

ACT 315

H.B. NO. 3403

A Bill for an Act Relating to Forest Reserves.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature notes that widespread combustion of fossil fuels and the accelerating destruction of forests worldwide have dramatically altered the composition of earth's atmospheric gases. These changes, according to scientific consensus, will likely change global climatic conditions, eventually leading to dramatic temperature increases, altered rainfall patterns, and a pronounced sea level rise. Such climatic related changes may have profound, and in some cases, devastating impacts on our society. As global warming accelerates, the resulting sea level rise could wreak havoc on our populous coastal zone, drowning many coastal communities, killing protective marshlands and reefs, and submerging entire Pacific island communities. Changes in rainfall and temperature could alter both marine and terrestrial ecosystems, eliminating many local fisheries, and shifting agricultural belts worldwide. It is estimated that these changes will lead to major population redistribution and incalculable economic loss.

The legislature further notes there is an emerging consensus among scientists, environmentalists, government officials, and foresters that widespread

planting of trees, along with conservation of existing forests, is one of the surest, easiest, and least expensive ways to begin to halt and even reverse the buildup of carbon dioxide in the air. Much of Hawaii was formerly covered with forest growth, and the State controls vast tracts of land deemed suitable for tree cover. In keeping with the worldwide trend toward preservation of existing forests and reforestation of suitable lands, it is in the best long term interest of the State to initiate a tree planting program that would complement similar programs currently under review through the world.

The purpose of this Act is to institute a tree replanting program on Oahu, Hawaii, Maui, and Kauai.

SECTION 2. In accordance with Section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriation contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1990-1991 to be exceeded by \$250,000, or 0.0098 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriation made in this Act is necessary to serve the public interest and to meet the needs provided for by this Act.

SECTION 3. Section 183-1.5, Hawaii Revised Statutes, is amended to read as follows:

“§183-1.5 Duties in general. The department shall:

- (1) Gather and compile information and statistics concerning the area, location, character, and increase and decrease of forests in the State;
- (2) Gather and compile information as necessary concerning trees, plants, and shrubs recommended for planting in different localities, including the care and propagation of trees and shrubs for protective, productive, and aesthetic purposes and other useful information, which the department deems proper;
- (3) Have the power to manage and regulate all lands which may be set apart as forest reserves;
- (4) Devise ways and means of protecting, extending, increasing, and utilizing the forests and forest reserves, more particularly for protecting and developing the springs, streams, and sources of water supply to increase and make that water supply available for use;
- (5) Devise and carry into operation, ways and means by which forests and forest reserves can, with due regard to the main objectives of title 12, be made self-supporting in whole or in part;
- (6) Devise and carry into operation, ways and means of reforesting suitable state lands;
- [(6)] (7) Formulate and from time to time recommend to the governor and legislature such additional legislation as it deems necessary or desirable for better implementing the objectives of title 12;
- [(7)] (8) Publish, at the end of each year, a report of the expenditures and proceedings of the department and of the results achieved by the department, together with such other matters as are germane to the subject matter under title 12 and which the department deems proper.”

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$250,000, or so much thereof as may be necessary for fiscal year 1990-1991, to institute a tree replanting program by: expanding

ACT 315

nursery facilities on Oahu, Hawaii, Maui, and Kauai; educating the public about the importance of this program and the care and maintenance of various tree species; and increasing temporary staffing.

SECTION 5. The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 1990.

(Approved July 3, 1990.)