

JAN 25 2023

A BILL FOR AN ACT

RELATING TO THE HAWAII ENVIRONMENTAL PROTECTION AGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. The legislature finds that through its
3 policies, laws, and programs, Hawaii has become a preeminent
4 leader among the states in protecting our precious environment.
5 However, despite these accomplishments, Hawaii is one of the few
6 states in the nation that does not have a state-level
7 environmental protection agency. The legislature believes that,
8 if protecting the environment is a leading statewide concern,
9 environmental permitting programs, regulatory functions, and
10 policy functions should be concentrated within a single agency
11 and given a director. This will ensure the proper funding of
12 environmental programs, encourage the development of
13 environmental policies, and provide a cabinet-level voice for
14 environmental advocacy in the office of the governor.

15 The legislature notes that, currently, environmental
16 management is subservient in many branches of the State's
17 departments and agencies, and this leads to inefficiencies. For



1 example, the responsibilities for water resource management are
2 scattered among the environmental health administration and
3 clean water branch of the department of health. Additionally,
4 because the scope and mission of some departments are so broad,
5 directors must prioritize their requests for resources.
6 Inevitably, some programs and services outside a department's
7 core mission are left behind. These programs and services may
8 be a better fit in another department, where they can take a
9 higher priority.

10 The legislature also notes that, because environmental
11 permitting and regulatory functions are subservient to other
12 missions and divided among various departments, entities like
13 businesses, governmental bodies and agencies, and academic
14 institutions often face long delays in obtaining permits or
15 regulatory approval. To clarify environmentally-related subject
16 matter jurisdiction and to make regulatory and permitting
17 functions more efficient, many states have created unified
18 environmental departments within their governments'
19 organizational structures. The legislature recognizes that
20 there is a constitutional limit on the number of agencies that
21 can exist in the State's government and that Hawaii can only



1 create one additional cabinet-level agency. However, the
2 legislature believes that the protection of the environment and
3 the creation of a strong, unified voice for environmental
4 protection, are worthy of this allocation.

5 The legislature additionally finds that in 1984, the
6 legislature adopted Senate Concurrent Resolution No. 135 and
7 House Concurrent Resolution No. 78, requesting the legislative
8 reference bureau to conduct a study on the feasibility of
9 establishing a state environmental protection agency,
10 department, or comparable body, to coordinate and address
11 matters of environmental quality. In 1985, the legislative
12 reference bureau released a study entitled "The Feasibility of
13 Environmental Reorganization for Hawaii", which, in part,
14 discussed the creation of a state department of environmental
15 protection.

16 The legislature further finds that Act 293, Session Laws of
17 Hawaii 1991 (Act 293), temporarily placed a department of
18 environmental protection in the Hawaii Revised Statutes.
19 However, the Act also provided for its repeal on July 1, 1992,
20 if the legislature failed to enact a bill establishing the
21 powers, duties, and other provisions of the department of



1 environmental protection during the regular session of 1992.
2 The department of environmental protection task force report, in
3 response to Act 293, found that while there was consensus that a
4 department of environmental protection should be established,
5 the task force could not reach consensus on a strategy regarding
6 the department's overall establishment. The legislature was not
7 able to enact a law establishing the powers, duties, and other
8 provisions of the department of environmental protection, and
9 therefore Act 293 was repealed. However, the legislature
10 continues to believe that a central authority should be created
11 to manage the State's environmental issues.

12 Accordingly, the purpose of this Act is to:

- 13 (1) Create an environmental protection agency, as has been
14 done in other states, to raise environmental policies
15 to a cabinet-level agency within the state government;
16 and
- 17 (2) Transfer the resources, duties, and responsibilities
18 of certain environmental offices in the State to
19 centralize and align environmental response within the
20 Hawaii environmental protection agency.



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PART II

SECTION 2. Chapter 26, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§26- Hawaii environmental protection agency. (a) The Hawaii environmental protection agency shall be headed by a single executive to be known as the director of environmental protection. The director shall appoint, without regard to chapter 76, a deputy director of environmental protection.

(b) The agency shall be responsible for exercising regulatory functions and coordinating responsibilities to manage the State's environment.

