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# A BILL FOR AN ACT

RELATING TO CONSERVATION.

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

1           SECTION 1. The legislature finds that Hawaii is one of the  
2 most beautiful places on the planet, with breathtaking  
3 landscapes, lush tropical forests, and rich ocean resources.  
4 The State is home to amazing ecosystems that include a unique  
5 mix of flora and fauna, including dozens of endemic Hawaiian  
6 birds that can be found nowhere else on earth; approximately one  
7 thousand four hundred species of native plants, ninety per cent  
8 of which are endemic to the State; and familiar marine mammals  
9 that are closely associated with the State, including the  
10 Hawaiian monk seal and humpback whale.

11           The legislature also finds that state residents understand  
12 the importance of these unique resources and appreciate their  
13 value. More specifically, residents appreciate the beloved  
14 native and endemic plants and animals of Hawaii and strongly  
15 believe that these resources must be preserved for future  
16 generations. The legislature must develop programs that allow



1 residents the opportunity to directly contribute to the  
2 conservation of these critical resources.

3 Accordingly, the purpose of this Act is to establish  
4 special number motor vehicle license plates that commemorate the  
5 importance of forest and ocean conservation and to use proceeds  
6 from the special number plate program to fund conservation  
7 efforts at the State's beaches, nearshore environments, and  
8 forests.

9 SECTION 2. Chapter 249, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12 "§249- Special number plates for forest and ocean  
13 conservation; authorized. (a) Notwithstanding any law to the  
14 contrary, the director of finance shall issue to any registered  
15 owner of a motor vehicle, who is a resident of the State, upon  
16 completed application and payment of required fees, special  
17 number plates for the registered owner's motor vehicle  
18 commemorating the importance of forest and ocean conservation.

19 (b) The director of finance of the city and county of  
20 Honolulu, in consultation with the directors of finance of the  
21 counties of Kauai, Maui, and Hawaii, the chiefs of police of the



1 city and county of Honolulu, and the counties of Kauai, Maui,  
2 and Hawaii, and the chairperson of the board of land and natural  
3 resources, shall establish special number plate designs that  
4 commemorate the importance of forest and ocean conservation;  
5 provided that the director of finance shall establish two  
6 different designs for forest conservation that correspond to the  
7 two fundraising fee amounts described in subsection (e), and two  
8 different designs for ocean conservation that correspond to the  
9 two fundraising fee amounts described in subsection (e). Each  
10 design shall:

11 (1) Contain words, images, or both, that indicate the  
12 special number plate is issued to recognize forest or  
13 ocean conservation;

14 (2) Be similar in shape and size to the uniform state  
15 number plate prescribed by law; and

16 (3) Not obstruct the visibility of the number or letters  
17 or any other information that is required by law to be  
18 on a number plate and is readily identifiable and  
19 distinguishable under actual traffic conditions.

20 (c) Each special number plate design shall not:



1       (1) Infringe or otherwise violate any trademark, trade  
2       name, service mark, copyright, or other proprietary or  
3       property right;

4       (2) Represent any obscene or degrading image, idea, word,  
5       or phrase;

6       (3) Advertise or endorse a product, brand, or service that  
7       is provided for sale;

8       (4) Promote any religious belief; or

9       (5) Promote any philosophy based on prejudice or that is  
10       contrary to state civil rights laws.

11       (d) Each special number plate shall be securely fastened  
12       to the motor vehicle in lieu of the uniform state number plate.

13       (e) The director of finance shall charge a special number  
14       plate fee at least equal to the county's cost of providing the  
15       special number plate and administrative costs, if any, plus a  
16       fundraising fee of either \$100 or \$200; provided that the  
17       director of finance shall issue a number plate with separate  
18       designs for each fundraising fee amount. The administrative fee  
19       and fundraising fee established by this subsection shall be in  
20       addition to any other state or county fees collected for a motor  
21       vehicle registration or license plate.



1        (f) The director of finance may charge an additional  
2 fundraising fee, of the same or a different amount as the  
3 fundraising fee established pursuant to subsection (e), for the  
4 renewal of a special number plate. If an additional fundraising  
5 fee is implemented pursuant to this subsection, the director of  
6 finance shall revoke the special number plate of the registered  
7 owner of a motor vehicle who fails to pay the additional  
8 fundraising fee imposed by this subsection.

9        (g) The revenue generated by the fundraising fees shall be  
10 deposited into the:

11        (1) Beach restoration special fund established pursuant to  
12 section 171-156, if the fundraising fee is for a  
13 special number plate issued to commemorate the  
14 importance of ocean conservation; and

15        (2) Forest stewardship fund established pursuant to  
16 section 195F-4, if the fundraising fee is for a  
17 special number plate issued to commemorate the  
18 importance of forest conservation.

19        (h) The director of finance may revoke all special number  
20 plates issued pursuant to this section if the total number of  
21 registered owners of motor vehicles that obtain the special



1 number plates is less than one hundred fifty within three years  
2 of issuance of the first special number plate.

