STAND. COM. REP. NO. 474 -16

3

Honolulu, Hawaii February 18, 2016

RE: H.B. No. 1852 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1852 entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to enable eligible nonprofit organizations to receive loans from the State's Water Pollution Control Revolving Fund for the planning, designing, or constructing of a wastewater treatment works.

The Department of the Attorney General and the Department of Health commented on this measure.

Your Committee has amended this measure by:

- Clarifying that individual members of a nonprofit corporation may be held responsible for the nonpayment or default of a loan despite section 414D-85, Hawaii Revised Statutes, which exempts members of a nonprofit corporation from obligations of the corporation;
- (2) Requiring loans from the Water Pollution Control Revolving Fund to a nonprofit organization to be made at interest rates that are at or below market interest rates;



STAND. COM. REP. NO. 420 -16 Page 2

- (3) Expanding the purposes of the Water Pollution Control Revolving Fund to include activities that are consistent with the Federal Water Pollution Control Act;
- (4) Requiring all loans to be fully amortized upon the expiration of the term of the loan;
- (5) Deleting the provision stating that loans provided to nonprofit organizations for designing, planning, or the construction of wastewater treatment works do not apply to the statutory section regarding conditions applicable to Water Pollution Control Revolving Fund projects;
- (6) Inserting an effective date of July 1, 2070, to facilitate further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1852, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1852, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Health,

DELLA AU BELATTI, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature

HGCR 426-16

Record of Votes of the Committee on Health

Bill/Resolution No.:		Committee Referral:		Date:		
HB 1852	HLT	FIN		2/10/16		
□ 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)						
HLT Members		Ayes	Ayes (WR)	Nays	Excused	
1. BELATTI, Della Au (C)		/				
2. CREAGAN, Richard P. (VC)		2			
3. HASHEM, Mark J.						
4. JORDAN, Jo		~				
5. KOBAYASHI, Bertrand						
6. MORIKAWA, Dee		1				
7. OSHIRO, Marcus R.						
8. FUKUMOTO CHANG, Bet	h	<u> </u>				
9. TUPOLA, Andria P.L.						
			·			
TOTAL (9)		7			2	
The recommendation is: If Adopted If joint referral,						
Vice Chair's or designee's signature:						
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO						