

STAND. COM. REP. NO.

1574

Honolulu, Hawaii

, 2023

**MAR 24**

RE: S.B. No. 44  
S.D. 2  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 44, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO STATE WATER CODE PENALTIES,"

begs leave to report as follows:

The purpose of this measure is to strengthen the State Water Code by:

- (1) Adding a minimum penalty of \$50 per violation and a maximum penalty of \$60,000 per violation of the State Water Code and making each day that a violation exists or continues to exist a separate offense;
- (2) Requiring the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation; and
- (3) Appropriating funds for two full-time equivalent positions.

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

2023-2793 SB44 HD2 HSCR HMSO-1



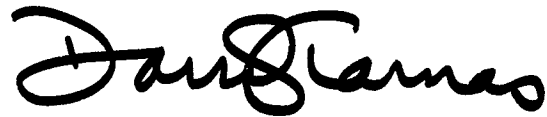
Your Committee finds that this measure clarifies what constitutes a violation of the State Water Code and how a penalty amount for a violation is determined.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation is for the establishment of two full-time equivalent (2.0 FTE) general professional positions within the Commission on Water Resource Management to enforce compliance with the State Water Code; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 44, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 44, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



DAVID A. TARNAS, Chair



