STAND. COM. REP. NO. 3-18

Honolulu, Hawaii

MAR 23 , 2018

RE: S.B. No. 2337

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Labor & Public Employment, to which was referred S.B. No. 2337, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Require that all state and county agency contractors that dispose of liquid or solid waste provide a receipt to the contracting agency that the waste was received and disposed of at a licensed facility before full payment is made for those contractual services;
- (2) Allow for partial payment to be made to all state and county agency contractors that dispose of liquid or solid waste without a receipt and prior to any dumping of waste; and
- (3) Prohibit alteration or falsification of receipts by all state and county agency contractors that dispose of liquid or solid waste.

The Department of Health, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Hawaii Kai Neighborhood Board, and several individuals supported this measure. The General Contractors Association of Hawaii, Alexander & Baldwin, Grace Pacific LLC, and Larry Jefts Farms, LLC provided comments.

Your Committees note concerns were raised by testifiers regarding the potential this measure has to infringe on contracts and interrupt receipt of lawful contractual payments for public works. Furthermore, this measure may prevent state and county contractors from disposing of liquid or solid waste in places other than a licensed waste management facility, such as farms that can use the disposed material as a cost effective resource.

Your Committees have amended this measure by:

- (1) Including farm lots with an approved soil and water conservation plan and construction sites with a permit to grade and fill the site or stockpile fill on site as places a state or county agency contractor may dispose of liquid or solid waste;
- (2) Specifying content to be included in the receipt from the licensed waste management facility, farm lot, or construction site; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2337, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2337, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on behalf of the members of the Committees on Energy & Environmental Protection and Labor & Public Employment,

AARON NING TOHANSON, Chair

CHRIS LEE, Chair

#### State of Hawaii House of Representatives The Twenty-ninth Legislature

HS-R1397-18

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

SB 2337, SDI	Committee Referral: EEP/LAB, FIN	Date:	3-15	5-18		
☐ The committee is reconsidering its previ						
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)						
EEP Members	Ayes	Ayes (WR)	Nays	Excused		
1. LEE, Chris (C)			·			
2. LOWEN, Nicole E. (VC)						
3. CULLEN, Ty J.K.						
4. KONG, Sam Satoru						
5 Mayer vey Angus LV						
5. McKELVEY, Angus L.K.						
6. TODD, Chris						
7. YAMANE, Ryan I.						
8. MCDERMOTT, Bob		200 (190 (190 (190 (190 (190 (190 (190 (1	hippona ozoli 12 ilo Sloveniko v			
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TOTAL (8)	.5			2		
The recommendation is: Adop	pted	ed .				
If joint referral, did not support recommendation.						
Vice Chair's or designee's signature: Nuole E. Fowen						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						

#### State of Hawaii House of Representatives The Twenty-ninth Legislature

# HSCR1397-18

## Record of Votes of the Committee on Labor & Public Employment

SB 2337 SD 1 Commit EE	tee Referral: P [LAB , 7	Date	3115118				
☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)							
LAB Members	Ayes	Ayes (WR)	Nays	Excused			
1. JOHANSON, Aaron Ling (C)			W 1888 - 30 - 30 - 30 - 30 - 30 - 30 - 30 -				
2. HOLT, Daniel (VC)							
3. EVANS, Cindy							
4. ICHIYAMA, Linda							
5. KEOHOKALOLE, Jarrett							
6 VAMASHITA Kala T							
6. YAMASHITA, Kyle T.							
7. MATSUMOTO, Lauren Kealohilani							
TOTAL (7)	7	0	0	O			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)							
Vice Chair's or designee's signature:							
<b>Distribution:</b> Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							