3 (i) Nothing in this section shall be construed to apply to  
4 any plates issued pursuant to section 249-9.2.

5 (j) For the purposes of this section, unless a different  
6 meaning appears from the context, "special number plate" means a  
7 license plate that represents forest or ocean conservation."

8 SECTION 3. Section 171-156, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "[+]§171-156[+] **Beach restoration special fund.** (a)

11 There is established in the state treasury a special fund to be  
12 designated as the "beach restoration special fund" to carry out  
13 the purposes of this part. The following moneys shall be  
14 deposited into the beach restoration special fund:

15 (1) Proceeds from the lease or development of public  
16 coastal lands designated pursuant to a beach  
17 restoration plan, subject to the Hawaiian Homes  
18 Commission Act of 1920, as amended, and section 5(f)  
19 of the Admission Act of 1959;

20 (2) Proceeds from the lease of public lands pursuant to  
21 this part for an existing seawall or revetment;



1        (3) Proceeds from the fundraising fee charged for special  
2        number plates for ocean conservation pursuant to  
3        section 249-     ;

4        [~~3~~] (4) Fines collected for unauthorized shoreline  
5        structures on state submerged land or conservation  
6        district land;

7        [~~4~~] (5) Appropriations made by the legislature for  
8        deposit into this fund;

9        [~~5~~] (6) Donations and contributions made by private  
10       individuals or organizations for deposit into this  
11       fund;

12       [~~6~~] (7) Fees collected for the processing of applications  
13       for coastal and beach erosion control projects; and

14       [~~7~~] (8) Grants provided by governmental agencies or any  
15       other source.

16       (b) The beach restoration special fund may be used by the  
17 department for one or more of the following purposes:

18       (1) Planning, designing, development, or implementation of  
19 beach restoration projects pursuant to this part;

20       [~~and~~]



- 1           (2) Providing grants to the counties, nongovernmental
- 2                   organizations, and the University of Hawaii for the
- 3                   restoration of beach lands and for research or
- 4                   engineering studies necessary to support beach
- 5                   restoration projects, subject to this part[-]; and
- 6           (3) Conducting beach and nearshore environmental
- 7                   cleanups."

8           SECTION 4. Section 195F-4, Hawaii Revised Statutes, is

9 amended by amending subsection (a) to read as follows:

10           "(a) There is established a special fund within the state

11 treasury known as the forest stewardship fund which shall be

12 used as follows:

13           (1) Payments shall be made by the board pursuant to

14                   agreements entered into with qualified landowners to

15                   further the purposes of this chapter; and

16           (2) Moneys collected from:

17                   (A) The harvest of non-native forest products from

18                           forest reserves;

19                   (B) The harvest of native forest products from

20                           degraded forests as defined in section 186-5.5,

21                           within forest reserves;





1 (C) The sale of forest products found dead and lying  
2 on the ground;

3 (D) The sale of tree seedlings from state nurseries;

4 (E) The sale of any other products or services, or  
5 anything of value derived from forest reserves  
6 not described above; ~~[or]~~

7 (F) The imposition of fines or penalties for  
8 violations of this chapter and chapters 183 and  
9 185 or any rule adopted thereunder; or

10 (G) Proceeds from the fundraising fee charged for  
11 special number plates for forest conservation  
12 pursuant to section 249- ,

13 shall be used for:

14 (i) ~~[replanting,]~~ Replanting, managing, and  
15 maintaining designated timber management  
16 areas;

17 (ii) ~~[enhancing]~~ Enhancing the management of  
18 public forest reserves with an emphasis on  
19 restoring degraded koa forests; and



1 (iii) [~~developing~~] Developing environmental  
 2 education and training programs pertaining  
 3 to sustainable forestry;  
 4 provided that the activities described in clauses (ii)  
 5 and (iii) may not be funded unless the activities  
 6 described in approved management plans pertaining to  
 7 clause (i) are adequately funded."

8 SECTION 5. Statutory material to be repealed is bracketed  
 9 and stricken. New statutory material is underscored.

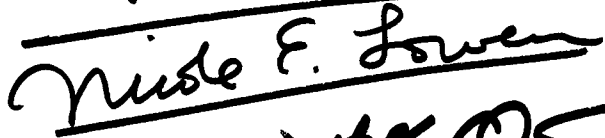
10 SECTION 6. This Act shall take effect on upon approval.

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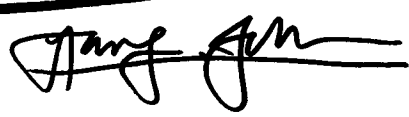
INTRODUCED BY: 











JAN 23 2020



# H.B. NO. 2636

**Report Title:**

Counties; Board of Land and Natural Resources; Special License Plates; Forest Conservation; Ocean Conservation

**Description:**

Authorizes the issuance of special license plates to support forest conservation and ocean conservation, with proceeds from the program to be used to fund conservation efforts at the State's beaches, nearshore environment, and forests.

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

