

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1635
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Energy and Environment and Transportation, International and Intergovernmental Affairs, to which was referred S.B. No. 1635 entitled:

"A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT,"

beg leave to report as follows:

The purpose of this measure is to require that all landfills throughout the State charge commercial haulers with vehicles of 19,500 pounds or less a "pass through" tipping fee for disposal of solid waste based upon the actual weight of the disposed material, rather than a flat fee.

Testimony in support of this measure was submitted by one private individual. Testimony in opposition to this measure was submitted by one state department and one county department. Written testimony presented to your Committees may be reviewed on the Legislature's website.

Your Committees find that currently, landfills may charge a minimum tonnage fee regardless of the amount of waste that is actually being disposed of. This measure is intended to provide a fair means of assessing a fee for solid waste disposal, while also providing some relief to our small businesses and homeowners.

Your Committees have amended this measure by clarifying that the calculation of tipping fees by pass through basis shall apply to waste operators that assess or charge tipping fees by weight.

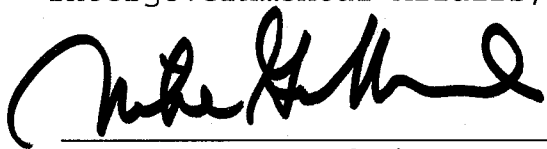


As affirmed by the records of votes of the members of your Committees on Energy and Environment and Transportation, International and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1635, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1635, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Energy and Environment and Transportation, International and Intergovernmental Affairs,



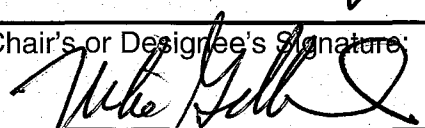
J. KALANI ENGLISH, Chair



MIKE GABBARD, Chair

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

| | | | | |
|--|---------------------|-----------------|---------------------|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 1635 | ENE/TIA, WAM | 2-18-09. | | |
| <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 |
| ENGLISH, J. Kalani (C) | ✓ | | | |
| GABBARD, Mike (VC) | ✓ | | | |
| ESPERO, Will | ✓ | | | |
| NISHIHARA, Clarence K. | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 5 | — | — | — |
| 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