

STAND. COM. REP. NO.

589

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 1062  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Government Operations and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 1062 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require state and county agency contractors that dispose of waste provide a receipt that the waste or inert fill was received and disposed of at a Department of Health permitted or approved facility before payment is rendered for those contractual services.

Your Committees received testimony in support of this measure from the O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i and two individuals. Your Committees received comments on this measure from the Department of Accounting and General Services; Department of Health; Department of Transportation; and Office of the Governor, State Procurement Office.

Your Committees find that construction projects funded by public monies produce extensive construction waste. Notwithstanding state law prohibiting the disposal of more than one cubic yard of solid waste anywhere other than a permitted solid waste management system, your Committees note that construction waste is sometimes disposed of in an unauthorized



manner. The improper disposal of construction waste adversely affects the State's natural resources and overall quality of life. This measure regulates and mandates proper disposal and management of waste by Department of Health permitted and approved facilities, thereby preserving Hawaii's oceans, streams, and land for many generations to come.

Your Committees have amended this measure by:

- (1) Clarifying that, beginning July 1, 2020, contractors must provide a receipt that waste was received and disposed of properly, prior to receiving payment, rather than prior to receiving full payment, for services rendered;
- (2) Specifying a statement for services shall be accompanied by:
  - (A) A receipt from a Department of Health permitted waste management facility, Department of Health approved wastewater treatment facility, or other facility approved by the Department of Health; or
  - (B) In the case of disposal of inert fill, a farm lot with an approved conservation plan or permit to stockpile material onsite, with a verification that the waste or inert fill was properly received and managed by a Department of Health permitted or approved waste facility;
- (3) Specifying partial payment may be made in certain circumstances absent a receipt; provided that the payment does not include any compensation for the waste removal, disposal, or both; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1062, as amended herein, and recommend that it pass



Second Reading in the form attached hereto as S.B. No. 1062,  
S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Government  
Operations and Public Safety,  
Intergovernmental, and Military  
Affairs,

*Clarence K Nishihara*

CLARENCE K. NISHIHARA, Chair

*Laura H Thielen*

LAURA H. THIELEN, Chair





