

Honolulu, Hawaii

APR 06 2018

RE: H.B. No. 2043
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2043, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WASTEWATER,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Implement a sewer monitoring program that includes county inspections of sewer laterals connected to county sewers located on public or private property to detect leaks from laterals, saltwater infiltration, and inflow, after the property owner is provided written notice; and
- (2) Compel private property owners to inspect sewer laterals for leaks, saltwater infiltration, and inflow, and perform repairs as necessary.

Your Committee received testimony in support of this measure from the Department of Health, Department of Environmental Services of the City and County of Honolulu, and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i.

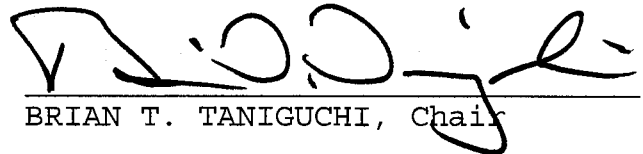
Your Committee finds that the counties have broad powers to establish and maintain sewer works as part of the counties'



responsibility to provide adequate sewage service to the public. Regular inspection and repairs are included in these broad powers. Your Committee further finds that the counties' ability to maintain sewer works is impaired when sewer laterals are located on private property because the counties do not have the explicit statutory authority to inspect and repair, or require necessary repairs, of lateral sewer lines on private property that are connected to county sewers. This measure will empower counties to inspect and require necessary repairs of sewer laterals that connect to county sewers, when those laterals are located on private property, after notice is provided to the property owner.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2043, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2043, HD1, SD1	PSM/AEN, JDC	4/3/18		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1
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