

STAND. COM. REP. NO.

22

Honolulu, Hawaii

JAN 30 , 2025

RE: H.B. No. 306
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.B.
No. 306 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 establish a \$50 minimum and
\$60,000 maximum fine for every violation of the State Water Code.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources; Hawai'i Alliance
for Progressive Action; Green Party of Hawai'i; Environmental
Caucus of the Democratic Party of Hawai'i; Sierra Club of Hawai'i;
Strata Farms LLC; and numerous individuals. Your Committee
received comments on this measure from the Honolulu Board of Water
Supply; Department of Water Supply of the County of Hawai'i; and
one individual.

Your Committee finds that the State has an affirmative duty
to protect, control, and regulate the use of the State's water
resources. Your Committee further finds that the current
penalties in the State Water Code do not serve as a sufficient
deterrent to prevent over-extraction or misuse of these resources.
Your Committee believes that establishing minimum and maximum
penalties for violations of the State Water Code, as intended by
this measure, will help preserve water resources, protect

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vulnerable ecosystems, and ensure access to safe drinking water for residents and visitors in the State.

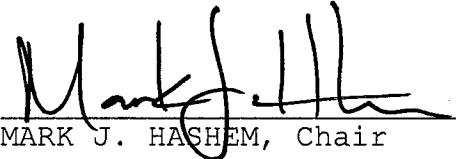
Your Committee has amended this measure by:

- (1) Including failure to comply with standardized water audit requirements as a violation subject to a penalty;
- (2) Leaving the maximum penalty unspecified;
- (3) Establishing factors that must be considered by the Commission on Water Resource Management when imposing a penalty;
- (4) Reverting to existing statutory language that permits, rather than requires, the Commission to set, charge, and collect administrative fines;
- (5) Establishing an incremental increase of the maximum fine effective every five years over a twenty-year period beginning in 2035;
- (6) Inserting severability and savings clauses;
- (7) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (8) 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. 306, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 306, 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,


MARK J. HASHEM, Chair



HSUR 22

Bill/Resolution No.: HB 306	Committee Referral: WAL, JHA, FIN	Date: 11/28/2025		
<input checked="" type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. HASHEM, Mark J. (C)	✓			
2. LAMOSAO, Rachele F. (VC)	✓			
3. BELATTI, Della Au	✓			
4. ICHIYAMA, Linda	✓			
5. IWAMOTO, Kim Coco		✓		
6. MORIKAWA, Dee	✓			
7. POEPOE, Mahina	✓			
8. WOODSON, Justin H.	✗			✗
9. SHIMIZU, Garner M.	✓			
10. SOUZA, Kanani		✓		
TOTAL (10)	7	2	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				