

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 636  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Energy, Economic Development, and Tourism and Agriculture and Environment, to which was referred S.B. No. 636 entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to establish a Visitor Green Fee Program to collect fees from visitors to the State for the provision of sustained and increased funding for the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources and build the resilience of these resources against the impacts of climate change and local threats;
- (2) Establish the Hawaii Environmental Legacy Commission to guide the disbursement of funds collected from the Visitor Green Fee Program; and
- (3) Establish the Hawaii Environmental Legacy Special Fund.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Tourism Authority; Climate Protectors Hawaii; Imua Alliance; Resources



Legacy Fund; Friends of Hanauma Bay; Hawaii Lodging and Tourism Association; Nature Conservancy; Kanalani Ohana Farm; hawaiiigreenfee.org, representing a coalition of forty-one entities; and eight individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Tax Foundation of Hawaii, Kohala Coast Resort Association, and Maui Hotel and Lodging Association.

Your Committees find that despite the incredible value of Hawaii's natural resources, the State currently invests less than one percent of its budget to protect, restore, and manage these assets. Your Committees believe that to leave a legacy of healthy natural resources for future generations of Hawaii's residents and visitors, the State must urgently address the estimated \$360,000,000 annual conservation funding gap and provide sustained, increased funding for Hawaii's natural resources and environment. This measure will provide additional resources to protect Hawaii's natural resources for the enjoyment of future generations while supporting the creation of thousands of jobs for Hawaii residents.

Your Committees have amended this measure by:

- (1) Replacing the term "natural resources" with "natural and cultural resources" as necessary;
- (2) Deleting language that would have made the Visitor Green Fee Program for the purpose of advancing the 2030 Aloha+ Challenge and deleting references to the 2030 Aloha+ Challenge throughout the measure;
- (3) Inserting language clarifying that the purpose of the Visitor Green Fee Program is to provide sustained and increased funding for the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources and to build the resilience of these resources against the impacts of climate change and local threats;
- (4) Clarifying that the Hawaii Environmental Legacy Commission shall rank project applications and make recommendations to the Board of Land and Natural

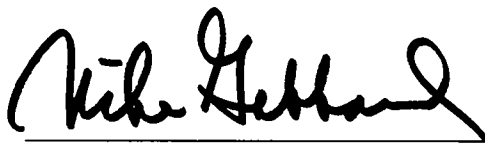


Resources regarding the allocation of the Visitor Green Fee Program funds from the Hawaii Environmental Legacy Special Fund;

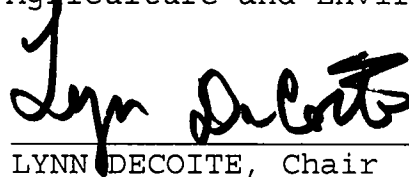
- (5) Requiring the Board of Land and Natural Resources to prioritize projects that directly support the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources;
- (6) Requiring the annual report published by the Department of Land and Natural Resources to include how the Hawaii Environmental Legacy Special Fund promotes the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources;
- (7) Amending section 1 to reflect its amended purpose; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 636, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 636, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Energy, Economic  
Development, and Tourism and  
Agriculture and Environment,



MIKE GABBARD, Chair

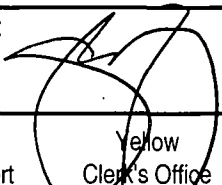


LYNN DECOITE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i


**Record of Votes**  
**Committee on Energy, Economic Development, and Tourism**  
**EET**

Bill / Resolution No.:	Committee Referral:	Date:		
SB 636	EET/AEN, WAM	2-15-23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DECOITE, Lynn (C)	✓	✓		
WAKAI, Glenn (VC)		✓		
FUKUNAGA, Carol	✓			
KIM, Donna Mercado		✓		
FEVELLA, Kurt		✓		
<b>TOTAL</b>	2	3	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB636</b>	Committee Referral: <b>EET/AEN, WAM</b>	Date: <b>02-15-23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)		X		
DECOITE, Lynn	X			
RHOADS, Karl	X			
AWA, Brenton	X			
<b>TOTAL</b>	<b>4</b>	<b>1</b>		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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