

JAN 23 2009

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that the chemical and
2 radiological toxicity of depleted uranium has been a reported
3 cause of kidney dysfunction, lung damage, neurological
4 disorders, liver infection, and miscarriage among military
5 personnel. These health problems have been reported from
6 military personnel who have served in designated combat zones
7 where depleted uranium munitions and armor have been used,
8 including the 1991 Gulf War and during the five years since the
9 2003 invasion of Iraq.

10 The legislature further finds that the military use and
11 disposal of depleted uranium munitions are capable of having a
12 significant environmental impact, and depleted uranium has been
13 found in contaminated ground surfaces that lead to food and
14 ground water contamination.

15 The purpose of this Act is to:

16 (1) Provide a best practices health screening test for
17 depleted uranium exposure to military veterans



1 returning to Hawai'i after service in the Persian Gulf
2 War, Operation Enduring Freedom, Operation Iraqi
3 Freedom, or a combat zone or qualified hazardous duty
4 area recognized as such by the Internal Revenue
5 Service;

6 (2) Establish a task force to study the effects of
7 depleted uranium exposure on veterans in Hawai'i and
8 develop an outreach plan for veterans who have adverse
9 health effects due to the exposure; and

10 (3) Appropriate funds to evaluate the scope and adequacy
11 of the storage and disposal in Hawai'i of depleted
12 uranium used for military training and to compile a
13 report on depleted uranium exposure training for
14 military members.

15 SECTION 2. Chapter 121, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:

18 "§121- Screening for exposure to depleted uranium. The
19 adjutant general shall ensure access to appropriate screening
20 involving sensitive methods capable of detecting depleted
21 uranium at low levels for military veterans who return or have
22 returned to this State after service:



- 1 (1) In the Persian Gulf War, as defined in Title 38 United
2 States Code section 101; or
- 3 (2) In an area designated as a combat zone or qualified
4 hazardous duty area by the President of the United
5 States during Operation Enduring Freedom or Operation
6 Iraqi Freedom; or recognized as such by the Internal
7 Revenue Service for purposes of exclusion from income
8 tax."

9 SECTION 3. (a) There is created a task force on depleted
10 uranium exposure, to be placed within the office of veterans'
11 services.

12 (b) The task force shall consist of fourteen members as
13 follows:

14 (1) The director of veterans' services or a designee who
15 shall serve as the chairperson of the task force;

16 (2) The director of health or a designee;

17 (3) Four members, representing each branch of the military
18 service, Air Force, Army, Navy, and the Marine Corps,
19 to be appointed by the governor as nominated, one
20 each, by the majority and minority leaders of the
21 senate, and the majority and minority leaders of the
22 house of representatives;



1 (4) Two members who are physicians or scientists with
2 knowledge of or experience in the detection of health
3 effects from exposure to depleted uranium or other
4 hazardous materials, to be appointed by the governor
5 as nominated, one each, by the president of the senate
6 and the speaker of the house of representatives;

7 (5) Four members who are veterans with knowledge of or
8 experience with exposure to depleted uranium or other
9 hazardous materials, to be appointed by the governor
10 as nominated, one each by the majority and minority
11 leaders of the senate, and the majority and minority
12 leaders of the house of representatives; and

13 (6) Two members of the community at large with knowledge,
14 experience, or interest in health effects resulting
15 from exposure to depleted uranium, to be appointed by
16 the governor as nominated by the director of veterans'
17 services.

18 The members of the task force shall select the chairperson
19 of the task force from among themselves and shall be reimbursed
20 for expenses, including travel expenses, necessary for
21 performance of their duties.



1 (c) The task force shall study the effects of depleted
2 uranium as it relates to veterans in the State and develop a
3 plan for outreach and follow up for veterans who have been
4 exposed to depleted uranium and who have developed adverse
5 health effects due to their exposure.

6 (d) The task force shall report its findings and
7 recommendations to the legislature no later than twenty days
8 prior to the convening of the regular session of 2010.

9 (e) The task force shall be administratively attached to
10 the department of health. The department of health shall
11 provide administrative, clerical, technical, and professional
12 support services necessary to assist the task force in achieving
13 its purpose as required under this Act. The task force shall
14 cease to operate on January 1, 2010.

15 SECTION 4. (a) The department of health shall conduct an
16 environmental impact study of the scope and adequacy of depleted
17 uranium storage and disposal in Hawai'i and compile a report on
18 training received by the military members on exposure to
19 depleted uranium. Based on the foregoing, the department of
20 health shall make recommendations for the removal and clean-up
21 of depleted uranium in Hawai'i.



1 (b) The department of health shall report its findings and
2 recommendations to the legislature no later than twenty days
3 prior to the convening of the regular session of 2010.

4 SECTION 5. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2009-2010 for
7 the purposes of conducting an environmental impact study of the
8 scope and adequacy of depleted uranium storage and disposal in
9 Hawaii and compiling a report on training received by members of
10 the armed forces on exposure to depleted uranium.

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

13 SECTION 6. New statutory material is underscored.

14 SECTION 7. This Act shall take effect upon its approval.

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Report Title:

Depleted Uranium; Health Effects; Environmental Impact

Description:

Provides access for military veterans who return or have returned to the State after active service to a health screening test for exposure to depleted uranium. Establishes a task force to study the health effects of depleted uranium exposure. Requires an environmental impact study on storage and disposal of depleted uranium munitions in Hawai'i.