(c) The following responsibilities are transferred to, and placed under the administration of, the Hawaii environmental protection agency as established by this chapter:

- (1) Environmental response law (chapter 128D);
- (2) Hawaii pesticides law (chapter 149A);
- (3) Solid waste (chapter 340A);
- (4) Wastewater treatment personnel (chapter 340B);
- (5) Safe drinking water (chapter 340E);



- 1 (6) Hawaii law for mandatory certification of public water
- 2 system operators (chapter 340F);
- 3 (7) Environmental quality control (chapter 341);
- 4 (8) Air pollution control (chapter 342B);
- 5 (9) Water pollution (chapter 342D);
- 6 (10) Nonpoint source pollution management and control
- 7 (chapter 342E);
- 8 (11) Integrated solid waste management (chapter 342G);
- 9 (12) Solid waste pollution (chapter 342H);
- 10 (13) Special wastes recycling (chapter 342I);
- 11 (14) Hazardous waste (chapter 342J);
- 12 (15) Underground storage tanks (chapter 342L);
- 13 (16) State environmental policy (chapter 344); and
- 14 (17) The uniform environmental covenants act
- 15 (chapter 508C)."

16 SECTION 3. Section 26-4, Hawaii Revised Statutes, is
 17 amended to read as follows:

18 "**§26-4 Structure of government.** Under the supervision of
 19 the governor, all executive and administrative offices,
 20 departments, and instrumentalities of the state government and
 21 their respective functions, powers, and duties shall be



1 allocated among and within the following principal departments
2 that are hereby established:

- 3 (1) Department of human resources development
4 (Section 26-5);
- 5 (2) Department of accounting and general services
6 (Section 26-6);
- 7 (3) Department of the attorney general (Section 26-7);
- 8 (4) Department of budget and finance (Section 26-8);
- 9 (5) Department of commerce and consumer affairs
10 (Section 26-9);
- 11 (6) Department of taxation (Section 26-10);
- 12 (7) University of Hawaii (Section 26-11);
- 13 (8) Department of education (Section 26-12);
- 14 (9) Department of health (Section 26-13);
- 15 (10) Department of human services (Section 26-14);
- 16 (11) Department of land and natural resources
17 (Section 26-15);
- 18 (12) Department of agriculture (Section 26-16);
- 19 (13) Department of Hawaiian home lands (Section 26-17);
- 20 (14) Department of business, economic development, and
21 tourism (Section 26-18);



- 1 (15) Department of transportation (Section 26-19);
- 2 (16) Department of labor and industrial relations
- 3 (Section 26-20);
- 4 (17) Department of defense (Section 26-21);
- 5 (18) Department of public safety (Section 26-14.6); [~~and~~]
- 6 (19) Department of law enforcement (Section 26-14.8) [~~;~~];
- 7 and
- 8 (20) Hawaii environmental protection agency
- 9 (Section 26-) ."

10 SECTION 4. (a) Within ninety days of the effective date
 11 of this Act, the governor shall designate a representative who
 12 shall facilitate the Hawaii environmental protection agency's
 13 orderly succession to the jurisdiction, powers, functions,
 14 rights, benefits, obligations, assets, liabilities, funds,
 15 accounts, contracts, and all other things currently held, used,
 16 incurred, or performed by the department of agriculture, or its
 17 chairperson and staff; and department of health, or its director
 18 and staff, in administering and exercising the authority and
 19 fulfilling the responsibilities authorized or conferred upon
 20 these entities by the chapters transferred in section 2 of this
 21 Act.



1 (b) Within one hundred eighty days of the effective date
2 of this Act, the governor shall appoint a director of
3 environmental protection.

4 (c) To facilitate the Hawaii environmental protection
5 agency's timely assumption of the agency's authority and
6 responsibilities, the department of agriculture, department of
7 health, department of accounting and general services,
8 department of human resources development, state procurement
9 office, and any other state department or agency shall, if
10 requested by the Hawaii environmental protection agency, enter
11 into a memorandum of understanding with the Hawaii environmental
12 protection agency to:

13 (1) Provide administrative support services for the agency
14 pending the transfer of employees to the Hawaii
15 environmental protection agency;

16 (2) Develop a policy and set of robust procurement
17 procedures that foster accountability, transparency,
18 and oversight of contracts, including compliance with
19 federal procurement requirements;



- 1 (3) Assist the Hawaii environmental protection agency with
2 the organization of its human resources development
3 functions, including establishing:
4 (A) A human resources office; and
5 (B) The Hawaii environmental protection agency's
6 civil service and civil service positions; and
7 the classification system; merit appeals board;
8 recruitment system; performance appraisal system;
9 and administrative rules, policies, standards and
10 procedures, including internal complaint
11 procedures, adopted to support its civil service;
12 (4) Assist the Hawaii environmental protection agency in
13 establishing its accounting, budgeting, fund
14 management, and communication and electronic
15 information systems, and creating appropriate
16 interfaces between the agency's accounting, budgeting,
17 fund management, communication, and electronic
18 information systems, and those of other departments
19 and state agencies;
20 (5) Assist the Hawaii environmental protection agency in
21 identifying the plans and reports that departments and



