

JAN 23 2014

A BILL FOR AN ACT

RELATING TO MARINE RESOURCES.

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

1 SECTION 1. The legislature finds that the marine life
2 conservation program embodied in chapter 190, Hawaii Revised
3 Statutes, has preserved some of the State's most ecologically,
4 economically, and scientifically valuable environmental assets.
5 The broad range of documented anthropogenic impacts on coral reef
6 health, including impacts from groundings, diving activities,
7 poaching, anchoring and mooring, land and water-based pollutant
8 discharges, and other direct and indirect uses of the State's
9 coral reefs, indicate that the department of land and natural
10 resources may need a more consistent and reliable source of
11 funding to maintain these unique areas and to conserve and
12 protect coral reef resources throughout the State.

13 The purpose of this Act is to provide for a special fund
14 allowing for the collection and use of moneys for the
15 conservation, supplementation, and enhancement of the State's
16 coral reefs and other marine resources.

17 SECTION 2. Chapter 190, Hawaii Revised Statutes, is
18 amended by adding a new section to be appropriately designated
19 and to read as follows:



1 "§190- Coral reef and marine life conservation special
2 fund; established. (a) There is hereby established in the
3 state treasury a special fund to be known as the coral reef and
4 marine life conservation special fund, which shall be
5 administered by the department of land and natural resources.

6 (b) The following shall be deposited into the coral reef
7 and marine life conservation special fund:

8 (1) Moneys collected as fines, attorneys fees, awards,
9 settlements, and administrative costs for violations
10 of this chapter, or any rule adopted hereunder;

11 (2) Moneys collected for the purposes of compensatory
12 mitigation from federal or state permitted impacts to
13 the marine environment; and

14 (3) Grants, awards, donations, gifts, transfers, and moneys
15 derived from private or public services for the
16 purposes of this chapter.

17 (c) Subject to subsection (d), the coral reef and marine
18 life conservation special fund shall be used for expenditures to:

19 (1) Fulfill the purposes of this chapter, including marine
20 life conservation district monitoring, research,
21 regulatory measures, enforcement actions, educational
22 activities, or any other measure intended to conserve,
23 supplement, and enhance the resources within any marine



1 life conservation district established under this
2 chapter or rules adopted pursuant to this chapter;
3 (2) Provide management, monitoring, and support for public
4 fishing areas, community-based subsistence fishing
5 areas, fisheries management areas, and other areas of
6 localized management;
7 (3) Develop and carry out any compensatory mitigation
8 measures for impacts to the marine environment,
9 including impacts to the marine environment from
10 federal or state permitted actions, or violations of
11 this chapter or any rule adopted pursuant to this
12 chapter; and
13 (4) Develop and carry out research projects, educational
14 programs, management initiatives, and any other
15 activity intended to conserve, supplement, and enhance
16 the marine environment throughout the State.
17 (d) The coral reef and marine life conservation special
18 fund shall be held separate and apart from all other moneys,
19 funds, and accounts of the department of land and natural
20 resources; provided that any moneys received from the federal
21 government, through federal programs, or from private
22 contributions shall be deposited and accounted for in accordance
23 with conditions established by the agency or entity from which
24 the moneys are received.



1 Any balance remaining in the fund at the end of any fiscal year
2 shall be carried forward in the fund for the next fiscal year."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

John Gabbard

Russell P. Fry

Gilbert Udorn



S.B. NO. 3017

Report Title:

Coral Reef And Marine Life Conservation Program Special Fund

Description:

Establishes a special fund for the marine life conservation program within the department of land and natural resources. Effective July 1, 2014.

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