

Honolulu, Hawaii

FEB 11 2020

RE: S.B. No. 2776

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Government Operations, to which was referred S.B. No. 2776 entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Fill the vacant Environmental Management Division chief staff position by October 1, 2020;
- (2) Require that that Clean Water Branch of the Environmental Management Division include, as part of its Hawaii beach monitoring program, water quality testing during brown water advisories;
- (3) Require the Department of Health issue health advisories during brown water advisories that explain the health risks associated with water runoff;
- (4) Establish an Environmental Management Division oversight advisory board to provide oversight and guidance to the Environmental Management Division; and
- (5) Require the auditor to conduct a performance and management audit of the Environmental Management Division's Clean Water Branch and Wastewater Branch.



Your Committees received testimony in support of this measure from the Surfrider Foundation, Surfrider Oahu, Friends of Maha'ulepu, and three individuals. Your Committees received testimony in opposition to this measure from the Department of Health.

Your Committees find that the Environmental Management Division oversees the clean air, clean water, solid and hazardous water, wastewater, and safe drinking water branches of the Department of Health. The Division provides executive and functional leadership, policy, oversight, and coordination for these branches. Brown water advisories are issued by the clean water branch as preemptive, precautionary notice to the public of potential risks of entering coastal waters.

This measure seeks to provide greater oversight and require increased water testing and communication of possible risks to ensure the public is informed as to when it is safe for them and their families to enter coastal waters. Your Committees find that water quality continues to be of concern to residents and visitors and therefore conversations as to how best protect the public and environment should continue between policy makers and stakeholders.

Your Committees note the testimony of the Department of Health regarding efforts to fill the vacant Environmental Management Division chief staff position and finds that the mandate to fill the vacancy by October 1, 2020, is not necessary to this measure.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the Department of Health to fill the vacant environmental management division chief staff position by October 1, 2020; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Government

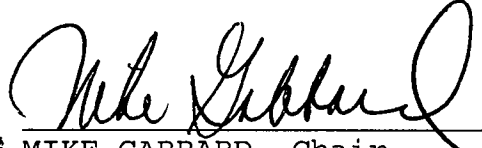


Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2776, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2776, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Agriculture and Environment and Government Operations,



LAURA H. THIELEN, Chair



MIKE GABBARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* 3B 2776	Committee Referral: AEN, GVO, WAM	Date: 02/04/2020
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The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
RUDERMAN, Russell E. (VC)				✓
RHOADS, Karl	✓			
THIELEN, Laura H.	✓			
FEVELLA, Kurt				✓
TOTAL	3	0	0	2

Recommendation: Adopted Not Adopted

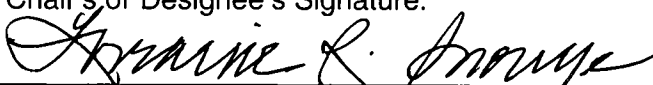
Chair's or Designee's Signature: *Karl Rhoads*

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*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* <i>SB 2776</i>	Committee Referral: <i>AEN/GVO, WAM</i>	Date: <i>2/4/2020</i>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
BAKER, Rosalyn H.	✓			
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt				✓
TOTAL	<i>4</i>			<i>1</i>
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				

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