1 agencies are required to prepare for the governor,
2 legislature, or other state department or agency;
3 determining whether the plans and reports have been
4 prepared and will be transferred to the agency on the
5 transfer completion date; and preparing the plans and
6 reports for the Hawaii environmental protection
7 agency, if they do not exist; and

8 (6) Expeditiously transfer to, or otherwise facilitate the
9 Hawaii environmental protection agency's acquisition
10 or assumption of, all of the powers, functions,
11 rights, benefits, obligations, assets, funds,
12 accounts, contracts and other things held, used,
13 incurred, and performed by other departments and
14 agencies and transferred to the agency by
15 section 26- (c), Hawaii Revised Statutes.

16 (d) As soon as feasible, the Hawaii environmental
17 protection agency, with the concurrence of the chairperson of
18 the board of agriculture, director of health, and governor,
19 shall establish the transfer completion date, which shall be no
20 later than December 31, 2025, and shall publish notice of the
21 transfer completion date by:



- 1 (1) Publishing the notice in a daily publication of
- 2 statewide circulation pursuant to section 1-28.5,
- 3 Hawaii Revised Statutes;
- 4 (2) Posting a copy of the notice on an electronic calendar
- 5 on a website maintained by the State; and
- 6 (3) Providing a copy of the notice to the head of every
- 7 other state department.

8 SECTION 5. No more than ninety days after the transfer

9 completion date, all appropriations, records, equipment,

10 machines, files, supplies, contracts, books, papers, documents,

11 maps, and other personal property heretofore made, used,

12 acquired, or held by the department of agriculture and

13 department of health relating to the functions transferred to

14 the Hawaii environmental protection agency shall be transferred

15 with the functions to which they relate.

16 SECTION 6. (a) All rights, powers, functions, and duties

17 of the department of agriculture and department of health that

18 are assigned to the Hawaii environmental protection agency by

19 section 26- (c) are transferred to the Hawaii environmental

20 protection agency.



1 (b) All employees who occupy civil service positions and
2 whose functions are transferred to the Hawaii environmental
3 protection agency by this Act shall retain their civil service
4 status, whether permanent or temporary. Employees shall be
5 transferred without any loss of salary; seniority (except as
6 prescribed by applicable collective bargaining agreements);
7 retention points; prior service credit; any vacation and sick
8 leave credits previously earned; and other rights, benefits, and
9 privileges, in accordance with state personnel laws and this
10 Act; provided that the employees possess the minimum
11 qualifications and public employment requirements for the class
12 or position to which transferred or appointed; provided further
13 that subsequent changes in status may be made pursuant to
14 applicable civil service and compensation laws.

15 (c) Any employee who, prior to this Act, is exempt from
16 civil service and is transferred as a consequence of this Act
17 may retain the employee's exempt status, but shall not be
18 appointed to a civil service position as a consequence of this
19 Act. An exempt employee who is transferred by this Act shall
20 not suffer any loss of prior service credit, vacation or sick
21 leave credits previously earned, or other employee benefits or



1 privileges as a consequence of this Act; provided that the
2 employees possess legal and public employment requirements for
3 the position to which transferred or appointed; provided further
4 that subsequent changes in status may be made pursuant to
5 applicable employment and compensation laws. The director of
6 environmental protection may prescribe the duties and
7 qualifications of these employees and fix their salaries without
8 regard to chapter 76, Hawaii Revised Statutes.

