

## ACT 63

S.B. NO. 3209

A Bill for an Act Relating to Environmental Quality.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 342-19, Hawaii Revised Statutes, is amended to read as follows:

**“§342-19 Effect of laws, ordinances, and rules.** (a) All laws, ordinances, and rules inconsistent with this part shall be void and of no effect.

(b) Any county may adopt ordinances and rules governing any matter relating to environmental quality control which is not governed by a rule of the department adopted pursuant to this part; provided that any county ordinance or rule relating to environmental quality control shall be void and of no effect as to any matter regulated by a rule of the department upon the adoption thereof[.] except as provided in subsection (c).

(c) Any county desiring to administer its own laws, ordinances, and rules on the design, construction, and operation of sewerage and treatment facilities may submit to the director a full and complete description of the program it proposes to establish and administer under county law. In addition, the county shall submit a statement from its corporation counsel or county attorney that the laws of the county provide adequate authority and the standards are equal to or more stringent than the standards of the department to carry out the described program. The director shall approve each such submitted program unless the director determines that either adequate authority does not exist or the proposed standards are less stringent than those of the department.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 10, 1988.)