

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 446
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 S.B. No. 446, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to prohibit landfills in areas where a landfill could cause groundwater contamination.

Specifically, this measure:

- (1) Prohibits landfills in no pass zones; and
- (2) Prohibits the use of fly ash or bottom ash from a municipal waste combustor for road building, construction, or as alternative daily cover material on a landfill.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs, Energy Justice Network, Hawaii Farm Bureau, Pele Lani Farm LLC, Association of Hawaiian Civic Clubs, Shimanchu Wai Protectors, Environmental Caucus of the Democratic Party of Hawaii, Sierra Club of Hawaii, and numerous individuals.



Your Committee received written comments in opposition to this measure from the City and County of Honolulu, Reworld, and County of Hawaii Department of Environmental Management.

Your Committee received written comments on this measure from the Department of Health and Board of Water Supply.

Your Committee finds that establishing distance restrictions on landfill unit locations will help to protect drinking water resources while managing the need for waste disposal.

Your Committee has amended this measure by:

- (1) Deleting all references and content related to no pass zones;
- (2) Limiting the landfill unit restriction to mauka of the underground injection control line;
- (3) Changing the buffer zone from one-half mile to one-quarter mile; and
- (4) Clarifying the vertical expansion prohibition of the landfill unit.

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 S.B. No. 446, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 446, 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.:* <div style="font-size: 1.2em; font-family: cursive;">SB 446 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HHS, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2-19-2025</div>		
<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-between; 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	12	0	1	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes