STAND. COM. REP. NO. 1495-12

Honolulu, Hawaii

April 3 , 2012

RE: S.B. No. 2640

S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2640, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WASTEWATER,"

begs leave to report as follows:

The purpose of this measure is to require counties to allow and make rules regarding the use of otherwise authorized individual wastewater treatment systems as an on-site means of wastewater disposal in lieu of county-operated wastewater treatment systems, if the system pre-dates the county-operated system and the county determines that allowing the system is fair and equitable.

One individual testified in support of this measure. The Department of Environmental Services of the City and County of Honolulu and Hawaii Water Environment Association testified in opposition.

Your Committee has amended this measure to:

(1) Exclude cesspools in coastal areas from those individual wastewater systems allowed to be used in specific circumstances in lieu of county-operated wastewater treatment systems;

- (2) Authorize rather than require the counties to permit the use of otherwise authorized individual wastewater systems in certain circumstances;
- (3) Change the effective date to January 7, 2059, to encourage further discussion; and
- (4) Make technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2640, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2640, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

GILBERT KEITH-AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

HSC11495-12

Record of Votes of the Committee on Judiciary

5B 2640 SD1	Committee Referral:		Date: 3/29/12	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C.	(C)			,
2. RHOADS, Karl (VC)				
3. BROWER, Tom	/			
4. CABANILLA, Rida T.R.				~
5. CARROLL, Mele				V
6. COFFMAN, Denny				
7. HERKES, Robert N.			<u> </u>	
8. ITO, Ken				
9. LUKE, Sylvia				V
10. McKELVEY, Angus L.K.				7
11. SOUKI, Joseph M.	-			
12. TSUJI, Clift				
13. FONTAINE, George R.				
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia			10.00	
				-
			-	
-				
				-
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TOTAL (15)	9	0	0	6
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				