

Honolulu, Hawaii  
February 14, 2014

RE: H.B. No. 2359  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and  
Water & Land, to which was referred H.B. No. 2359 entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

beg leave to report as follows:

The purpose of this measure is to prohibit and establish  
penalties for hydraulic fracturing and the collection, storage,  
treatment, or discharge of wastewater from hydraulic fracturing.

A Councilmember of Kauai County Council; Kanaka Maoli'O Puna;  
Village Green Society; MoveOn Honolulu Council; Hawaii's Thousand  
Friends; and numerous concerned individuals testified in support  
of this measure. The Department of Business, Economic  
Development, and Tourism; Department of Land and Natural  
Resources; Hu'ena Power; Indigenous Consultants, LLC; Innovations  
Development Group; Big Island Community Coalition; and a concerned  
individual testified in opposition to this measure. Life of the  
Land and Sierra Club of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the definition of "hydraulic fracturing"  
does not include drilling into underground geologic  
formations for the purpose of obtaining drinking water;



- (2) Including a sunset date of July 1, 2017, and changing the effective date to January 28, 2878, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity.

Your Committee notes that it may be beneficial for the Department of Health to collaborate with the Department of Land and Natural Resources to establish rules regarding hydraulic fracturing and its potential impact on the supply of safe drinking water.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2359, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2359, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committees on Energy &  
Environmental Protection and  
Water & Land,

  
CINDY EVANS, Chair

  
CHRIS LEE, Chair



**Record of Votes of the Committee on Energy & Environmental Protection**

Bill/Resolution No.: <b>HB 2359</b>	Committee Referral: <b>EEP/WAL, FIW</b>	Date: <b>2/13/14</b>		
<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. LEE, Chris (C)	X			
2. THIELEN, Cynthia (VC)	X			
3. CULLEN, Ty J.K.	X			
4. EVANS, Cindy	X			
5. HANOHANO, Faye P.				X
6. KAWAKAMI, Derek S.K.	X			
7. SAY, Calvin K.Y.	X			
8. NISHIMOTO, Scott Y.	X			
9. LOWEN, Nicole E.	X			
10. FALE, Richard Lee	X			
<b>TOTAL (10)</b>	<b>9</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u><i>Cynthia Thielen</i></u>				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				