

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 LING JOHANSON, Chair

  
CHRIS LEE, Chair





