

Honolulu, Hawaii

MAR 21, 2024

RE: S.B. No. 3142
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Water & Land and Energy & Environmental Protection, to which was referred S.B. No. 3142, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER INFRASTRUCTURE,"

beg leave to report as follows:

The purpose of this measure is to authorize the Director of Health to transfer federal capitalization grant funds between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund pursuant to federal regulations.

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

Your Committees find that the United States Environmental Protection Agency oversees the State's implementation of the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund programs and may withhold or delay future capitalization grants if those programs struggle to expeditiously disburse grant monies. Your Committees further find that combining financial resources from the Drinking Water Treatment Revolving Loan Fund and the Water Pollution Control Revolving Fund will increase state and county flexibility in planning for and responding to emergent or long-term water infrastructure needs.



Your Committees have amended this measure by:


- (1) Specifying that the Governor, rather than the Director of Health, has the authority to transfer or authorize another state official to transfer federal capitalization grant funds;
- (2) Clarifying that certification of the ability to transfer funds by the Attorney General shall be completed only on the initial transfer;
- (3) Clarifying that the transfer limit of funds between programs and in either direction is based on thirty-three percent of the Drinking Water Treatment Revolving Loan Fund capitalization grant amount;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3142, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3142, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Energy & Environmental
Protection,



NICOLE E. LOWEN, Chair



LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 3142, SD2	Committee Referral: WAL-EEP, FIN	Date: 3-14-2024		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. COCHRAN, Elle (VC)	✓			
3. GATES, Cedric Asuega				✓
4. KAHALOA, Kirstin	✓			
5. PERRUSO, Amy A.	✓			
6. WOODSON, Justin H.	✓			
7. WARD, Gene				✓
TOTAL (7)	5			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Elle Cochran</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				