

Honolulu, Hawaii

APR 23 2025

RE: S.B. No. 1318
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1318, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to repeal duplicative and potentially confusing penalties for water pollution offenses in section 200-14, Hawaii Revised Statutes, and thereby clarify that enforcement of criminal water pollution offenses remains under the jurisdiction of the Department of Health, rather than the Department of Land and Natural Resources.

Your Committee on Conference finds that existing law provides for potentially conflicting penalties for water pollution offenses. Under some circumstances, the wording of water pollution offenses administered by both the Department of Land and Natural Resources and Department of Health may overlap, potentially limiting criminal sentencing for these offenses to the lower penalties imposed



pursuant to section 200-14(c), Hawaii Revised Statutes. This measure eliminates duplicative and confusing water pollution offenses from the Department of Land and Natural Resources' criminal enforcement jurisdiction and clarifies the Department of Health's jurisdiction to enforce these offenses with much more stringent criminal penalties.

Your Committee on Conference has amended this measure by:

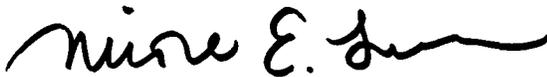
- (1) Making it effective upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1318, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1318, H.D. 1, C.D. 1.

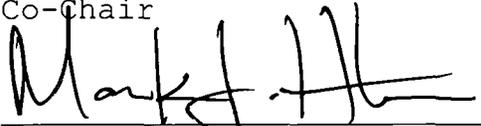
Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



NICOLE E. LOWEN
Co-Chair



MARK J. HASHEM
Co-Chair



JENNA TAKENOUCHI
Co-Chair



LORRAINE R. INOUE
Chair



TROY N. HASHIMOTO
Co-Chair



KARL RHOADS
Co-Chair



Hawai'i State Legislature

CCR2

Record of Votes of a
Conference Committee

| | |
|---|--|
| Bill / Concurrent Resolution No.: SB 1318, HD 1 | Date/Time: 4/21/2025 10:29:42AM |
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

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| <input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure | <input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure. |
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| Senate Managers | A | WR | N | E | House Managers | A | WR | N | E |
|-----------------------------|----------|----|---|---|----------------------------|----------|----|---|---|
| INOUE, Lorraine R., Chr. | ✓ | | | | LOWEN, Nicole E., Co-Chr. | ✓ | | | |
| HASHIMOTO, Troy N., Co-Chr. | ✓ | | | | HASHEM, Mark J., Co-Chr. | ✓ | | | |
| RHOADS, Karl, Co-Chr. | ✓ | | | | TAKENOUCHI, Jenna, Co-Chr. | ✓ | | | |
| CHANG, Stanley | ✓ | | | | PERRUSO, Amy A. | ✓ | | | |
| ELEFANTE, Brandon J.C. | ✓ | | | | SHIMIZU, Garner M. | ✓ | | | |
| DECORTE, Samantha | ✓ | | | | | | | | |
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| TOTAL | 6 | | | | TOTAL | 5 | | | |

A = Aye WR = Aye with Reservations N = Nay E = Excused

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| Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted |
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| Senate Lead Chair's or Designee's Signature:  | House Lead Chair's or Designee's Signature:  |
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Distribution:

| | | | |
|--|---------------------------------------|--------------------------------------|-------------------------------------|
| Original <i>File with Conference Committee Report</i> | Yellow <i>House Clerk's Office</i> | Pink <i>Senate Clerk's Office</i> | Goldenrod <i>Drafting Agency</i> |
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