

STAND. COM. REP. NO.

2134

Honolulu, Hawaii

FEB 13 2012

RE: S.B. No. 2302
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Energy and Environment, to which was referred S.B. No. 2302 entitled:

"A BILL FOR AN ACT RELATING TO SOLID WASTE POLLUTION,"

beg leave to report as follows:

The purpose and intent of this measure is to create a community giveback fee to help groups perform activities and services for the greater good of their communities.

Your Committees received testimony in support of this measure from fifteen individuals. Testimony in opposition was received from the Department of Health and Honolulu Department of Environmental Services.

Your Committees find that communities in which landfills and other disposal sites are located bear a disproportionately heavy burden in meeting community needs. Violators of environmental health laws need to be responsible to help those communities they harm by paying an additional penalty.

Your Committees have amended this measure by:

- (1) Deleting the allocation of the collected community giveback fees to nonprofit organizations;
- (2) Adding a requirement that twenty-five percent of the amount of the penalty shall be deposited into a separate

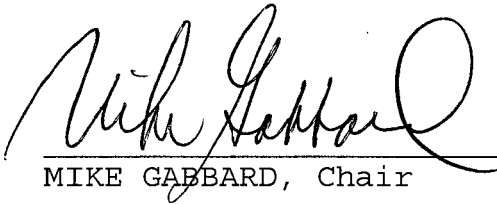


account of the general fund for distribution by the Department of Education in equal amounts to every high school within a ten-mile radius of the landfill which incurred the penalty; and

- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2302, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2302, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Public Safety, Government Operations, and Military Affairs and Energy and Environment,


MIKE GABBARD, Chair


WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 2302	Committee Referral: PGM/ENE, WAM	Date: 7 Feb 2012		
<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			
ENGLISH, J. Kalani (VC)	X			
GREEN, M.D., Josh				X
IHARA, Jr., Les	X			
SLOM, Sam				X
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>J. Kalani English</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes