

STAND. COM. REP. NO. 1859

Honolulu, Hawaii

APR 06 2023

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

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

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 153, H.D. 1, 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) Add a minimum penalty of \$50 and a maximum penalty of \$60,000 per violation of the State Water Code and make each day that a violation exists or continues to exist a separate offense;
- (2) Require the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation;
- (3) Create two positions within the Commission on Water Resource Management; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources.




Your Committees find that the State Water Code's penalties and fines must be strengthened to deter violators because current fines and penalties appear to be too low to act as an effective deterrent. This measure will clarify and strengthen the State Water Code and ensure that all violators of the State Water Code are held accountable.

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. 153, H.D. 1, 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-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB 153 HDI SDI	Committee Referral: WTL, JDC/WAM	Date: 4/4/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.				X
SHIMABUKURO, Maile S.L.				X
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	11			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes