

STAND. COM. REP. NO.

2969

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 2656  
H.D. 2  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Health and Energy and Environment, to which was referred H.B. No. 2656, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL,"

beg leave to report as follows:

The purpose and intent of this measure is to require all crematoriums of human remains operating within the State to be subject to air pollution control permit requirements; provided that owners or operators of crematoriums constructed before March 20, 1972, and operating within the State without a permit shall submit permit applications to the Department of Health no later than December 31, 2015.

Your Committees received testimony in support of this measure from the Department of Health; Hawaiian Memorial Life Plan, Ltd.; Hawaii Funeral and Cemetery Association; Sierra Club of Hawaii; and twenty individuals. Your Committees also received a petition with 140 signatures in support of this measure. Your Committees received testimony in opposition to this measure from Leeward Funeral Home; Hosoi Garden Mortuary, Inc.; and Oahu Cemetery Association.

Your Committees find that residents of the neighborhoods in which unfiltered crematoriums exist are incidentally exposed to particulate matter, soot, chemicals, and other forms of pollution as a result of the close proximity of the crematoriums. Requiring a permit will allow the Department of Health to better monitor and

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control the emissions of all crematoriums, thereby improving the State's air quality and public health. Your Committees further find that the initial exemption was instituted as a courtesy, but that forty years have since elapsed. Consequently, your Committees find that requiring all crematoriums to comply with modern air regulations and technology is of critical importance.

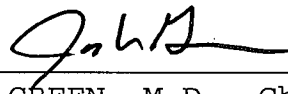
Your Committees have amended this measure by moving up the date by which owners or operators of crematoriums constructed before March 20, 1972, and operating within the State without a permit must submit permit applications to the Department of Health no later than December 31, 2013, rather than December 31, 2015, as the health and well-being of those exposed to the crematorium's unfiltered smoke is of critical concern.

As affirmed by the records of votes of the members of your Committees on Health and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2656, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2656, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Health and Energy  
and Environment,



MIKE GABBARD, Chair



JOSH GREEN, M.D., Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2696, HD2	HTH / ENE, WAM	3-21-12		
<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
GREEN, M.D., Josh (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
BAKER, Rosalyn H.				✓
CHUN OAKLAND, Suzanne	✓			
SHIMABUKURO, Maile	✓			•
WAKAI, Glenn	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
Distribution: Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Energy and Environment**  
**ENE**

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2656 HD2	HTH/ENE, WAM	21 March 2012
<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)	✓	
ENGLISH, J. Kalani (VC)	✓	
GREEN, M.D., Josh	✓	
IHARA, Jr., Les	✓	
SLOM, Sam		✓
<b>TOTAL</b>	4	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: <i>Ala'i Gold</i>		
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy		

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