

STAND. COM. REP. NO. 3011

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 368
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 368, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CESSPOOL CONVERSION,"

begs leave to report as follows:

The purpose and intent of this measure is to allow for the upgrade or conversion of cesspools to wastewater systems other than septic systems and aerobic treatment unit systems, as approved by the Director of Health.

More specifically, this measure:

- (1) Requires that every cesspool in the State be upgraded or converted to a wastewater system approved by the Director of Health by January 1, 2050; and
- (2) Requires that certain cesspools located on real property that is sold or whose ownership is transferred on or after January 1, 2024, be upgraded or converted to a septic system, an aerobic treatment unit system, or another approved wastewater system, or be connected to a sewerage system.

Your Committee received written comments in support of this measure from the Department of Health, Coral Reef Alliance, Hawaii Cattlemen's Council, Hawaii Reef and Ocean Coalition, Rotary Club



of Hanalei Bay, Surfrider Foundation, Wastewater Alternatives and Innovations, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Association of REALTORS and one individual.

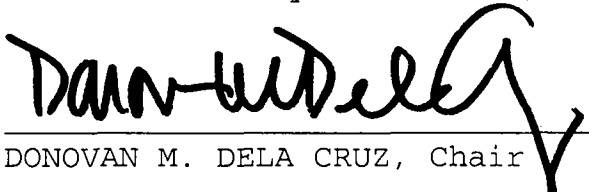
Your Committee finds that upgrading or converting a cesspool to a septic system or an aerobic treatment unit system may be cost prohibitive for many property owners in the State. Your Committee believes that by providing property owners with wastewater treatment system alternatives to septic systems and aerobic treatment unit systems, this measure will allow property owners to select more efficient and affordable wastewater treatment systems.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement to upgrade or convert cesspools, or connect the cesspools to a sewerage system, applies to certain cesspools on real property that is sold, or the ownership of which is transferred, on or after January 1, 2024; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 368, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 368, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
SB 368, SD1	AEN, WAM	2/24/22


The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MISALUCHA, Bennette E.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt			X	
TOTAL	10		1	

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes

Revised: 6/18/21