H.B. NO. 760

A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

SECTION 1. Recognizing that Hawaii's natural resources are
 valuable to our culture, quality of life, and tourism-based
 economy, the 1970 legislature created the natural area reserve
 system under the control of the department of land and natural
 resources to preserve and protect numerous native ecosystems.

6 The legislature finds that both the department of land and 7 natural resources and the natural area reserve system lack the 8 necessary funding to properly carry out their critical role as 9 guardians of the environment. This lack of funding puts our 10 environment at risk and, therefore, seriously threatens an 11 important foundation of our tourism industry.

Act 156, Session Laws of Hawaii 2005, established the legacy lands program, to preserve, protect, and enhance the State's land, coastal areas, and natural resources, and to provide a permanent adequate funding source for that purpose. The legislature also finds while the program has been successful, its own funding has dwindled for preservation of certain essential ecosystems and threatened habitats.



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1 The legislature further finds that other states have 2 successfully used voluntary contribution check-off boxes to 3 raise money for the protection of their natural resources. A 4 similar program in Hawaii will raise funds for our own 5 environmental management and will engage visitors for this 6 purpose. 7 The purpose of this Act is to provide the opportunity for persons renting cars in Hawaii to make a voluntary contribution 8 9 toward the protection of our State's unique environment, which 10 is a critical component of our tourism-based economy. SECTION 2. Chapter 437D, Hawaii Revised Statutes, is 11 12 amended by adding a new section to be appropriately designated 13 and to read as follows: 14 "§437D-Optional environmental impact contribution. (a) Every lessor who is required to register with the director 15 under section 251-3 shall include an option in each rental 16 17 agreement for the lessee to make a voluntary contribution to the 18 department of land and natural resources to preserve and protect 19 the environment. The option shall be printed in the rental agreement and approved by the department of land and natural 20 21 resources.



| 1 | (b) The lessor shall collect and keep all records of all |
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| 2 | contributions collected pursuant to this section and shall |
| 3 | provide receipts to all lessees who elect to contribute. |
| 4 | (c) Contributions collected pursuant to this section shall |
| 5 | be remitted to the department of land and natural resources, |
| 6 | which shall deposit the contributions at the end of every fiscal |
| 7 | year as follows: |
| 8 | (1) Fifty per cent into the natural area reserve fund |
| 9 | established under section 195-9; and |
| 10 | (2) Fifty per cent into the land conservation fund |
| 11 | established under section 173A-5." |
| 12 | SECTION 3. Section 173A-5, Hawaii Revised Statutes, is |
| 13 | amended by amending subsection (d) to read as follows: |
| 14 | "(d) The appropriate percentage identified under section |
| 15 | 247-7 of all taxes imposed and collected under chapter 247 and |
| 16 | contributions collected through rental agreements under section |
| 17 | 437D- shall be deposited in or credited to the fund every |
| 18 | fiscal year." |
| 19 | SECTION 4. Section 195-9, Hawaii Revised Statutes, is |
| 20 | amended by amending subsection (b) to read as follows: |
| 21 | "(b) The fund shall consist of moneys received from any |
| 22 | public or private [sources.] sources, including contributions |
| | HB HMS 2013-1228 |

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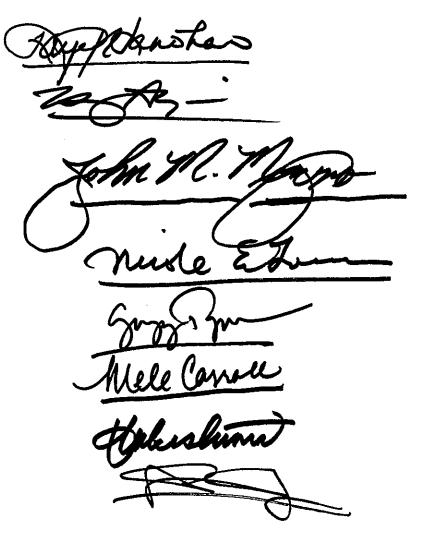
1 collected through rental agreements under section 437D- . The 2 fund shall be held separate and apart from all other moneys, 3 funds, and accounts in the state treasury, except that any 4 moneys received from the federal government or from private 5 contributions shall be deposited and accounted for in accordance 6 with conditions established by the agencies or persons from whom 7 the moneys are received. Investment earnings credited to the 8 assets of the fund shall become a part of the assets of the 9 fund. Any balance remaining in the fund at the end of any 10 fiscal year shall be carried forward in the fund for the next 11 fiscal year."

SECTION 5. The department of land and natural resources
shall adopt rules to effectuate the purpose of this Act by July
1, 2014.

15 SECTION 6. Statutory material to be repealed is bracketed16 and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval;provided that sections 2, 3, and 4 shall take effect on July 1,

19 2015. 20 INTRODUCED BY



JAN 2 2 2013



Report Title:

Environmental Conservation; Optional Contribution; Rental Motor Vehicles.

Description:

Requires lessors of rental motor vehicles to include an option to the lessee in the motor vehicle agreement to contribute a sum to the Department of Land and Natural Resources for the preservation and protection of the environment commencing on July 1, 2015.

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

