

JAN 20 2017

S.B. NO. 774

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## A BILL FOR AN ACT

RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-  
TO-KNOW ACT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. In fiscal year 2014-2015, eight hundred eighty-  
2 nine total facilities (civilian and military) paid \$68,300 in  
3 filing fees pursuant to section 128E-6, Hawaii Revised Statutes,  
4 which requires that the owner or operator of a facility in the  
5 State that stores, uses, or manufactures any hazardous substance  
6 to report certain information to the department of health.  
7 These moneys are collected pursuant to section 128E-9, Hawaii  
8 Revised Statutes, and are deposited in the state treasury and  
9 accrue to the credit of the environmental response revolving  
10 fund.

11           These filing fees are used by the county local emergency  
12 planning committees to conduct joint emergency planning response  
13 training, to purchase specialized equipment, and for hazardous  
14 materials emergency preparedness activities. As operational and  
15 equipment costs have risen over the years it is necessary to  
16 increase the fee to maintain the emergency preparedness and



1 response capabilities of county first responders that respond to  
2 hazardous materials incidents statewide.

3 The purpose of this Act is to increase the Hawaii Emergency  
4 Planning and Community Right-to-Know Act tier II filing fee from  
5 \$100 to \$200.

6 SECTION 2. Section 128E-9, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "~~§128E-9~~ **Filing fees.** Facilities that are required to  
9 report according to section 128E-6(a)(2), shall remit [~~\$100~~  
10 \$200 with each submission of chemical inventory forms or Tier II  
11 forms to the commission by March 1 of each year. All moneys  
12 collected by the department pursuant to this section shall be  
13 deposited in the state treasury and accrue to the credit of the  
14 environmental response revolving fund established in section  
15 128D-2."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

*Clarence N. Mikiyama*  
*SP Liviere*

*Nike Hubbard*  
*SEN. DC. Paul Ogata*  
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# S.B. NO. 774

**Report Title:**

Hawaii Emergency Planning and Community Right-To-Know Act; Tier II Fee Increase

**Description:**

Increases the Hawaii Emergency Planning and Community Right-to-Know Act tier II filing fee from \$100 to \$200 to provide needed preparedness resources to local area planning committees.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

