STAND. COM. REP. NO. 589

Honolulu, Hawaii

FEB 1 5 2019

RE: S.B. No. 1062

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committees on Government Operations and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 1062 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 state and county agency contractors that dispose of waste provide a receipt that the waste or inert fill was received and disposed of at a Department of Health permitted or approved facility before payment is rendered for those contractual services.

Your Committees received testimony in support of this measure from the O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i and two individuals. Your Committees received comments on this measure from the Department of Accounting and General Services; Department of Health; Department of Transportation; and Office of the Governor, State Procurement Office.

Your Committees find that construction projects funded by public monies produce extensive construction waste.

Notwithstanding state law prohibiting the disposal of more than one cubic yard of solid waste anywhere other than a permitted solid waste management system, your Committees note that construction waste is sometimes disposed of in an unauthorized

manner. The improper disposal of construction waste adversely affects the State's natural resources and overall quality of life. This measure regulates and mandates proper disposal and management of waste by Department of Health permitted and approved facilities, thereby preserving Hawaii's oceans, streams, and land for many generations to come.

Your Committees have amended this measure by:

- (1) Clarifying that, beginning July 1, 2020, contractors must provide a receipt that waste was received and disposed of properly, prior to receiving payment, rather than prior to receiving full payment, for services rendered;
- (2) Specifying a statement for services shall be accompanied by:
  - (A) A receipt from a Department of Health permitted waste management facility, Department of Health approved wastewater treatment facility, or other facility approved by the Department of Health; or
  - (B) In the case of disposal of inert fill, a farm lot with an approved conservation plan or permit to stockpile material onsite, with a verification that the waste or inert fill was properly received and managed by a Department of Health permitted or approved waste facility;
- (3) Specifying partial payment may be made in certain circumstances absent a receipt; provided that the payment does not include any compensation for the waste removal, disposal, or both; 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 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. 1062, as amended herein, and recommend that it pass

Second Reading in the form attached hereto as S.B. No. 1062, S.D. 1, and be referred to your Committee on Ways and Means.

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

CLARENCE K. NISHIHARA, Chair

LÁURA H. THIELEN, Chair

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Government Operations GVO

| Bill / Resolution No.:*  |        | Committee Referral: Date: |                         |     |                      |  |  |  |
|--|--------|---------------------------|-------------------------|-----|----------------------|--|--|--|
| SB 1062  | GVOLPS | GVOLPSM, WAM 2/5/2019     |                         |     | 9                    |  |  |  |
| 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              |  |  |  |
| THIELEN, Laura H. (C)  |        | <b>V</b>                  |                         |     |                      |  |  |  |
| INOUYE, Lorraine R. (VC)   |        | $\overline{}$             |                         |     |                      |  |  |  |
| BAKER, Rosalyn H.  |        | <b>V</b> /                |                         |     |                      |  |  |  |
| KANUHA, Dru Mamo   |        | $\overline{}$             |                         |     |                      |  |  |  |
| FEVELLA, Kurt  |        |                           |                         |     | $\overline{V}$       |  |  |  |
|  |        |                           |                         |     |                      |  |  |  |
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| TOTAL  |        | A.                        |                         |     | /                    |  |  |  |
| Recommendation:  |        | 7                         |                         |     | /                    |  |  |  |
| Adopted Not Adopted  |        |                           |                         |     |                      |  |  |  |
| Chair's op Designee's Signature:  While K. Awaye   |        |                           |                         |     |                      |  |  |  |
| <b>Distribution:</b> Original File with Committee R  |        | ellow<br>'s Office [      | Pink<br>Drafting Agency |     | enrod<br>e File Copy |  |  |  |

\*Only one measure per Record of Votes

## The Senate Thirtieth Legislature State of Hawai'i

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

| Bill / Resolution No.:* Co  | Committee Referral:      |                         | Date:    |                        |  |  |  |
|---|--------------------------|-------------------------|----------|------------------------|--|--|--|
| SB1062 G  | VO/PSM, W                | AM                      | 2-5-2019 |                        |  |  |  |
| 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                |  |  |  |
| NISHIHARA, Clarence K. (C)  |                          |                         |          |                        |  |  |  |
| WAKAI, Glenn (VC)   |                          |                         |          | -                      |  |  |  |
| BAKER, Rosalyn H.   | V                        |                         |          |                        |  |  |  |
| HARIMOTO, Breene  | V                        |                         |          |                        |  |  |  |
| FEVELLA, Kurt   |                          |                         |          |                        |  |  |  |
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| TOTAL   | 3                        | _                       | _        | 2                      |  |  |  |
| Recommendation:   |                          |                         |          |                        |  |  |  |
| Adopted Not Adopted   |                          |                         |          |                        |  |  |  |
| Chair's or Designee's Signature:  |                          |                         |          |                        |  |  |  |
| Distribution: Original File with Committee Report                       | Yellow<br>Clerk's Office | Pink<br>Drafting Agency |          | denrod<br>ee File Copy |  |  |  |

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