



# University of Hawaii at Manoa

**Environmental Center**  
A Unit of Water Resources Research Center  
Crawford 317 • 2550 Campus Road  
Honolulu, Hawaii 96822  
Telephone (808) 956-7361

RL:0990

HB 40 HD 1  
RELATING TO WATER RESOURCES

Statement for  
Senate Committee on  
Planning, Land and Water Use Management  
Public Hearing - March 21, 1991

By  
Jacquelin Miller, Environmental Center  
Ed Murabayashi, Water Resources Research Center

HB 40 HD 1 would amend HRS 174C-15 by increasing the maximum fine for violation of the State Water Code from \$1000 to \$5000 for each violation.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

The policy and purposes of the state water code "to protect and improve the quality of the waters of the state" are set forth in HRS 174C-2. As we had testified in our previous statement on HB 40, the importance of water to the state goes without saying and every effort is needed to ensure adequate planning and protection of the resource. Hence, an increase in the upper limit of the fine for a violation of the state water code from \$1000 to \$5000 is certainly appropriate for the reasons noted in our earlier testimony and cited in Standing Committee Report No. 32. We were pleased to note the amendment included in SD 1 that the \$5000 would apply "for each violation." This amendment responds to the concerns we had raised in our previous testimony and clarifies the intent that the Commission has the power to impose a fine of up to \$5000 per day for a continuing violation.

We fully concur with the intent of HB 40 HD1 and the Standing Committee Report No. 32.