

Honolulu, Hawaii

APR 28 , 2023

RE: H.B. No. 1079  
H.D. 2  
S.D. 2  
C.D. 1

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

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1079, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend sections in chapter 342D, Hawaii Revised Statutes (HRS), relating to water pollution, to:

- (1) Conform to definitions and civil penalty amounts pursuant to federal regulations and laws, including the Clean Water Act;
- (2) Consolidate separate water quality certification statutes into one section of law for clarity;



- (3) Clarify the authority of the Department of Health to conduct water quality certifications; and
- (4) Revise civil penalty amounts to ensure consistency within the Department of Health.

Your Committee on Conference has amended this measure by:

- (1) Adding a definition of "territorial seas";
- (2) Raising the maximum fine for any person who violates chapter 342D, HRS, any rule, or any term or condition of a permit, water quality certification, or variance issued pursuant to chapter 342D, HRS, to \$60,000 for each separate offense;
- (3) Raising the maximum fine for any person who denies, obstructs, or hampers the entrance or inspection by any duly authorized officer or employee of the Department of Health of any building, place, or vehicle that the officer or employee is authorized to enter and inspect to \$25,000 for each day of denial, obstruction, or hampering;
- (4) Changing its effective date to upon approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1079, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1079, H.D. 2, S.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

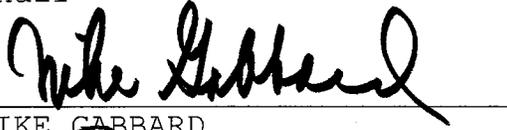
ON THE PART OF THE HOUSE



LORRAINE R. INOUE  
Chair



LINDA ICHIYAMA  
Co-Chair



MIKE GABBARD  
Co-Chair



NICOLE E. LOWEN  
Co-Chair



SHARON MORIWAKI  
Co-Chair



LISA KITAGAWA  
Co-Chair



