
A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

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

1 SECTION 1. The legislature finds that the protection and
2 restoration of Hawaii's natural resources are essential to the
3 quality of life of Hawaii's residents, culture, and economy.
4 The legislature further finds that the department of land and
5 natural resources' jurisdiction encompasses nearly 1,300,000
6 acres of state lands, beaches, and coastal waters, as well as
7 seven hundred fifty miles of coastline, which is the fourth
8 longest in the country. The department's jurisdiction includes
9 state parks, historical sites, forests and forest reserves,
10 aquatic life and its sanctuaries, game management areas, public
11 hunting areas, and natural area reserves. The department of
12 land and natural resources also has one of the largest land and
13 ocean jurisdictions of any similar state agency in the United
14 States, however the department lacks adequate funding to meet
15 the challenges and threats posed to the long-term sustainability
16 of Hawaii's natural resources.



1 The legislature additionally finds that for the next ten
2 years, Hawaii is in a period of critical transition with respect
3 to conservation of its natural resources, particularly in light
4 of the severe threats of the climate crisis, and therefore
5 conservation programs need more support, budget, and personnel
6 to make a real impact. Following Hawaii's successful hosting of
7 the World Conservation Congress in 2016, the adoption of the
8 sustainable Hawaii initiative, and the State securing its
9 position as a global leader in conservation and climate issues,
10 Hawaii should align its state natural resource conservation
11 goals with the growing commitment around the world by
12 significantly increasing programs for protecting and restoring
13 nature during the critical decade from 2020 to 2030.

14 The purpose of this Act is to update and increase Hawaii's
15 natural resources conservation programs to ensure maximum long-
16 term benefit to Hawaii's environment, culture, and economy by
17 increasing funding for the department to reach those goals and
18 by creating a state 2030 natural resources conservation goal
19 action plan.

20 SECTION 2. Section 171-19, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) There is created in the department a special fund to
2 be designated as the "special land and development fund".
3 Subject to the Hawaiian Homes Commission Act of 1920, as
4 amended, and section 5(f) of the Admission Act of 1959, all
5 proceeds of sale of public lands, including interest on deferred
6 payments; all moneys collected under section 171-58 for mineral
7 and water rights; all rents from leases, licenses, and permits
8 derived from public lands; all moneys collected from lessees of
9 public lands within industrial parks; all fees, fines, and other
10 administrative charges collected under this chapter and chapter
11 183C; a portion of the highway fuel tax collected under chapter
12 243; all moneys collected by the department for the commercial
13 use of public trails and trail accesses under the jurisdiction
14 of the department; transient accommodations tax revenues
15 collected pursuant to section 237D-6.5(b)(5); and private
16 contributions for the management, maintenance, and development
17 of trails and accesses shall be set apart in the fund and shall
18 be used only as authorized by the legislature for the following
19 purposes:

- 20 (1) To reimburse the general fund of the State for
21 advances made that are required to be reimbursed from



- 1 the proceeds derived from sales, leases, licenses, or
2 permits of public lands;
- 3 (2) For the planning, development, management, operations,
4 or maintenance of all lands and improvements under the
5 control and management of the board pursuant to title
6 12, including but not limited to permanent or
7 temporary staff positions who may be appointed without
8 regard to chapter 76; provided that transient
9 accommodations tax revenues allocated to the fund
10 shall be expended as provided in section
11 237D-6.5(b)(5);
- 12 (3) To repurchase any land, including improvements, in the
13 exercise by the board of any right of repurchase
14 specifically reserved in any patent, deed, lease, or
15 other documents or as provided by law;
- 16 (4) For the payment of all appraisal fees; provided that
17 all fees reimbursed to the board shall be deposited in
18 the fund;
- 19 (5) For the payment of publication notices as required
20 under this chapter; provided that all or a portion of
21 the expenditures may be charged to the purchaser or



- 1 lessee of public lands or any interest therein under
2 rules adopted by the board;
- 3 (6) For the management, maintenance, and development of
4 trails and trail accesses under the jurisdiction of
5 the department;
- 6 (7) For the payment to private land developers who have
7 contracted with the board for development of public
8 lands under section 171-60;
- 9 (8) For the payment of debt service on revenue bonds
10 issued by the department, and the establishment of
11 debt service and other reserves deemed necessary by
12 the board;
- 13 (9) To reimburse the general fund for debt service on
14 general obligation bonds issued to finance
15 departmental projects, where the bonds are designated
16 to be reimbursed from the special land and development
17 fund;
- 18 (10) For the protection, planning, management, and
19 regulation of water resources under chapter 174C;
20 [and]



1 (11) For the development, submission, and evaluation of
2 progress of the state 2030 natural resources
3 conservation goal action plan; and

4 [~~(11)~~] (12) For other purposes of this chapter."

