language of the option shall clearly state



1 that the option is voluntary and does not affect the rental
2 agreement. The department of land and natural resources shall
3 approve the option language.

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

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

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

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

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

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



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

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

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

19 SECTION 6. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 7. This Act shall take effect upon its approval;
22 provided that:



- 1 (1) Sections 2, 3, and 4 shall take effect on July 1,
- 2 2015; and
- 3 (2) This Act shall be repealed on July 1, 2018, and
- 4 sections 173A-5(d) and 195-9(b), Hawaii Revised
- 5 Statutes, shall be reenacted in the form in which they
- 6 read on June 30, 2015.
- 7



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 beginning July 1, 2015. Repeals July 1, 2018. (SD1)

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