
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

PART I

SECTION 1. The legislature finds that marine debris is fouling the State's ocean and beaches. In order to reduce marine debris from Hawaii's ocean and beaches it is important, where feasible, to remove marine debris before it breaks down.

The legislature finds that both larger and smaller pieces of marine debris have significant negative impacts on the environment. Ingestion of marine debris contributes to the death of marine animals and bird populations. This poisons the food chain and impacts all species, including birds, whales, turtles, seals, corals, and small organisms. This also poisons the fish that form the foundation of the local fishing industry, and ultimately, it poisons the humans that eat the affected fish. Marine debris defaces the State's iconic beaches, which are the very foundation of the State's tourism industry.

The legislature further finds that removal of marine debris from beaches is critical to both the State's economy and



1 environment. However, the legislature finds that removal has
2 been hampered by disagreement among agencies over responsibility
3 and jurisdiction. Pursuant to section 46-12, Hawaii Revised
4 Statutes, counties are charged with removing and clearing all
5 seaweed, limu, and debris that are likely to create an
6 unsanitary condition or otherwise become a public nuisance on
7 the shores and beaches within the respective counties. However,
8 the counties, to date, have not applied that responsibility to
9 marine debris on county shores and beaches.

10 The department of land and natural resources is charged
11 with managing, administering, and exercising control over public
12 lands, water resources, ocean waters, navigable streams, coastal
13 areas (excluding commercial harbor areas), aquatic life and
14 coastal programs. The department also has jurisdiction over
15 state marine waters, which extend seaward from the upper reaches
16 of the wash of the waves. This generally includes Hawaii's
17 beaches. The legislature believes that the department should be
18 responsible for regularly removing marine debris from beaches
19 and should be provided additional appropriations to carry out
20 this important task.



1 The purpose of this Act is to help protect the beaches and
2 ocean in the State from marine debris by:

3 (1) Requiring the department of land and natural resources
4 and the counties to form a marine debris working
5 group, with other interested parties, to resolve
6 jurisdictional issues between the State and counties
7 regarding the removal of marine debris and provide
8 coordination between State and county agencies that
9 ensures the cleanup of marine debris from Hawaii's
10 beaches and shorefronts; and

11 (2) Establishing a marine debris special fund to provide
12 funding to the department of land and natural
13 resources for the removal of marine debris from
14 shorelines and nearshore waters.

15 PART II

16 SECTION 2. (a) There is established a marine debris
17 working group attached to the department of land and natural
18 resources for administrative purposes only. The working group
19 shall consist of:

20 (1) The chairperson of the Board of land and natural
21 resources or the chair's designee;



(2) Four members representing the appropriate environmental protection agencies from each county, to be appointed by the mayor of the county in which the agency is located;

(3) A county director of finance, to be appointed by the Hawaii council of mayors;

(4) A county director of planning, to be appointed by the Hawaii council of mayors; and

(5) A member of the University of Hawaii, water resources research center, to be appointed by the director of the water resources research center.

(b) The marine debris working group shall resolve jurisdictional issues between the State and counties regarding the removal of marine debris and provide coordination between state and county agencies that ensures the cleanup of marine debris from Hawaii's beaches and shorefronts.

(c) Members of the marine debris working group shall serve without compensation but shall be reimbursed for necessary expenses, including air transportation, to attend the meetings of working group and in the discharge of the duties of the working group.



(d) No member of the working group shall be made subject to section 84-17, Hawaii Revised Statutes solely because of that member's participation as a member of the working group.

(e) The marine debris working group shall cease to exist on January 1, 2021.

PART III

SECTION 3. Chapter 171, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§171- Marine debris special fund. (a) There is established within the state treasury the marine debris special fund, to be administered by the department, into which shall be deposited the following moneys:

(1) Appropriations by the legislature to the special fund;

(2) Gifts, donations, and grants from public agencies and private agencies; and

(3) Interest earnings on all amounts in the special fund.

(b) Moneys from the special fund may be expended by the department for the purpose of removal of marine debris, including plastic marine debris, nets, derelict vehicles,



1 contrivances, and grounded vessels, from shorelines and
2 nearshore waters."

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2018-2019 to be
6 deposited into the marine debris special fund.

7 SECTION 5. There is appropriated out of the marine debris
8 special fund the sum of \$ or so much thereof as may be
9 necessary for fiscal year 2018-2019 for removal of marine debris
10 from shorelines and nearshore waters.

11 The sum appropriated shall be expended by the department of
12 land and natural resources for the purposes of this Act.

13 PART IV

14 SECTION 6. New statutory material is underscored.

15 SECTION 7. This Act shall take effect on January 28, 2045.



Report Title:

DLNR; Counties; Pollution; Marine Debris Working Group; Marine Debris Special Fund; Environmental Protection; Appropriation; Report

Description:

Requires the Department of Land and Natural Resources and the counties to form a Marine Debris Working Group, with other interested parties, to resolve jurisdictional issues between the State and counties regarding the removal of marine debris and provide coordination between state and county agencies that ensures the cleanup of marine debris from Hawaii's beaches and shorefronts. Establishes a Marine Debris Special Fund to provide funding to the Department of Land and Natural Resources for the removal of marine debris from shorelines and nearshore waters. (HB2625 HD2)

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

