

STAND. COM. REP. NO. 1108

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1377  
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 S.B. No. 1377, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Revise chapter 342D, Hawaii Revised Statutes, to add definitions that are consistent with federal Clean Water Act regulations;
- (2) Increase certain statutory civil penalties relating to water pollution; and
- (2) Clarify the Director of Health's role as a certifying agency, including enforcement of water quality certifications.

Your Committees received testimony in support of this measure from the Department of Health.

Your Committees find that this measure's inclusion of "wetlands" within the definition of "state waters" is consistent with the revised definition of "waters of the United States" as published on January 18, 2023, in the Federal Register. Your Committees further find that the maximum statutory civil penalty



provided in section 342D-30(a), Hawaii Revised Statutes, relating to water pollution has not been updated since 1997. Thus, this measure adds definitions to and updates penalties in chapter 342D, Hawaii Revised Statutes, to match federal standards and inflation-adjusted penalty amounts to deter water polluters.

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 S.B. No. 1377, 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,



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DONOVAN M. DELA CRUZ, Chair



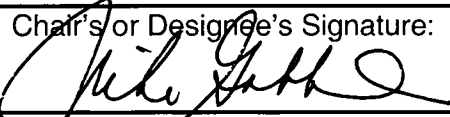
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KARL RHOADS, Chair



The Senate  
Thirty-Second Legislature  
State of Hawai'i

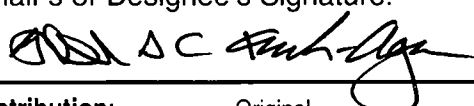
**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1377 SD1	WTL, JDC/WAM	3/3/23		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	5	—	—	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB1377 SD1</b>	Committee Referral: <b>WTL, JDC/WAM</b>	Date: <b>3/3/23</b>		
<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
<b>TOTAL</b>	<b>12</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

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