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# A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL RESPONSE.

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

1           SECTION 1. The legislature finds that Hawaii has the  
2 largest concentration of endangered and threatened species in  
3 the world, a majority of which are birds. More than fourteen  
4 million seabirds rely on habitats in the Hawaiian archipelago  
5 for survival. There are more than one hundred types of endemic  
6 Hawaiian birds. More than two-thirds of the various types of  
7 endemic Hawaiian birds are already extinct and over eighty per  
8 cent of the remaining types are threatened with extinction.

9           The legislature further finds that if an oil- or fuel-  
10 related disaster affecting native wildlife occurs, it is  
11 imperative that the State protect these endangered and endemic  
12 animals. Successful emergency responses to oil- or fuel-related  
13 disasters require a facility that provides efficient and state-  
14 of-the-art wildlife care; controls, handles, and tracks animal  
15 and hazardous waste; and ensures the safety of everyone working  
16 with oiled wildlife.



1           The legislature also finds that the mission of the Hawaii  
2 Wildlife Center (Center) is to conserve Hawaii's native wildlife  
3 through emergency response, rehabilitation, education, and  
4 research. The Center is the only native wildlife emergency  
5 response and rehabilitation facility in the State and in the  
6 Pacific Islands region. The Center is the only facility within  
7 the State that meets all federal and state standards for  
8 accommodating large-scale rescue and rehabilitation efforts  
9 targeting sick, injured, or oiled wildlife. Also, the Center  
10 serves as a critical emergency response facility for the  
11 training of response personnel and volunteers, and for the  
12 rehabilitation of injured, sick, and contaminated wildlife  
13 throughout the Pacific Islands region.

14           The purpose of this Act is to strengthen the State's  
15 environmental response by:

- 16           (1) Allowing the use of moneys from the environmental  
17 response revolving fund to support the operations of  
18 an environmental disaster standby and response  
19 facility to respond to oil- and fuel-related disasters  
20 affecting native wildlife in the State; and



1 (2) Specifying the types of programs that may be supported  
2 by the environmental response revolving fund.

3 SECTION 2. Section 128D-2, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5 "(b) Moneys from the fund shall be expended by the  
6 department for ~~[the following]~~ response actions and  
7 preparedness, including removal and remedial actions, consistent  
8 with this chapter; provided that the revenues generated by the  
9 environmental response, energy, and food security tax deposited  
10 into the environmental response revolving fund:

11 (1) Shall be used for:

12 (A) The ~~[Removal]~~ removal, remediation, and  
13 detection of oil and pollutant or contaminant  
14 releases;

15 (B) Oil spill planning, prevention, preparedness,  
16 education, research, and training;

17 (C) Direct support for county used oil recycling  
18 programs; and

19 (D) The payment of costs listed under section 128D-  
20 4(c); and

21 (2) May be used for:



- 1           (A) Support for environmental protection and natural  
2           resource protection programs, including energy  
3           conservation and alternative energy development,  
4           and to address concerns related to air quality,  
5           global warming, clean water, polluted runoff,  
6           solid and hazardous waste, drinking water, and  
7           underground storage tanks (including support for  
8           the underground storage tank program of the  
9           department);
- 10          (B) Funding for the acquisition by the State of a  
11          soil remediation site and facility;
- 12          (C) Support for the operations of an environmental  
13          disaster standby and response facility in the  
14          State that shall be responsible for the recovery  
15          and rehabilitation of native wildlife that are  
16          sickened, injured, or contaminated as a result of  
17          an oil- or fuel-related disaster in the State;  
18          and
- 19          (D) The [Removal<sub>7</sub>] removal and remediation of  
20          hazardous waste and any other solid, liquid, or



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1                   gaseous substance that may harm the environment [+

2                   and

3           ~~(3) The payment of costs listed under section 128D-4(e)]."~~

4           SECTION 3. There is appropriated out of the environmental

5 response revolving fund the sum of \$125,000 or so much thereof

6 as may be necessary for fiscal year 2019-2020 and the same sum

7 or so much thereof as may be necessary for fiscal year 2020-2021

8 for the operations of an environmental disaster standby and

9 response facility in the State that shall be responsible for the

10 recovery and rehabilitation of native wildlife that are

11 sickened, injured, or contaminated as a result of an oil- or

12 fuel-related disaster in the State.

13           The sums appropriated shall be expended by the department

14 of health for the purposes of this Act.

15           SECTION 4. Statutory material to be repealed is bracketed

16 and stricken. New statutory material is underscored.

17           SECTION 5. This Act shall take effect on July 1, 2019.

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**Report Title:**

Environmental Response Revolving Fund; Native Wildlife;  
Environmental Disaster Standby and Response Facility

**Description:**

Specifies the required and permitted uses of the environmental response revolving fund. Appropriates funds for the environmental disaster standby and response facility for native wildlife affected by an oil-or fuel-related disaster.

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

