

Honolulu, Hawaii

FEB 08, 2024

RE: H.B. No. 1544
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1544 entitled:

"A BILL FOR AN ACT RELATING TO STATE WATER CODE PENALTIES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Add a minimum penalty of \$50 and a maximum penalty of \$60,000 per violation of the State Water Code;
- (2) Expand the types of potential violations of the State Water Code;
- (3) Make each day that a violation exists or continues to exist a separate offense;
- (4) Require the Commission on Water Resource Management to consider certain factors when imposing penalties; and
- (5) Make the setting, charging, and collecting of administrative fines by the Commission on Water Resource Management mandatory, rather than discretionary.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Sierra Club of



Hawai'i; and two individuals. Your Committee received testimony in opposition to this measure from the Board of Water Supply, City and County of Honolulu; Department of Water, County of Kaua'i; and Department of Water Supply, County of Hawai'i.

Your Committee finds that the State Water Code's penalties and fines must be amended and increased to serve as an effective deterrent to violators.

Your Committee has amended this measure by:

- (1) Changing the minimum and maximum fine amounts per violation of the State Water Code to unspecified amounts;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1544, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1544, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,


LINDA ICHIYAMA, Chair



