A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL RESPONSE.

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

SECTION 1. The legislature finds that Hawaii has the largest concentration of endangered and threatened species in the world, a majority of which are birds. More than fourteen million seabirds rely on habitats in the Hawaiian archipelago for survival. There are more than one hundred types of endemic Hawaiian birds. More than two-thirds of the various types of endemic Hawaiian birds are already extinct and over eighty percent of the remaining types are threatened with extinction.

The legislature further finds that if an oil- or fuel-related disaster affecting native wildlife occurs, it is imperative that the State protect these endangered and endemic animals. Successful emergency responses to oil- or fuel-related disasters require a facility that provides efficient and state-of-the-art wildlife care; controls, handles, and tracks animal and hazardous waste; and ensures the safety of everyone working with oiled wildlife.
The legislature also finds that the mission of the Hawaii Wildlife Center (Center) is to conserve Hawaii's native wildlife through emergency response, rehabilitation, education, and research. The Center is the only native wildlife emergency response and rehabilitation facility in the State and in the Pacific Islands region. The Center is the only facility within the State that meets all federal and state standards for accommodating large-scale rescue and rehabilitation efforts targeting sick, injured, or oiled wildlife. Also, the Center serves as a critical emergency response facility for the training of response personnel and volunteers, and for the rehabilitation of injured, sick, and contaminated wildlife throughout the Pacific Islands region.

The purpose of this Act is to strengthen the State's environmental response by:

(1) Allowing the use of moneys from the environmental response revolving fund to support the operations of an environmental disaster standby and response facility to respond to oil- and fuel-related disasters affecting native wildlife in the State; and
(2) Specifying the types of programs that may be supported
by the environmental response revolving fund.

SECTION 2. Section 128D-2, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:

"(b) Moneys from the fund shall be expended by the
department for [the following:] response actions and
preparedness, including removal and remedial actions, consistent
with this chapter; provided that the revenues generated by the
environmental response, energy, and food security tax deposited
into the environmental response revolving fund:

(1) Shall be used for:

(A) The removal, remediation, and
detection of oil and pollutant or contaminant
releases;

(B) Oil spill planning, prevention, preparedness,
education, research, and training;

(C) Direct support for county used oil recycling
programs; and

(D) The payment of costs listed under section 128D-
4(c); and

(2) May be used for:
(A) Support for environmental protection and natural resource protection programs, including energy conservation and alternative energy development, and to address concerns related to air quality, global warming, clean water, polluted runoff, solid and hazardous waste, drinking water, and underground storage tanks (including support for the underground storage tank program of the department);

(B) Funding for the acquisition by the State of a soil remediation site and facility;

(C) Support for the operations of an environmental disaster standby and response facility in the State that shall be responsible for the recovery and rehabilitation of native wildlife that are sickened, injured, or contaminated as a result of an oil- or fuel-related disaster in the State; and

(D) The removal and remediation of hazardous waste and any other solid, liquid, or
gaseous substance that may harm the environment[

and

3) The payment of costs listed under section 128D-4(c)]."

SECTION 3. There is appropriated out of the environmental
response revolving fund the sum of $125,000 or so much thereof
as may be necessary for fiscal year 2019-2020 and the same sum
or so much thereof as may be necessary for fiscal year 2020-2021
for the operations of an environmental disaster standby and
response facility in the State that shall be responsible for the
recovery and rehabilitation of native wildlife that are
sickened, injured, or contaminated as a result of an oil- or
fuel-related disaster in the State.

The sums appropriated shall be expended by the department
of health for the purposes of this Act.

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

SECTION 5. This Act shall take effect on July 1, 2019.
HB HMS 2019-1091
Report Title:
Environmental Response Revolving Fund; Native Wildlife; Environmental Disaster Standby and Response Facility

Description:
Specifies the required and permitted uses of the environmental response revolving fund. Appropriates funds for the environmental disaster standby and response facility for native wildlife affected by an oil-or fuel-related disaster.

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