

STAND. COM. REP. NO.

1691

Honolulu, Hawaii

APR 24 2015

RE: H.C.R. No. 205
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Energy and Environment and Health, to which was referred H.C.R. No. 205 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE EXISTING AND ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY AND FAIRLY AND EQUALLY ENFORCE APPLICABLE LAWS AND REGULATIONS FOR ALL COMPANIES,"

beg leave to report as follows:

The purpose and intent of this measure is to request that the Department of Health:

- (1) Examine existing and alleged violations in the solid waste recycling industry and fairly and equally enforce applicable laws and regulations for all companies; and
- (2) Provide a complaining or interested party with information regarding the status and results of any investigation, resulting penalty, or order for corrective action.

Your Committees received testimony in support of this measure from Schnitzer Steel. Your Committees received comments on this measure from the Department of Health.

Your Committees find that the Department of Health is authorized to enforce laws and regulations to protect and improve the health and safety of the citizens of Hawaii and the environment. These laws and regulations are intended to regulate,

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among other things, the operations of companies in the solid waste recycling industry to ensure that operations are conducted in a responsible and safe manner and do not present increased risks to the health of Hawaii's citizens or to the environment. However, there have been reports of Hawaii's solid waste recycling facilities committing numerous violations of these laws and regulations over time. An examination of all alleged violations in the solid waste recycling industry and equitable enforcement of pertinent laws and rules will ensure that a company's operations are conducted in a responsible and safe manner and discourage unlawful conduct.

Your Committees have amended this measure by inserting language regarding the importance and value of the management of waste through solid waste recycling and alternative means of waste disposal, including donation, compost, biofuel production, anaerobic digestion, and thermal combustion of organic material.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 205, as amended herein, and recommend that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as H.C.R. No. 205, S.D. 1.

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



JOSH GREEN, Chair



MIKE GABBARD, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* <i>HCR 205</i>	Committee Referral: <i>ENE/HTH, JDL</i>	Date: <i>4/22/2015</i>		
<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)	✓			
GREEN, Josh (VC)	✓			
GALUTERIA, Brickwood				✓
IHARA, Jr., Les				✓
SLOM, Sam	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>John A. ...</i></div>				
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-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
HCR 205	ENE/HTH, JDL	4-22-15		
<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, Josh (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
GABBARD, Mike	✓			
RIVIERE, Gil				✓
RUDERMAN, Russell E.	✓			
SLOM, Sam	✓			
TOTAL	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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