STAND. COM. REP. NO. 658

Honolulu, Hawaii

FEB 17, 2023

RE: H.B. No. 1101
      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. 1101 entitled:

"A BILL FOR AN ACT RELATING TO STORMWATER FEES,"

begs leave to report as follows:

The purpose of this measure is to:

(1)   Exempt state departments that maintain and operate stormwater management systems that are interconnected to a county stormwater system from county stormwater user fees; and

(2)   Prohibit a county from denying services to the State or state departments or agencies by reason of nonpayment of user fees.

Your Committee received testimony in support of this measure from the Department of Transportation; Matson Navigation Company, Inc.; and Hawaii Harbor Users Group. Your Committee received testimony in opposition to this measure from the Council Member representing District 5 of the City and County of Honolulu, Department of Facility Maintenance of the City and County of Honolulu, NAIOP Hawaii, Building Owners and Managers Association of Hawaiʻi, and Hawaiʻi Community Foundation. Your Committee

received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that several state departments, including the Department of Transportation, are responsible for the management of stormwater management systems that connect to a municipal county system. Your Committee further finds that the City and County of Honolulu's stormwater management system is connected to and uses the Department of Transportation's system. The Department of Transportation currently allows the City and County of Honolulu to discharge stormwater at various points in its system at no cost or expense to the City.

This measure clarifies that counties may not charge a state department a fee related to maintaining a stormwater system if that department is responsible for the maintenance and operation of a stormwater management system that connects to a county stormwater system. This clarification will prevent any extra costs related to stormwater system management and promote coordination between agencies.
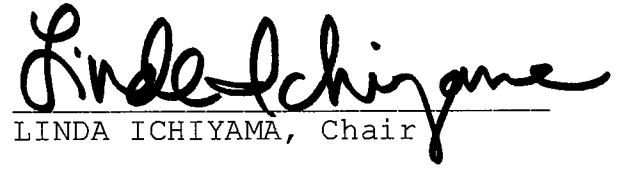
Your Committee has amended this measure by:

(1) Changing the effective date to June 30, 3000, to encourage further discussion; and

(2) 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. 1101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1101, H.D. 1, and be referred to your Committee on Finance.

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

_____
LINDA ICHIYAMA, Chair

State of Hawaii
House of Representatives
The Thirty-second Legislature

HSCR 658

Record of Votes of the Committee on Water & Land

Bill/Resolution No.:	Committee Referral:	Date:
HB 1101	WAL, FIN	02/09/2023

☐ The committee is reconsidering its previous decision on the measure.

The recommendation is to: ☐ Pass, unamended (as is) ☑ Pass, with amendments (HD) ☐ Hold
☐ Pass short form bill with HD to recommit for future public hearing (recommit)

WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. CHUN, Cory M.	✓			
4. GANADEN, Sonny	✓			
5. HASHEM, Mark J.	✓			
6. MORIKAWA, Dee	✓			
7. TAKAYAMA, Gregg	✓			
8. SOUZA, Kanani	✓			
TOTAL (8)	8			

The recommendation is: ☑ Adopted ☐ Not Adopted

If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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