STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 1 4 2011

RE: S.B. No. 107

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Energy and Environment, to which was referred S.B. No. 107 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF HAWAII TO REAFFIRM AND STRENGTHEN THE STATE'S COMMITMENT TO ENVIRONMENTAL RIGHTS,"

begs leave to report as follows:

The purpose and intent of this measure is to propose an amendment to article XI, section 9, of the Constitution of the State of Hawaii to reaffirm and strengthen the State's commitment to environmental justice and fair treatment for certain populations that are disproportionately impacted by harmful environmental actions.

Your Committee received testimony in support of this measure from T. George Paris, Iron Workers Stabilization Fund; Deja Marie Ostrowski; and Laurie Lawrence. Your Committee received testimony in opposition to this measure from Carrie K.S. Okinaga, City and County of Honolulu; and Laurence K. Lau.

Your Committee finds that significant environmental and health concerns have arisen from breaches at landfills, including the release of medical waste and construction debris into the environment, and that many of the effects of these disasters and others like them fall disproportionately on the least privileged citizens of our State. This measure is necessary to provide some legal recourse to those who have been harmed in this way.



STAND. COM. REP. NO. /22

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 107 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

> Respectfully submitted on behalf of the members of the Committee on Energy and Environment,

MIKE GABBARD, Chair



The Senate Twenty-Sixth Legislature State of Hawaiʻi

Record of Votes Committee on Energy and Environment ENE

Bill / Resolution No.:*	Committee	Referral:	Da	te:	1
SB 107	ENE,	JDL		2/3	1.11
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)				19 A.	
ENGLISH, J. Kalani (VC)					
GREEN, M.D., Josh			· .		
IHARA, Jr., Les					
SLOM, Sam					
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TOTAL		Bym	<u> </u>	0	Mar
Recommendation:					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes