
A BILL FOR AN ACT

RELATING TO FUNDING FOR THE DIVISION OF CONSERVATION AND
RESOURCES ENFORCEMENT.

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

1 SECTION 1. The legislature finds that an alarmingly small
2 amount of money is invested each year to protect our natural
3 capital base, despite the value of Hawaii's natural resources to
4 its economy, culture, and quality of life. Article XI, section
5 1, of the Constitution of the State of Hawaii sets forth the
6 State's duty to conserve and protect Hawaii's natural beauty and
7 natural resources. Furthermore, the preservation and protection
8 of the State's natural, cultural, and historic resources is of
9 central importance to the current and future residents of the
10 State and its economy. While tourism is the primary economic
11 driver for the State, it is Hawaii's natural beauty and
12 resources that attract visitors. Due to the economic fall out
13 of the coronavirus disease 2019 pandemic, there will be a
14 dramatic reduction in general funds to support key programs.
15 Adequate funding is needed to enforce the laws that protect



1 Hawaii's natural resources for without them, the economy will
2 fail.

3 The legislature, in Act 156, Session Laws of Hawaii 2005,
4 determined that the conveyance tax is an appropriate means to
5 fund the conservation of natural resources by dedicating a
6 portion of the current assessment to the natural area
7 partnership program and forest stewardship program, which
8 assists private landowners in managing important natural
9 resources. Additionally, there is a clear nexus between the
10 source of the conveyance tax and providing funding for watershed
11 protection and other natural resource preservation programs
12 because the development, sale, and improvement of real estate in
13 Hawaii adds additional pressure on natural areas, coastal
14 access, agricultural production, and Hawaii's water resources
15 and watershed recharge areas.

16 The purpose of this Act is to allocate a portion of the
17 conveyance tax to the division of conservation and resources
18 enforcement of the department of land and natural resources to
19 partially cover operational costs related to upholding the laws
20 that serve to protect, conserve, and manage Hawaii's unique and
21 limited natural, cultural, and historic resources.



SECTION 2. Section 199-1.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The conservation and resources enforcement special fund shall be used for expenditures, including but not limited to:

- (1) Training;
- (2) Research;
- (3) Equipment;
- (4) Preparation and dissemination of information to the public;
- (5) Data collection and development;
- (6) Information technology;
- (7) Safety;
- (8) Wireless communication;
- (9) Management;
- (10) Travel;
- (11) Equipment rental;
- (12) Repairs;
- (13) Planning;
- (14) Information;
- (15) Education;



1 (16) Operations;

2 (17) Maintenance functions authorized and deemed necessary
3 by the department;

4 (18) Funding for consultants or contractual hires related
5 to the enforcement of:

6 (A) Title 12;

7 (B) Chapters 6D, 6E, and 6K; or

8 (C) Any rule adopted thereunder; ~~and~~

9 (19) Work performed in cooperation with enforcement
10 authorities of the State, the counties, and the
11 federal government~~[-]~~; and

12 (20) Permanent and temporary staff positions for the
13 purposes of this chapter."

14 SECTION 3. Section 247-7, Hawaii Revised Statutes, is
15 amended to read as follows:

16 **"§247-7 Disposition of taxes.** All taxes collected under
17 this chapter shall be paid into the state treasury to the credit
18 of the general fund of the State, to be used and expended for
19 the purposes for which the general fund was created and exists
20 by law; provided that of the taxes collected each fiscal year:



1 (1) Ten per cent or \$5,100,000, whichever is less, shall
2 be paid into the land conservation fund established
3 pursuant to section 173A-5; ~~and~~

4 (2) Fifty per cent or \$38,000,000, whichever is less,
5 shall be paid into the rental housing revolving fund
6 established by section 201H-202 ~~[÷]~~; and

7 (3) Two per cent or \$1,360,000, whichever is less, shall
8 be paid into the conservation and resources
9 enforcement special fund established pursuant to
10 section 199-1.5."

11 SECTION 4. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act, upon its approval, shall take effect
14 on July 1, 2021.



Report Title:

Division of Conservation and Resources Enforcement; Conveyance Tax

Description:

Allocates a portion of the Conveyance Tax to the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources to partially cover operational costs related to upholding the laws that serve to protect, conserve, and manage Hawaii's unique and limited natural, cultural, and historic resources. (SD1)

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