

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2618
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Judiciary and Agriculture and Environment,
to which was referred S.B. No. 2618 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY
GENERAL,"

beg leave to report as follows:

The purpose and intent of this measure is to establish and fund an Environmental Investigative Hotline Pilot Project through the Department of the Attorney General, Investigations Division, that will implement and manage an investigative hotline for Molokai residents to report environmental concerns on Molokai and have one full time investigator on the island of Molokai to investigate reports of environmental concerns.

Your Committees received testimony in support of this measure from the Hawaii State Aha Moku and one member of the Maui County Council. Your Committees received testimony in opposition to this measure from the Department of the Attorney General. Your Committees received comments on this measure from the Department of Budget and Finance.

The Committees find that in rural areas, such as Molokai, a remote island with a population of about seven thousand people, many state departments do not have full time employees dedicated to enforcement activities available. Therefore, when a complaint is made, the state departments do not have staff physically



present to address the situation; instead, many times a state department has to rely on still photos and videos that may not capture the full extent of the situation or be sufficient to support the issuance of a citation. State departments must then make a determination whether to send a staff member into the field after the fact to conduct an investigation, which can take weeks to schedule depending upon flight schedules or staff availability. The delay obviously hampers the ability of any government inspector to witness the violation and issue an enforceable citation. These limitations also lead to delays in stopping environmentally hazardous activities, that impact the health and safety of the residents of Molokai. This measure will establish and fund an investigative hotline that gives Molokai residents a way to report concerns and violations and provide for an investigator on site to address the concerns and violations in a timely manner.

Your Committees urge the Department of the Attorney General, Department of Land and Natural Resources, and Maui County Police to suggest solutions for the law enforcement issues faced by Molokai residents, specifically the excessive delays in responding to concerns on the island as noted in the Hawaii State Aha Moku's testimony.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2618, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2618, S.D. 1, and be referred to your Committee on Ways and Means.

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


MIKE GABBARD, Chair


KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2618	JDC/AEN, WAM	02-15-22

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
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	7	-	-	-

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
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* <i>SB 2618</i>	Committee Referral: <i>SJC / AEN WAM AEN</i>	Date: <i>2-15-22</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
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
ACASIO, Laura	/			
RHOADS, Karl	/			
FEVELLA, Kurt	/			
TOTAL	<i>5</i>			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
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***Only one measure per Record of Votes**