

STAND. COM. REP. NO.

526

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 426

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 426 entitled:

"A BILL FOR AN ACT RELATING TO CESSPOOLS,"

begs leave to report as follows:

The purpose and intent of this measure is to implement the recommendation of the Cesspool Conversion Working Group to accelerate the dates for required upgrades, conversions, or connections of priority level 1 cesspools and priority level 2 cesspools by requiring priority level 1 cesspools to be upgraded, converted, or connected before January 1, 2030, and priority level 2 cesspools to be upgraded, converted, or connected before January 1, 2035, rather than before January 1, 2050.

Your Committee received testimony in support of this measure from the Department of Health, Wastewater Alternatives and Innovations, Hawai'i Reef and Ocean Coalition, and two individuals. Your Committee received comments on this measure from Hawai'i REALTORS.

Your Committee finds that the State has mandated the upgrade, conversion, or connection of all cesspools in Hawaii by 2050. However, it has become clear that these cesspools are an imminent danger and must be resolved immediately in order to avoid preventable damage to the soil, environment, and ground water sources. Thus, this measure accelerates the upgrade, conversion,



and connection deadlines for priority one and priority two cesspools to 2030 and 2035, respectively, to protect the public and environment from preventable harm.

Your Committee has amended this measure by updating the references to the University of Hawai'i 2021 Hawaii Cesspool hazard assessment and prioritization tool by replacing it with the University of Hawai'i 2022 Hawaii cesspool hazard assessment and prioritization tool, as recommended by the Department of Health.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 426, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,




MIKE GABBARD, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No. :* SB426	Committee Referral: AEN, WAM	Date: 02-15-23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)		X		
DECOITE, Lynn		X		
RHOADS, Karl	X			
AWA, Brenton			X	
TOTAL	2	2	1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes