

Honolulu, Hawaii
March 12, 2010

RE: S.B. No. 2081
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 2081, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LITTER CONTROL,"

begs leave to report as follows:

The purpose of this bill is to provide funding to decrease littering by increasing the fines and allocating the fines to the jurisdiction, the State or county, that imposed the fine for violating the litter control law.

The Department of Environmental Management of the County of Hawaii testified in support of this bill. The Department of Budget and Fiscal Services of the City and County of Honolulu supported the intent of this measure. The Department of Budget and Finance and Department of the Attorney General provided comments.

Your Committee finds that littering continues to plague this state with dire consequences to our tourism industry and natural environment. The Environmental Management Special Fund (Special Fund) was established to provide funding for the implementation of the Hawaii Integrated Solid Waste Management Act that, among other things, requires the Department of Health and each county to consider the minimization of litter and illegal dumping as a design factor in the development of integrated solid waste management programs. Your Committee further finds that the



Special Fund is an ideal vehicle to address the litter problem on a statewide basis.

Your Committee has amended this bill by:

- (1) Reallocating fines that are imposed and collected by a state agency into the Special Fund, rather than depositing the fines into a special account within the general fund for use by the state agency that issued the littering citation;
- (2) Adding as an allowable expenditure from the Special Fund, contracts or fund transfers to agencies that enforce litter control and criminal littering laws;
- (3) Changing the effective date to July 1, 2010; and
- (4) Making technical, nonsubstantive amendments for style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2081, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2081, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



HERMINA MORITA, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSOR 711-10

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 2081 SD2	Committee Referral: EEP, JVD, FIN	Date: 3-9-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. COFFMAN, Denny (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono				✓
6. HAR, Sharon E.	✓			
7. HERKES, Robert N.				✓
8. ITO, Ken				✓
9. LEE, Chris	✓			
10. LUKE, Sylvia	✓			
11. SAGUM, Roland D., III				✓
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia	✓			
TOTAL (13)	8	0	0	5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u> Denny Coffman </u>				
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