

JAN 21 2011

A BILL FOR AN ACT

RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL.

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

1 SECTION 1. The legislature finds that the office of
2 environmental quality control is greatly understaffed, and, as a
3 result, struggles to fulfill its duty to ensure environmental
4 protection in Hawaii.

5 The purpose of this Act is to establish fees to help fund
6 the activities of the office of environmental quality control.

7 SECTION 2. Chapter 341, Hawaii Revised Statutes, is
8 amended by adding two new sections to be appropriately
9 designated and to read as follows:

10 "§341-A Environmental review special fund; use of funds.

11 (a) There is established in the state treasury the
12 environmental review special fund, into which shall be
13 deposited:

14 (1) All filing fees and other administrative fees
15 collected by the office;

16 (2) Moneys collected pursuant to section 341-B;

17 (3) All accrued interest from the special fund; and



1 (4) Moneys appropriated to the special fund by the
2 legislature.

3 (b) Moneys in the environmental review special fund shall
4 not supplant the office budget base, or any portion thereof, and
5 shall be used to:

6 (1) Fund the activities of the office and the council in
7 fulfillment of their duties pursuant to this chapter
8 and chapter 343, including administrative, staffing,
9 and office expenses and servicing of agency documents
10 relating to the environmental review process;

11 (2) Support outreach, training, education, and research
12 programs pursuant to section 341-4; and

13 (3) Modernize technology, maintain technology systems, and
14 develop technology training programs within the limits
15 established by section 341-B.

16 §341-B Fees. (a) The office, in consultation with the
17 council, shall adopt rules pursuant to chapter 91 to establish
18 filing fees and any other fees necessary for the administration
19 and management of the office and the council.

20 (b) The office shall collect interim filing fees from all
21 applicants, including state and county agencies, required to
22 file environmental review documents pursuant to chapter 343.



1 Until superseded by rules adopted by the office, the
2 interim filing fees shall be:

3 (1) \$1,500 for a draft environmental assessment;

4 (2) \$1,000 for a final environmental assessment;

5 (3) \$500 for an environmental impact statement publication
6 notice;

7 (4) \$4,000 for a draft environmental impact statement;

8 (5) \$3,000 for a final environmental impact statement;

9 (6) \$500 for any supplemental environmental assessment;

10 and

11 (7) \$1,000 for any supplemental environmental impact
12 statement;

13 (c) The office shall waive the filing fees required by
14 this section for an applicant who demonstrates that:

15 (1) The cost of the proposed action does not exceed
16 \$500,000;

17 (2) The applicant's annual revenue does not exceed
18 \$1,000,000; and

19 (3) The applicant has fewer than ten employees."

20 SECTION 3. In codifying the new sections added by section
21 1 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect on July 1, 2011.

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INTRODUCED BY:

Mike Gettner
Jul 12
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Report Title:

Office of Environmental Quality Control; Fees; Special Fund

Description:

Establishes filing fees to help fund operations of the OEQC.
Creates special fund.

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