

STAND. COM. REP. NO.

137

Honolulu, Hawaii

FEB 07 , 2023

RE: H.B. No. 153
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 153 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 strengthen the State Water Code by:

- (1) Adding a minimum penalty of \$50 per violation of the State Water Code and making each day that a violation exists or continues to exist a separate offense; and
- (2) Requiring the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds this measure clarifies what constitutes a violation of the State Water Code and how a penalty amount for a violation is determined.

Your Committee has amended this measure by:

2023-1046 HB153 HD1 HSCR HMSO



- (1) Increasing the maximum fine per violation of the State Water Code from \$5,000 to \$25,000;
- (2) Making an appropriation in an unspecified amount for two full-time equivalent (2.0 FTE) general professional positions within the Commission on Water Resource Management;
- (3) Changing its effective date to June 30, 3000, to encourage further discussion; and
- (4) 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. 153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 153, 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



