

ACT 238

S.B. NO. 207

A Bill for an Act Relating to Wastewater.

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

SECTION 1. Chapter 340B, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§340B- Wastewater treatment certification board special fund.** (a) There is established in the state treasury a special fund to be known as the wastewater treatment certification board special fund. The following moneys collected by the board shall be deposited into the special fund:

- (1) Registration fees for examinations;
- (2) Renewal fees;
- (3) Reciprocity fees; and
- (4) Temporary certificates fees.

All interest earned or accrued on moneys deposited into the special fund shall become a part of the special fund.

(b) All moneys paid into the special fund shall be expended by the board to finance its operations.’’

SECTION 2. Section 340B-11, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§340B-11]]~~ **Powers and duties of the board.** To carry out the provisions and purposes of this chapter, the board shall:

- (1) Perform any and all acts and adopt, amend, or repeal such rules [and regulations] as it finds necessary or appropriate;
- (2) Enter into agreements, contracts, or cooperative arrangements, under such terms and conditions as deemed appropriate with other state, federal, or interstate agencies, municipalities, educational institutions, or other organizations or individuals;
- (3) Receive financial and technical assistance from the federal government and other public or private agencies;
- (4) Participate in related programs of the federal government, other states, interstate agencies, or other public or private agencies or organizations;
- (5) Furnish upon request to federal, state, or interstate agencies, municipalities, educational institutions and other organizations and individuals, reports, information, and materials relating to the certification program authorized by this chapter;
- (6) Revoke, suspend, or refuse to renew any certificate of any individual following a hearing before the board of the individual or the individual’s designated representative, when it is determined that the individual has practiced fraud or deception; that reasonable care, judgment, or the application of the individual’s knowledge or ability was not used in the performance of the individual’s duties; or that the individual is incompetent or unable to properly perform the individual’s duties; provided that the board gives the person concerned notice and hearing in conformity with chapter 91;
- (7) Delegate those duties and responsibilities the board may deem appropriate for the purpose of administering requirements of this chapter;
- (8) Establish and collect such fees for application, conduct examinations, issue or renew certificates as are necessary for the support of this chapter, and deposit all fees collected into the [State’s general] wastewater treatment certification board special fund; and
- (9) Oversee the development and implementation of a continuous training program if that is necessary to carry out this chapter.’’

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved July 2, 1999.)

**Note**

1. Edited pursuant to HRS §23G-16.5.