

Honolulu, Hawaii

APR 04 2025

RE: H.B. No. 306
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 306, H.D. 2, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Ensure that all violators of the State Water Code are held accountable for their violations by adding a minimum penalty and amending the maximum penalty, with scheduled incremental increases, per violation of the State Water Code and clarifying what constitutes a separate offense; and
- (2) Require the Commission on Water Resource Management to consider certain factors when imposing penalties.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Ulupono Initiative, Lāhainā Strong, Hawai'i Alliance for Progressive Action, Green Party of Hawai'i, and thirty-eight individuals.

Your Committees received testimony in opposition to this measure from the Land Use Research Foundation of Hawaii.

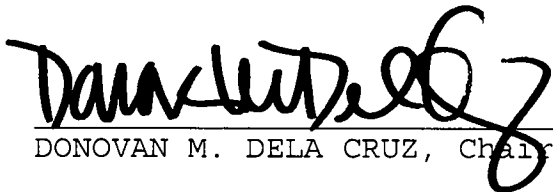


Your Committees received comments on this measure from the Office of Hawaiian Affairs.

Your Committees find that to assist the Department of Land and Natural Resources and Commission on Water Resource Management in their mission to protect the State's water resources, the State Water Code's penalties and fines must be amended and increased to serve as an effective deterrence to violators. Your Committees further find that imposing harsher fines and penalties on violators of the State Water Code will support the preservation of the State's water resources and protect ecosystems that depend on healthy water systems. This measure will strengthen the State Water Code, enabling the Commission on Water Resource Management to better protect the State's water resources.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 306, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 306 HD2, SD1	Committee Referral: WTL, JDC/WAM	Date: 4/1/25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <div><input checked="" type="checkbox"/> Pass, unamended 2312</div> <div><input type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	~	~	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<div style="display: flex; justify-content: space-between;"> <div style="text-align: left;"> Distribution: Original File with Committee Report </div> <div style="text-align: left;"> Yellow Clerk's Office </div> <div style="text-align: left;"> Pink Drafting Agency </div> <div style="text-align: left;"> Goldenrod Committee File Copy </div> </div>				

***Only one measure per Record of Votes**

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB306 HDZ EDI	Committee Referral: WTL, JDC/WAM	Date: 4/1/2025							
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____									
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>									
Members	Aye	Aye (WR)	Nay	Excused					
DELA CRUZ, Donovan M. (C)	X								
MORIWAKI, Sharon Y. (VC)	X								
AQUINO, Henry J.C.	X								
DECOITE, Lynn				X					
ELEFANTE, Brandon J.C.	X								
HASHIMOTO, Troy N.	X								
INOUE, Lorraine R.	X								
KANUHA, Dru Mamo	X								
KIDANI, Michelle N.	X								
KIM, Donna Mercado	X								
LEE, Chris	X								
WAKAI, Glenn	X								
FEVELLA, Kurt	X								
TOTAL	12	0	0	1					
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>									
Chair's or Designee's Signature: _____									
<table style="width: 100%; font-size: small;"> <tr> <td style="width: 25%;">Distribution:</td> <td style="width: 25%;">Original File with Committee Report</td> <td style="width: 25%;">Yellow Clerk's Office</td> <td style="width: 25%;">Pink Drafting Agency</td> <td style="width: 20%;">Goldenrod Committee File Copy</td> </tr> </table>					Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy
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