
A BILL FOR AN ACT

RELATING TO CESSPOOL CONVERSIONS.

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

1 SECTION 1. The legislature finds that Act 153, Session Laws
2 of Hawaii 2022, established a cesspool compliance pilot grant
3 project to assist property owners, including lessees on Hawaii
4 home lands, with upgrading, converting, or connecting a
5 cesspool. The pilot grant project is set to sunset in 2028.

6 The purpose of this Act is to:

- 7 (1) Require the department of health to submit a report to
8 the legislature on the cesspool compliance pilot grant
9 project prior to the regular session of 2025;
- 10 (2) Establish and appropriate moneys for three full-time
11 equivalent (3.0 FTE) positions within the cesspool
12 compliance pilot grant project; and
- 13 (3) Appropriate funds for the cesspool compliance pilot
14 grant project for fiscal year 2024-2025.

15 SECTION 2. Act 153, Session Laws of Hawaii 2022, is
16 amended by amending section 2 as follows:

- 17 1. By amending subsection (b) to read:



1 "(b) The department of health shall not grant awards to
2 any owner of real property with a cesspool or lessee on Hawaiian
3 home lands with a cesspool unless:

4 (1) The cesspool is located in an area identified as
5 priority level 1 or 2 in the University of Hawaii's
6 [2021] 2022 Hawaii cesspool [~~hazard assessment and~~
7 prioritization tool;

8 (2) The owner or lessee provides the department with the
9 tax return required by this section; and

10 (3) An application, the form of which shall be decided by
11 the department, is submitted and deemed completed by
12 the department of health."

13 2. By amending subsection (f) to read:

14 "(f) The department of health shall grant awards not to
15 exceed \$20,000 based on receipts of payment submitted under
16 subsection (e)(4); provided that cesspools that have been
17 upgraded or converted to a director of health-approved
18 wastewater system before [~~the passing of this Act~~] July 1, 2022,
19 shall not be eligible for this grant."

20 3. By amending subsection (h) to read:



1 "(h) The department of health shall submit to the
2 legislature a report on the pilot grant project, including any
3 findings and recommendations, and any proposed legislation, no
4 later than twenty days prior to the convening of the regular
5 session of [~~2024.~~] 2025."

6 SECTION 3. In accordance with section 9 of article VII of
7 the Hawaii State Constitution and sections 37-91 and 37-93,
8 Hawaii Revised Statutes, the legislature has determined that the
9 appropriations contained in Act 164, Regular Session of 2023,
10 and this Act will cause the state general fund expenditure
11 ceiling for fiscal year 2024-2025 to be exceeded by
12 \$ or per cent. This current declaration takes
13 into account general fund appropriations authorized for fiscal
14 year 2024-2025 in Act 164, Regular Session of 2023, and this Act
15 only. The reasons for exceeding the general fund expenditure
16 ceiling are that:

- 17 (1) The appropriation made in this Act is necessary to
18 serve the public interest; and
- 19 (2) The appropriation made in this Act meets the needs
20 addressed by this Act.



1 SECTION 4. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$249,000 or so much
3 thereof as may be necessary for fiscal year 2024-2025 for the
4 establishment of three full-time equivalent (3.0 FTE) permanent
5 positions comprising one engineer V position, one engineer IV
6 position, and one accountant IV position within the cesspool
7 compliance pilot grant project established by Act 153, Session
8 Laws of Hawaii 2022.

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

11 SECTION 5. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$5,249,000 or so much
13 thereof as may be necessary for fiscal year 2024-2025 for the
14 cesspool compliance pilot grant project established by Act 153,
15 Session Laws of Hawaii 2022.

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

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 7. This Act shall take effect on July 1, 2024.

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Report Title:

DOH; Cesspools; Cesspool Compliance Pilot Grant Project; Report; Positions; Expenditure Ceiling; Appropriations

Description:

Requires the Department of Health to submit a report to the Legislature on the cesspool Compliance Pilot Grant Project prior to the Regular Session of 2025. Establishes three full-time equivalent (3.0 FTE) positions to implement the Cesspool Compliance Pilot Grant Project established by Act 153, SLH 2022. Declares that the general fund expenditure ceiling is exceeded. Makes appropriations. (SD1)

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