

STAND. COM. REP. NO. **520**

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 498
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Energy and Environment, Government Operations, and Public Safety, Intergovernmental and Military Affairs, to which was referred S.B. No. 498 entitled:

"A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to require that beginning July 1, 2015, for all state and county agency contracts that include the disposal of liquid or solid waste, the statement for services performed shall include a receipt that the waste was received and disposed of at a licensed facility before full or partial payment is made.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of Health, Kailua Neighborhood Board, Zero Waste Kauai, and two individuals. Your Committees received testimony in opposition to this measure from the Department of Accounting and General Services.

Your Committees find that the illegal disposal of liquid or solid waste is a problem for the State's natural resources and the environment. Implementation of this measure will encourage the proper disposal of liquid or solid waste.

Your Committees have amended this measure by:



- (1) Replacing "licensed waste management facility" and "licensed waste facility" throughout the measure with "permitted waste facility";
- (2) Clarifying that the contract requirement applies to waste that requires disposal in a permitted waste facility;
- (3) Inserting language to require that all contracts between private entities that include the disposal of liquid or solid waste that require disposal in a permitted waste facility include a provision that payment will only be made upon receipt of a statement for services performed that includes proof from a permitted waste facility showing that the waste was properly received and lawfully disposed of in an appropriate, permitted waste facility; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy and Environment, Government Operations, and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 498, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 498, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Energy and
Environment, Government
Operations, and Public Safety,
Intergovernmental and Military
Affairs,

Will Espero For
DONOVAN M. DELA CRUZ, Chair

Mike Gabbard
MIKE GABBARD, Chair

Will Espero
WILL ESPERO, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB498</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">ENE/GVO/PSM, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/19/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
GREEN, Josh (VC)				✓
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">[Signature]</div>				
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;"> Distribution: Original File with Committee Report </div> <div style="width: 20%;"> Yellow Clerk's Office </div> <div style="width: 20%;"> Pink Drafting Agency </div> <div style="width: 20%;"> Goldenrod Committee File Copy </div> </div>				

*Only one measure per Record of Votes

The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">SB 498</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">ENE/GVO/RSM, WMP</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">11/19/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	/			
NISHIHARA, Clarence K. (VC)				/
IHARA, Jr., Les	/			
TOKUDA, Jill N.	/			
SLOM, Sam				/
TOTAL	5			2
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive;">[Signature]</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

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The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">SB 498</div>	Committee Referral: <i>WMA</i> <div style="font-size: 1.5em; font-family: cursive;">ENE/GVO/PSM,</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2-19-15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
KEITH-AGARAN, Gilbert S.C.				✓
SLOM, Sam				✓
TOTAL	3	—	—	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">Rosalyn H Baker</div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

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