
A BILL FOR AN ACT

RELATING TO THE WATER POLLUTION CONTROL SPECIAL FUND.

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

1 SECTION 1. The State is responsible for the management,
2 protection, and restoration of both marine and freshwaters
3 within the State. As development, population, and tourism
4 continue to grow, protection of state surface water quality is
5 critical to ensuring that such growth is compatible with
6 environmental protection and public health. The vast amount of
7 surface waters within the State is not monitored frequently
8 enough to determine how best to manage, restore, and protect
9 those waters due to limited funding and resources. The creation
10 of a special fund would give the department of health additional
11 resources necessary to fund activities necessary to monitor and
12 manage state water quality.

13 The purpose of this Act is to establish the water pollution
14 control special fund for the collection of permit,
15 certification, and variance fees to provide a supplemental
16 source of funding for water quality management activities as
17 implemented in permits, certifications, and variances.



1 SECTION 2. Section 342D-13, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~§342D-13~~{}~~ ~~[Fees-]~~ Water pollution control special
4 fund; fees. (a) There is established in the state treasury the
5 water pollution control special fund, into which shall be
6 deposited moneys appropriated by the legislature to the fund;
7 fees collected pursuant to subsection (c) for permits,
8 certifications, and variances; and any income and interest
9 earned on the balance of the fund.

10 (b) Moneys in the water pollution control special fund
11 shall be administered and expended by the department for the
12 following purposes:

- 13 (1) Implementation and enforcement of the terms and
14 conditions of permits, certifications, and variances;
15 (2) Monitoring activities and equipment for development,
16 implementation, enforcement, and evaluation of permit,
17 certification, and variance conditions;
18 (3) Total maximum daily load development and evaluation
19 efforts pursuant to section 303(d) of the Federal
20 Water Pollution Control Act for implementation in
21 permits, certifications, and variances;



1 (4) Research, development, and revision of statewide water
2 quality standards established by the department as
3 implemented in permits, certifications, and variances;

4 (5) Outreach and education efforts to inform the public
5 relating to permitting and certification, enforcement,
6 and water-quality monitoring; and

7 (6) Any other activity conducted by the department for the
8 purpose of protecting, improving, or managing water
9 quality relating to implementation of permits,
10 certifications, and variances.

11 (c) The director may establish reasonable fees for the
12 issuance of permits, certifications, and variances to cover the
13 cost of issuance thereof; [and] for the implementation and
14 enforcement of the terms and conditions of permits,
15 certifications, and variances (not including court costs or
16 other costs associated with any formal enforcement action) [-];
17 and to support state water-quality monitoring efforts related to
18 the issuance, implementation, and enforcement of permits,
19 certifications, and variances. [The fees shall be deposited to
20 the credit of the general fund.]"



1 SECTION 3. There is appropriated out of the water
2 pollution control special fund the sum of \$300,000 or so much
3 thereof as may be necessary for fiscal year 2023-2024 and the
4 same sum or so much thereof as may be necessary for fiscal year
5 2024-2025 for the purposes of the water pollution control
6 special fund.

7 The sums appropriated shall be expended by the department
8 of health for the purposes of this Act.

9 SECTION 4. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect on June 30, 3000.

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Report Title:

Fees; Water Pollution Control Special Fund; Appropriation

Description:

Establishes the water pollution control special fund to collect fees formerly deposited to the state general fund to create a supplemental source of funding to implement and enforce water quality management as implemented in permits, certifications, and variances. Appropriates funds to be used by the department of health for the purposes of the water pollution control special fund. Effective 6/30/3000. (HD1)

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