

STAND. COM. REP. NO. 1760

Honolulu, Hawaii

APR 04 2025

RE: H.B. No. 969
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 969, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WASTE OR DISPOSAL FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the construction, modification, or expansion of any waste or disposal facility on land that is above a significant aquifer as determined by the Department of Health.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs; Board of Water Supply; Climate Protectors Hawaii; Conservation Council for Hawaii; Country Talk Story; Dole Food Company Hawaii; Green Party of Hawaii; Green World Coffee Farm; Hawaii Farm Bureau; Hawaii Farmers Union; Hawaii Reef and Ocean Coalition; IBEW Local 1260; North Shore Chamber of Commerce; Sierra Club of Hawaii; Sustainable Hawaii, LLC; and numerous individuals.

Your Committee received written comments in opposition to this measure from the Department of Health.

Your Committee received written comments on this measure from the City and County of Honolulu, County of Kauai Solid Waste Division, County of Maui, Makakilo/Kapolei/Honokai Hale



Neighborhood Board No. 34, Prince Kuhio Hawaiian Civic Club, Reworld, and one individual.


Your Committee finds that prohibiting construction, modification, or expansion of waste or disposal facilities above a significant aquifer will help protect the water quality and ensure the sustainability of the aquifer as a clean water source. Your Committee further finds that these prohibitions will reduce the risk of contamination from hazardous materials infiltrating the groundwater, thus safeguarding public health and the environment.

Your Committee has amended this measure by:

- (1) Defining "significant aquifer" as any aquifer sitting below Class A or B agricultural lands as designated by the Land Use Commission; and
- (2) Changing the effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 969, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 969, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB969 HD2 SD1	Committee Referral: HHS/WTL, WAM	Date: 4/2/2025							
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____									
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>									
Members	Aye	Aye (WR)	Nay	Excused					
DELA CRUZ, Donovan M. (C)	X								
MORIWAKI, Sharon Y. (VC)	X								
AQUINO, Henry J.C.	X								
DECOITE, Lynn	X								
ELEFANTE, Brandon J.C.	X								
HASHIMOTO, Troy N.	X								
INOUE, Lorraine R.	X								
KANUHA, Dru Mamo	X								
KIDANI, Michelle N.	X								
KIM, Donna Mercado	X								
LEE, Chris	X								
WAKAI, Glenn	X								
FEVELLA, Kurt	X								
TOTAL	13	0	0	0					
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>									
Chair's or Designee's Signature: 									
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Distribution:</td> <td style="width: 25%;">Original File with Committee Report</td> <td style="width: 25%;">Yellow Clerk's Office</td> <td style="width: 25%;">Pink Drafting Agency</td> <td style="width: 20%;">Goldenrod Committee File Copy</td> </tr> </table>					Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy
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*Only one measure per Record of Votes