
A BILL FOR AN ACT

RELATING TO CESSPOOLS.

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

1 SECTION 1. (a) The department of health shall hire a
2 third-party consultant to conduct a study on the upgrade,
3 conversion, or connection of cesspools statewide, including
4 financing issues and financing mechanisms. The study shall be
5 conducted in collaboration with the working group established
6 under subsection (b). At a minimum, the study shall:

7 (1) Determine all financing mechanisms available to
8 upgrade all category 1, 2, and 3 cesspools within
9 twenty years;

10 (2) Explore the feasibility of various sources of funding
11 including grants, loans, fees, real property taxes,
12 creation of special assessment districts, or a
13 combination of funding sources for the upgrading of
14 all category 1, 2, and 3 cesspools;

15 (3) Research best practices used by other jurisdictions
16 throughout the United States for cesspool conversions;



- 1 (4) Consider individual homeowners' ability to pay for
2 cesspool conversion and the possible provision of tax
3 exemptions based on individual income levels to assist
4 homeowners in paying for cesspool conversion;
- 5 (5) Research and make recommendations on state and county
6 partnerships to implement any cesspool conversion plan
7 and assist homeowners with cesspool conversions;
- 8 (6) Include feedback from community members on each island
9 as well as feedback from each county's wastewater
10 division;
- 11 (7) Evaluate mandatory versus voluntary participation in
12 any cesspool conversion plan;
- 13 (8) Consider the use of alternative septic system
14 technologies appropriate to the various areas where
15 cesspools are located;
- 16 (9) Assess and develop a methodology for comprehensive
17 data collection and analysis of the effects of
18 cesspools on groundwater, surface water, and nearshore
19 waters statewide; and
- 20 (10) Include any other information deemed necessary or
21 appropriate by the department of health, the working



1 group established under subsection (b), or the third-
2 party consultant.

3 (b) There is established a cesspool conversion working
4 group within the department of health for administrative
5 purposes. The working group shall consist of the following
6 members:

7 (1) The director of health, or the director's designee,
8 who shall serve as the chair of the working group;

9 (2) The branch chief of the clean water branch of the
10 department of health, or the branch chief's designee;

11 (3) The branch chief of the sanitation branch of the
12 department of health, or the branch chief's designee;

13 (4) The administrator of the division of aquatic resources
14 of the department of land and natural resources, or
15 the administrator's designee;

16 (5) Four members representing the appropriate wastewater
17 agency from each county, appointed by the mayor of the
18 county in which the agency is located;

19 (6) A member of the house of representatives, appointed by
20 the speaker of the house;



(7) A member of the senate, appointed by the president of the senate;

(8) A county director of finance, appointed by the Hawaii council of mayors;

(9) A member representing the sanitation industry, appointed by the president of the senate; and

(10) A member representing environmental groups, appointed by the speaker of the house.

(c) The cesspool conversion working group shall work in collaboration with the third-party consultant hired by the department of health to conduct the study under subsection (a).

(d) Members of the cesspool conversion working group shall serve without compensation but shall be reimbursed for necessary expenses, including air transportation, to attend meetings of the working group and in the discharge of duties of the working group.

(e) No member of the working group shall be made subject to section 84-17, Hawaii Revised Statutes, solely because of that member's participation as a member of the working group.

(f) The cesspool conversion working group shall cease to exist on January 1, 2020.



1 SECTION 2. The director of health, in consultation with
2 the cesspool conversion working group, shall submit an interim
3 report, including findings and recommendations, to the
4 legislature no later than December 31, 2018, and shall submit a
5 final report, including findings, recommendations, and any
6 proposed legislation to the legislature no later than twenty
7 days prior to the convening of the regular session of 2020.

8 SECTION 3. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so much
10 thereof as may be necessary for fiscal year 2018-2019 to conduct
11 a study on the upgrade, conversion, or connection of cesspools
12 statewide, including financing issues and financing mechanisms.

13 The sum appropriated shall be expended by the department of
14 health for the purposes of this Act.

15 SECTION 4. This Act shall take effect on July 1, 2018, and
16 shall be repealed on January 1, 2020.

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INTRODUCED BY:

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Report Title:

Cesspools; Working Group; Study

Description:

Requires the Department of Health to hire a third-party consultant to conduct a study on the upgrade, conversion, or connection of cesspools statewide, including financing issues and financing mechanisms. Establishes a working group. Requires a report to the Legislature. Appropriates funds.

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