9 PART III

10 SECTION 7. Section 194-2, Hawaii Revised Statutes, is
11 amended by amending subsections (a) and (b) to read as follows:

12 "(a) There is established the invasive species council for
13 the special purpose of providing policy level direction,
14 coordination, and planning among state departments, federal
15 agencies, and international and local initiatives for the
16 control and eradication of harmful invasive species infestations
17 throughout the State and for preventing the introduction of
18 other invasive species that may be potentially harmful. The
19 council shall:

20 (1) Maintain a broad overview of the invasive species
21 problem in the State;



- 1 (2) Advise, consult, and coordinate invasive
2 species-related efforts with and between the Hawaii
3 environmental protection agency and the departments of
4 agriculture, land and natural resources, health, and
5 transportation, as well as state, federal,
6 international, and privately organized programs and
7 policies;
- 8 (3) Identify and prioritize each lead agency's
9 organizational and resource shortfalls with respect to
10 invasive species;
- 11 (4) After consulting with appropriate state agencies,
12 create and implement a plan that includes the
13 prevention, early detection, rapid response, control,
14 enforcement, and education of the public with respect
15 to invasive species, as well as fashion a mission
16 statement articulating the State's position against
17 invasive species; provided that the appropriate state
18 agencies shall collaborate with the counties and
19 communities to develop and implement a systematic
20 approach to reduce and control coqui frog infestations
21 on public lands that are near or adjacent to



1 communities, and shall provide annual reports on the
2 progress made in achieving this objective;

3 (5) Coordinate and promote the State's position with
4 respect to federal issues, including:

5 (A) Quarantine preemption;

6 (B) International trade agreements that ignore the
7 problem of invasive species in Hawaii;

8 (C) First class mail inspection prohibition;

9 (D) Whether quarantine of domestic pests arriving
10 from the mainland should be provided by the
11 federal government;

12 (E) Coordinating efforts with federal agencies to
13 maximize resources and reduce or eliminate system
14 gaps and leaks, including deputizing the United
15 States Department of Agriculture's plant
16 protection and quarantine inspectors to enforce
17 Hawaii's laws;

18 (F) Promoting the amendment of federal laws as
19 necessary, including the Lacey Act Amendments of
20 1981, Title 16 United States Code sections
21 3371-3378; Public Law 97-79, and laws related to



- 1 inspection of domestic airline passengers,
2 baggage, and cargo; and
3 (G) Coordinating efforts and issues with the federal
4 Invasive Species Council and its National
5 Invasive Species Management Plan;
6 (6) Identify and record all invasive species present in
7 the State;
8 (7) Designate the Hawaii environmental protection agency
9 or department of agriculture, health, or land and
10 natural resources as the lead agency for each function
11 of invasive species control, including prevention,
12 rapid response, eradication, enforcement, and
13 education;
14 (8) Identify all state, federal, and other moneys expended
15 for the purposes of the invasive species problem in
16 the State;
17 (9) Identify all federal and private funds available to
18 the State to fight invasive species and advise and
19 assist state departments to acquire these funds;
20 (10) Advise the governor and legislature on budgetary and
21 other issues regarding invasive species;



- 1 (11) Provide annual reports on budgetary and other related
2 issues to the legislature twenty days prior to each
3 regular session;
- 4 (12) Include and coordinate with the counties in the fight
5 against invasive species to increase resources and
6 funding and to address county-sponsored activities
7 that involve invasive species;
- 8 (13) Review state agency mandates and commercial interests
9 that sometimes call for the maintenance of potentially
10 destructive alien species as resources for sport
11 hunting, aesthetic resources, or other values;
- 12 (14) Review the structure of fines and penalties to ensure
13 maximum deterrence for invasive species-related
14 crimes;
- 15 (15) Suggest appropriate legislation to improve the State's
16 administration of invasive species programs and
17 policies;
- 18 (16) Incorporate and expand upon the department of
19 agriculture's weed risk assessment protocol to the
20 extent appropriate for the council's invasive species
21 control and eradication efforts; and



1 (17) Perform any other function necessary to effectuate the
2 purposes of this chapter.

3 (b) The council shall be placed within the [~~department of~~
4 ~~land and natural resources~~] agency for administrative purposes
5 only and shall be composed of:

6 (1) The president of the University of Hawaii, or the
7 president's designated representative;

8 (2) The director, or the director's designated
9 representative, of each of the following
10 departments[+] or agencies:

11 (A) Business, economic development, and tourism;

12 (B) Health; [~~and~~]

13 (C) Transportation; and

14 (D) Environmental protection; and

15 (3) The chairperson, or the chairperson's designated
16 representative, of each of the following departments:

17 (A) Agriculture; and

18 (B) Land and natural resources."

19 SECTION 8. Section 344-2, Hawaii Revised Statutes, is
20 amended by amending the definition of "agency" to read as
21 follows:



1 ""Agency" means any agency, department, office, board, or
2 commission of the State or county government that is a part of
3 the executive branch of that government."