5 SECTION 3. Section 237D-6.5, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) Except for the revenues collected pursuant to section
8 237D-2(e), revenues collected under this chapter shall be
9 distributed in the following priority, with the excess revenues
10 to be deposited into the general fund:

11 (1) \$1,500,000 shall be allocated to the Turtle Bay
12 conservation easement special fund beginning July 1,
13 2015, for the reimbursement to the state general fund
14 of debt service on reimbursable general obligation
15 bonds, including ongoing expenses related to the
16 issuance of the bonds, the proceeds of which were used
17 to acquire the conservation easement and other real
18 property interests in Turtle Bay, Oahu, for the
19 protection, preservation, and enhancement of natural
20 resources important to the State, until the bonds are
21 fully amortized;



- 1 (2) \$16,500,000 shall be allocated to the convention
2 center enterprise special fund established under
3 section 201B-8;
- 4 (3) \$79,000,000 shall be allocated to the tourism special
5 fund established under section 201B-11; provided that:
- 6 (A) Beginning on July 1, 2012, and ending on June 30,
7 2015, \$2,000,000 shall be expended from the
8 tourism special fund for development and
9 implementation of initiatives to take advantage
10 of expanded visa programs and increased travel
11 opportunities for international visitors to
12 Hawaii;
- 13 (B) Of the \$79,000,000 allocated:
- 14 (i) \$1,000,000 shall be allocated for the
15 operation of a Hawaiian center and the
16 museum of Hawaiian music and dance at the
17 Hawaii convention center; and
- 18 (ii) 0.5 per cent of the \$79,000,000 shall be
19 transferred to a sub-account in the tourism
20 special fund to provide funding for a safety



1 and security budget, in accordance with the
2 Hawaii tourism strategic plan 2005-2015; and
3 (C) Of the revenues remaining in the tourism special
4 fund after revenues have been deposited as
5 provided in this paragraph and except for any sum
6 authorized by the legislature for expenditure
7 from revenues subject to this paragraph,
8 beginning July 1, 2007, funds shall be deposited
9 into the tourism emergency special fund,
10 established in section 201B-10, in a manner
11 sufficient to maintain a fund balance of
12 \$5,000,000 in the tourism emergency special fund;
13 (4) \$103,000,000 shall be allocated as follows: Kauai
14 county shall receive 14.5 per cent, Hawaii county
15 shall receive 18.6 per cent, city and county of
16 Honolulu shall receive 44.1 per cent, and Maui county
17 shall receive 22.8 per cent; provided that commencing
18 with fiscal year 2018-2019, a sum that represents the
19 difference between a county public employer's annual
20 required contribution for the separate trust fund
21 established under section 87A-42 and the amount of the



1 county public employer's contributions into that trust
 2 fund shall be retained by the state director of
 3 finance and deposited to the credit of the county
 4 public employer's annual required contribution into
 5 that trust fund in each fiscal year, as provided in
 6 section 87A-42, if the respective county fails to
 7 remit the total amount of the county's required annual
 8 contributions, as required under section 87A-43; [and]

9 (5) \$3,000,000 shall be allocated to the special land and
 10 development fund established under section 171-19;
 11 provided that the allocation shall be expended in
 12 accordance with the Hawaii tourism authority strategic
 13 plan for:

- 14 (A) The protection, preservation, maintenance, and
 15 enhancement of natural resources, including
 16 beaches, important to the visitor industry;
- 17 (B) Planning, construction, and repair of facilities;
 18 and
- 19 (C) Operation and maintenance costs of public lands,
 20 including beaches, connected with enhancing the
 21 visitor experience [-]; and



1 (6) One per cent shall be deposited into the special land
2 and development fund established pursuant to section
3 171-19 and expended for the purpose described in
4 section 171-19(a)(11) to achieve the state 2030
5 natural resources conservation goal action plan.

6 All transient accommodations taxes shall be paid into the
7 state treasury each month within ten days after collection and
8 shall be kept by the state director of finance in special
9 accounts for distribution as provided in this subsection.

10 As used in this subsection, "fiscal year" means the twelve-
11 month period beginning on July 1 of a calendar year and ending
12 on June 30 of the following calendar year."

13 SECTION 4. (a) The department of land and natural
14 resources shall develop a comprehensive statewide baseline
15 assessment of natural resources, threats, priorities,
16 benchmarks, and recommendations as the basis of its state 2030
17 natural resources conservation goal action plan, through a
18 statewide public participation process.

19 (b) The department of land and natural resources shall
20 submit the state 2030 natural resources conservation goal action
21 plan to the legislature no later than December 31, 2020.



1 (c) The department of land and natural resources shall
2 evaluate the progress toward achievement of the state 2030
3 natural resources conservation goal action plan and shall make
4 adjustments, as needed, to the action plan every two years. The
5 department of land and natural resources shall submit a report
6 of the evaluation, including any proposed legislation, to the
7 legislature no later than twenty days prior to the convening of
8 the regular session of 2022 and every other regular session
9 thereafter.

10 SECTION 5. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$350,000 or so much
12 thereof as may be necessary for fiscal year 2019-2020 and the
13 same sum or so much thereof as may be necessary for fiscal year
14 2020-2021 for the department of land and natural resources to
15 develop the state 2030 natural resources conservation goal
16 action plan.

17 The sums appropriated shall be expended by the department
18 of land and natural resources for the purposes of this Act.

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



1 SECTION 7. This Act shall take effect on December 31,
2 2050.
3



Report Title:

Department of Land and Natural Resources; State 2030 Natural Resources Conservation Goal Action Plan; Appropriation

Description:

Requires the department of land and natural resources to develop a state 2030 natural resources conservation goal action plan and allocates one per cent of the revenues of the transient accommodations tax for deposit into the special land and development fund to be used for the development, submission, and evaluation of progress of the action plan. Makes an appropriation. Takes effect 12/31/2050. (SD1)

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

