
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 the coronavirus
2 (COVID-19) has had a catastrophic impact on the world economy,
3 resulting in the support for general fund programming being
4 dramatically reduced due to the economic fallout of the COVID-19
5 pandemic.

6 The legislature further finds that an alarmingly small
7 amount of money is invested each year to protect the State's
8 natural capital base, despite the value of Hawaii's natural
9 resources to its economy, culture, and quality of life.
10 Furthermore, the preservation and protection of the State's
11 natural, cultural, and historic resources is of central
12 importance to the current and future residents of the State and
13 its economy. Article XI, section 1, of the Constitution of the
14 State of Hawaii sets forth the State's duty to conserve and
15 protect Hawaii's natural beauty and natural resources. While
16 tourism is the primary economic driver for the State, it is



1 Hawaii's natural beauty and resources that attract visitors.
2 Furthermore, adequate funding is needed to enforce the laws that
3 protect Hawaii's natural resources, since without them, the
4 economy will fail.

5 The legislature, in Act 156, Session Laws of Hawaii 2005,
6 determined that the conveyance tax is an appropriate means to
7 fund the conservation of natural resources by dedicating a
8 portion of the current assessment to the natural area
9 partnership program and forest stewardship program that assist
10 private landowners in managing important natural resources.

11 Additionally, there is a clear nexus between the source of
12 the conveyance tax and providing funding for watershed
13 protection and other natural resource preservation programs.
14 The development, sale, and improvement of real estate in Hawaii
15 adds additional pressure on natural areas, coastal access,
16 agricultural production, and Hawaii's water resources and
17 watershed recharge areas.

18 The purpose of this Act is to allocate a portion of the
19 conveyance tax to the division of conservation and resources
20 enforcement of the department of land and natural resources to
21 partially cover operational costs related to upholding the laws



1 that serve to protect, conserve, and manage Hawaii's unique and
2 limited natural, cultural, and historic resources.

3 SECTION 2. Section 199-1.5, Hawaii Revised Statutes, is
4 amended by amending subsections (b) and (c) to read as follows:

5 "(b) The following shall be deposited into the
6 conservation and resources enforcement special fund:

- 7 (1) Grants, awards, donations, gifts, transfers, or moneys
8 derived from public or private sources for the
9 purposes of enforcing the provisions of title 12;
10 chapters 6D, 6E, and 6K; or any rule adopted
11 thereunder;
- 12 (2) Fees, reimbursements, administrative charges, and
13 penalties collected for activities related to the
14 enforcement of natural, cultural, and historic
15 resources protection laws and rules, except as
16 otherwise provided by law that provides for deposits
17 into other special funds administered by the
18 department;
- 19 (3) Moneys derived from interest, dividends, or other
20 income from the above-mentioned sources; [~~and~~]



- 1 (4) Appropriations by the legislature to the special
2 fund[-]; and
- 3 (5) Revenues collected under chapter 247 pursuant to
4 section 247-7(3).
- 5 (c) The conservation and resources enforcement special
6 fund shall be used for expenditures, including but not limited
7 to:
- 8 (1) Training;
 - 9 (2) Research;
 - 10 (3) Equipment;
 - 11 (4) Preparation and dissemination of information to the
12 public;
 - 13 (5) Data collection and development;
 - 14 (6) Information technology;
 - 15 (7) Safety;
 - 16 (8) Wireless communication;
 - 17 (9) Management;
 - 18 (10) Travel;
 - 19 (11) Equipment rental;
 - 20 (12) Repairs;
 - 21 (13) Planning;



- 1 (14) Information;
- 2 (15) Education;
- 3 (16) Operations;
- 4 (17) Maintenance functions authorized and deemed necessary
- 5 by the department;
- 6 (18) Funding for consultants or contractual hires related
- 7 to the enforcement of:
- 8 (A) Title 12;
- 9 (B) Chapters 6D, 6E, and 6K; or
- 10 (C) Any rule adopted thereunder; [~~and~~]
- 11 (19) Work performed in cooperation with enforcement
- 12 authorities of the State, the counties, and the
- 13 federal government[-]; and
- 14 (20) Permanent and temporary staff positions for the
- 15 purposes of this chapter."

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

18 "**§247-7 Disposition of taxes.** All taxes collected under
 19 this chapter shall be paid into the state treasury to the credit
 20 of the general fund of the State, to be used and expended for



1 the purposes for which the general fund was created and exists
2 by law; provided that of the taxes collected each fiscal year:

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

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

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

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2050.



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. Effective 7/1/2050. (HD1)

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