4 PART IV

5 SECTION 9. Chapter 149A, Hawaii Revised Statutes, is
6 amended by:

7 (1) Substituting the phrase "Hawaii environmental
8 protection agency," or a similar term, wherever the
9 phrase "department of agriculture", or a similar term,
10 appears, as the context requires; and

11 (2) Substituting the phrase "director of environmental
12 protection", or a similar term, wherever the term
13 "chairperson of the board of agriculture", or a
14 similar term, appears, as the context requires.

15 SECTION 10. (a) The department of agriculture shall be
16 responsible for all obligations incurred by the department in
17 connection with the department's exercise of the authority and
18 performance of the duties and responsibilities conferred upon it
19 and the chairperson of the board of agriculture by chapter 149A,
20 Hawaii Revised Statutes, until the time that the obligations,
21 including any accounts payable, accrued paid time off, debt,



1 capital leases, and other obligations incurred before the
2 transfer completion date, have been assumed by the Hawaii
3 environmental protection agency, which shall not occur prior to
4 the transfer completion date.

5 (b) All collective bargaining disputes or claims against
6 the department of agriculture grounded in an act or omission, or
7 an event that occurred prior to the transfer completion date,
8 shall remain the responsibility of the department of
9 agriculture.

10 (c) All liabilities arising out of the Hawaii
11 environmental protection agency's exercise of the authority and
12 performance of the duties and responsibilities conferred upon it
13 and its director by chapter 149A, Hawaii Revised Statutes, after
14 the transfer completion date shall be the responsibility of the
15 Hawaii environmental protection agency.

16 (d) The assumption by the Hawaii environmental protection
17 agency of any bonds, notes, or other obligations of the
18 department of agriculture shall be subject to the terms and
19 provisions of any certificate, indenture, or resolution securing
20 those bonds, notes, or other obligations.



1 (e) On the transfer completion date, the Hawaii
2 environmental protection agency shall assume responsibility for
3 all rights, duties, penalties, and proceedings of the department
4 of agriculture pursuant to chapter 149A, Hawaii Revised
5 Statutes, as transferred by this Act.

6 SECTION 11. All rules, policies, procedures, guidelines,
7 and other materials adopted or developed by the department of
8 agriculture to implement provisions of the Hawaii Revised
9 Statutes that are reenacted or made applicable to the Hawaii
10 environmental protection agency by this Act shall remain in full
11 force and effect on and after the transfer completion date
12 established pursuant to section 4 of this Act, until amended or
13 repealed by the Hawaii environmental protection agency pursuant
14 to chapter 91, Hawaii Revised Statutes. In the interim, every
15 reference to the department of agriculture, board of
16 agriculture, or chairperson of the board of agriculture in those
17 rules, policies, procedures, guidelines, and other materials, is
18 amended to refer to the Hawaii environmental protection agency
19 or director of environmental protection, as appropriate.

20 SECTION 12. All deeds, executive orders, leases,
21 contracts, loans, agreements, permits, or other documents



1 executed or entered into by or on behalf of the department of
2 agriculture, pursuant to the provisions of the Hawaii Revised
3 Statutes, that are reenacted or made applicable to the Hawaii
4 environmental protection agency by this Act shall remain in full
5 force and effect. On the transfer completion date established
6 pursuant to section 4 of this Act, every reference to the
7 department of agriculture or board of agriculture in those
8 deeds, executive orders, leases, contracts, loans, agreements,
9 permits, or other documents shall be construed as a reference to
10 the Hawaii environmental protection agency.

11 PART V

12 SECTION 13. Chapter 341, Hawaii Revised Statutes, is
13 amended by:

14 (1) Substituting the phrase "Hawaii environmental
15 protection agency," or a similar term, wherever the
16 phrase "office of planning and sustainable
17 development", or a similar term, appears, as the
18 context requires; and

19 (2) Substituting the phrase "director of environmental
20 protection", or a similar term, wherever the term
21 "director of the office of planning and sustainable



1 development", or a similar term, appears, as the
2 context requires.

3 PART VI

4 SECTION 14. Chapters 128D, 340A, 340B, 340E, 340F, 342B,
5 342D, 342E, 342G, 342H, 342I, 342J, 342L, and 508C, Hawaii
6 Revised Statutes, are amended by:

7 (1) Substituting the phrase "Hawaii environmental
8 protection agency," or a similar term, wherever the
9 phrase "department of health", or a similar term,
10 appears, as the context requires; and

11 (2) Substituting the phrase "director of environmental
12 protection", or a similar term, wherever the term
13 "director of health", or a similar term, appears, as
14 the context requires.

15 SECTION 15. (a) The department of health shall be
16 responsible for all obligations incurred by the department in
17 connection with the department's exercise of the authority and
18 performance of the duties and responsibilities conferred upon it
19 and its director by chapters 128D, 340A, 340B, 340E, 340F, 342B,
20 342D, 342E, 342G, 342H, 342I, 342J, 342L, and 508C, Hawaii
21 Revised Statutes, until the time that the obligations, including



1 any accounts payable, accrued paid time off, debt, capital
2 leases, and other obligations incurred before the transfer
3 completion date, have been assumed by the Hawaii environmental
4 protection agency, which shall not occur prior to the transfer
5 completion date.

6 (b) All collective bargaining disputes or claims against
7 the department of health grounded in an act or omission, or an
8 event that occurred prior to the transfer completion date, shall
9 remain the responsibility of the department of health.

10 (c) All liabilities arising out of the Hawaii
11 environmental protection agency's exercise of the authority and
12 performance of the duties and responsibilities conferred upon it
13 and its director by chapters 128D, 340A, 340B, 340E, 340F, 342B,
14 342D, 342E, 342G, 342H, 342I, 342J, 342L, and 508C, Hawaii
15 Revised Statutes, after the transfer completion date shall be
16 the responsibility of the Hawaii environmental protection
17 agency.

18 (d) The assumption by the Hawaii environmental protection
19 agency of any bonds, notes, or other obligations of the
20 department of health shall be subject to the terms and



1 provisions of any certificate, indenture, or resolution securing
2 those bonds, notes, or other obligations.

3 (e) On the transfer completion date, the Hawaii
4 environmental protection agency shall assume responsibility for
5 all rights, duties, penalties, and proceedings of the department
6 of health pursuant to chapters 128D, 340A, 340B, 340E, 340F,
7 342B, 342D, 342E, 342G, 342H, 342I, 342J, 342L, and 508C, Hawaii
8 Revised Statutes, as transferred by this Act.

9 SECTION 16. All rules, policies, procedures, guidelines,
10 and other materials adopted or developed by the department of
11 health to implement provisions of the Hawaii Revised Statutes
12 that are reenacted or made applicable to the Hawaii
13 environmental protection agency by this Act shall remain in full
14 force and effect on and after the transfer completion date
15 established pursuant to section 6 of this Act, until amended or
16 repealed by the Hawaii environmental protection agency pursuant
17 to chapter 91, Hawaii Revised Statutes. In the interim, every
18 reference to the department of health and director of health in
19 those rules, policies, procedures, guidelines, and other
20 materials, is amended to refer to the Hawaii environmental



1 protection agency or director of environmental protection, as
2 appropriate.

3 SECTION 17. All deeds, executive orders, leases,
4 contracts, loans, agreements, permits, or other documents
5 executed or entered into by or on behalf of the department of
6 health, pursuant to the provisions of the Hawaii Revised
7 Statutes, that are reenacted or made applicable to the Hawaii
8 environmental protection agency by this Act shall remain in full
9 force and effect. On the transfer completion date established
10 pursuant to section 6 of this Act, every reference to the
11 department of health in those deeds, executive orders, leases,
12 contracts, loans, agreements, permits, or other documents shall
13 be construed as a reference to the Hawaii environmental
14 protection agency.

15 PART VII

16 SECTION 18. This Act does not affect rights and duties
17 that matured, penalties that were incurred, and proceedings that
18 were begun before its effective date.

19 SECTION 19. If any provision of this Act, or the
20 application thereof to any person or circumstance, is held
21 invalid, the invalidity does not affect other provisions or



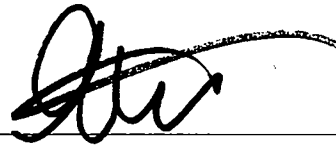
1 applications of the Act that can be given effect without the
2 invalid provision or application, and to this end the provisions
3 of this Act are severable.

4 SECTION 20. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 21. This Act shall take effect upon its approval.

7

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'J. W.', is written over a horizontal line that extends from the text 'INTRODUCED BY:'. The signature is stylized and cursive.

S.B. NO. 1597

Report Title:

HDOA; DOH; Hawaii Environmental Protection Agency; Transfer of Functions

Description:

Establishes the Hawaii Environmental Protection Agency. Transfers jurisdiction of certain functions and employees of the Department of Agriculture and Department of Health to the Hawaii Environmental Protection Agency.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

