

MAR 09 2023

---

# SENATE CONCURRENT RESOLUTION

URGING THE CITY AND COUNTY OF HONOLULU TO EXEMPT FROM REAL  
PROPERTY TAX THOSE PROPERTY OWNERS OF RESIDENTIAL UNITS  
WITHIN ONE-HALF MILE OF AN ACTIVE MUNICIPAL SOLID WASTE  
LANDFILL OR CONSTRUCTION AND DEMOLITION LANDFILL.

1           WHEREAS, every community in Hawaii deserves a "clean and  
2 healthful environment" pursuant to article XI, section 9, of the  
3 Hawaii State Constitution; and  
4

5           WHEREAS, the scientific consensus is that landfills  
6 generally -- and construction and demolition landfills  
7 specifically -- have negative health impacts for those who live,  
8 work, and play in close proximity; and  
9

10           WHEREAS, Act 73, Session Laws of Hawaii 2020, established  
11 Hawaii's statewide buffer zone law, which prohibits any waste or  
12 disposal facility from being located in a conservation district  
13 except in emergency circumstances and prohibits persons,  
14 including the State or any county, from constructing, operating,  
15 modifying, expanding, or closing a municipal solid waste  
16 landfill or construction and demolition landfill without first  
17 establishing a buffer zone of no less than one-half mile; and  
18

19           WHEREAS, the 2008 *Hawaii Environmental Justice Initiative*  
20 *Report's* definition of "environmental justice" for Hawaii  
21 recognized that "no one segment of the population or geographic  
22 area should be disproportionately burdened with environmental  
23 and/or health impacts resulting from development, construction,  
24 operations and/or use of natural resources"; and  
25

26           WHEREAS, residents within one-half mile of an active  
27 operation of municipal solid waste landfills or construction and  
28 demolition landfills are disproportionately burdened generally;  
29 and  
30



# S.C.R. NO. 51

1           WHEREAS, for example, according to Centers for Disease  
2 Control and Prevention data, residents in the two census tracts  
3 abutting PVT Land Company LTD.'s landfill in Nanakuli, Oahu, a  
4 predominantly Native Hawaiian community, live ten years less  
5 than the state average of eighty-two years and have the second  
6 and third lowest life expectancies in the entire State; and  
7

8           WHEREAS, Act 73, Session Laws of Hawaii 2020, addressed  
9 only future operations of waste and disposal facilities and did  
10 not address the safety and health of those residents suffering  
11 from the active operation of existing facilities; and  
12

13           WHEREAS, those living within a one-half mile of an active  
14 municipal solid waste landfill or a construction and demolition  
15 landfill would benefit from funds made available from a property  
16 tax exemption to address their individual safety and health;  
17 now, therefore,  
18

19           BE IT RESOLVED by the Senate of the Thirty-second  
20 Legislature of the State of Hawaii, Regular Session of 2023, the  
21 House of Representatives concurring, that the City and County of  
22 Honolulu is urged to exempt from real property tax those  
23 property owners of residential units within one-half mile of an  
24 active municipal solid waste landfill or construction and  
25 demolition landfill; and  
26

27           BE IT FURTHER RESOLVED that certified copies of this  
28 Concurrent Resolution be transmitted to the Governor, Mayor of  
29 the City and County of Honolulu, and each member of the Honolulu  
30 City Council.  
31  
32  
33

OFFERED BY:  \_\_\_\_\_

