

Honolulu, Hawaii

MAY 12 2020

RE: H.B. No. 2151
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred H.B. No. 2151, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CESSPOOL CONVERSION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Assist low- and moderate-income property owners with converting their failing cesspools to more environmentally appropriate systems by creating a Cesspool Compliance Pilot Grant Project within the Department of Health to assist with conversion costs; and
- (2) Appropriate funds to the Department of Health to implement the Cesspool Compliance Pilot Grant Project, including funds for an administrator position or to contract for services to establish and administer the project.

Your Committee received testimony in support of this measure from the Department of Health, the Mayor of the County of Hawaii, a member of the Maui County Council, EcoTipping Points Project, Ulupono Initiative, Maui Chamber of Commerce, Environmental Caucus of the Democratic Party of Hawaii, WAI: Wastewater Alternatives &



Innovations, and five individuals. Your Committee received testimony in opposition to this measure from the Department of Environmental Services of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that in certain areas of the State, upgrading a sewage system is impossible or extremely costly, especially for the low- and moderate-income families in Hawaii. This bill will alleviate some of the financial burden imposed by Act 125, Session Laws of Hawaii, 2017, which requires that all cesspools in the State be upgraded or converted into more environmentally friendly waste treatment systems or be connected to a sewer system before January 1, 2050.

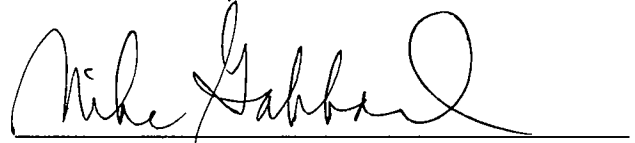
Your Committee has amended this measure by:

- (1) Inserting a provision requiring grant applicants to consent to disclosing their tax information to the Department of Health in order to participate in the Cesspool Compliance Pilot Grant Project;
- (2) Using federal adjustable gross income, instead of Hawaii adjustable gross income, to determine an owner's eligibility for a grant from the Cesspool Compliance Pilot Grant Project;
- (3) Specifying that the tax returns used to verify an owner's income requirements be from the most recent taxable year that is closed; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2151, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2151, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,

A handwritten signature in black ink, appearing to read "Mike Gabbard", written over a horizontal line.

MIKE GABBARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* HB 2131, HD 1	Committee Referral: AEN, WAM	Date: 03/13/2020		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
RUDERMAN, Russell E. (VC)				✓
RHOADS, Karl	✓			
THIELEN, Laura H.	✓			
FEVELLA, Kurt				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Karl Rhoads				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes