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# A BILL FOR AN ACT

RELATING TO CESSPOOLS.

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

1       SECTION 1. The legislature finds that public health and  
2 the quality of Hawaii's drinking water, streams, ground waters,  
3 and ocean are being harmed by water pollution from cesspools.  
4 Hawaii has eighty-eight thousand cesspools that deposit  
5 approximately fifty-three million gallons of raw sewage directly  
6 into the groundwater every day. Drinking water, public  
7 recreation, and the precious coral reefs, on which Hawaii's  
8 economy, shoreline, recreation, fisheries, and native species  
9 depend, are or may be harmed by such pollution.

10       The purpose of this Act is to establish a cesspool upgrade  
11 task force to consider and recommend means by which the  
12 department of health can ensure that cesspools on properties  
13 that are within priority upgrade areas are converted to more  
14 environmentally-responsible waste treatment systems or connected  
15 to sewer systems within fifteen years.



1       SECTION 2. (a) The cesspool upgrade task force is  
2 established within the department of health for administrative  
3 purposes. The task force shall have the following objectives:

4       (1) Protect public health and preserve the quality of  
5       Hawaii's drinking water, streams, ground waters, and  
6       ocean while taking into consideration the very large  
7       number of pre-existing cesspools in the State;

8       (2) Consider and recommend means by which the department  
9       of health can ensure that cesspools on properties that  
10       are within priority upgrade areas are converted to  
11       more environmentally-responsible waste treatment  
12       systems or connected to sewer systems within fifteen  
13       years;

14       (3) Develop definitions and criteria for priority upgrade  
15       areas and acceptable waste treatment systems or  
16       connections; and

17       (4) Identify physical, practical, and financial  
18       impediments that may be encountered by land owners who  
19       are required to connect pre-existing cesspools to a  
20       sewer system or convert cesspools to an individual



1 waste treatment system and recommend solutions to  
2 those impediments.

3 (b) The cesspool upgrade task force shall consist of the  
4 following:

5 (1) The director of health or the director's designee, who  
6 shall serve as chairperson;

7 (2) The mayors of each county or their respective  
8 designees;

9 (3) A member appointed by the Hawaii Association of  
10 REALTORS;

11 (4) A member appointed by the Sierra Club of Hawaii;

12 (5) A member appointed by the Hawaii Reef and Ocean  
13 Coalition;

14 (6) One member appointed by the speaker of the house of  
15 representatives; and

16 (7) One member appointed by the president of the senate.

17 Task force members may recommend additional members with  
18 appropriate specialized expertise to the task force, for  
19 approval by the chairperson.

20 (c) Members of the task force shall serve without  
21 compensation, but shall be reimbursed for reasonable expenses



1 incurred, including travel expenses. No member of the task  
2 force shall be made subject to chapter 84, Hawaii Revised  
3 Statutes, solely because of that members' participation as a  
4 member of the task force.

5 (d) The task force shall submit a report of its findings  
6 and recommendations, including proposed legislation, to the  
7 legislature no later than twenty days prior to the convening of  
8 the regular session of 2019.

9 (e) The department of health shall provide administrative  
10 and clerical support required by the task force.

11 (f) The task force shall be dissolved on June 30, 2019.

12 SECTION 3. This Act shall take effect on December 31,  
13 2050.



**Report Title:**

Cesspool Upgrade Task Force

**Description:**

Establishes a Cesspool Upgrade Task Force within the Department of Health to consider and recommend the means by which the Department of Health can ensure that cesspools on properties that are within priority upgrade areas are upgraded within fifteen years. (SB2567 HD1)

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