

STAND. COM. REP. NO.

1697

Honolulu, Hawaii

MAR 22

, 2019

RE: S.B. No. 235

S.D. 1

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Health and Energy & Environmental  
Protection, to which was referred S.B. No. 235, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Appropriate funds to add permanent positions and funds for the enforcement of non-point source water pollution; and
- (2) Appropriate funds from the Sanitation and Environmental Health Special Fund to add permanent sanitarian positions and funds for improved food safety.

The Department of Health testified in support of this measure.

Your Committees have amended this measure by:

- (1) Removing the appropriation for positions and funds for the enforcement of non-point source water pollution and inserting an appropriation for the various positions and

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operating expenses for HTH840 - Environmental Management;

- (2) Adding robust preamble language to highlight the environmental impact of the discharge of treated wastewater into public waterways; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committees note that the State recently received a grade of D+ for its wastewater infrastructure in a recent review by the American Society of Civil Engineer's Hawaii Section, as reported on March 8, 2019, in the Honolulu Star Advertiser. Your Committees recognize that it is the responsibility of the various counties to oversee the State's wastewater infrastructure. However, your Committees find that it is the responsibility of the Department of Health to enforce statewide regulations. Therefore, your Committees respectfully request the Department of Health to provide data on the number of violations and fines relating to wastewater that have been issued to the counties by the Department of Health over the past three-year period.

Your Committees note a concern that the amount appropriated from the Sanitation and Environmental Health Special Fund for the 14 new sanitarian positions is not sustainable and that future funding for these positions may need to come from State general funds.

Your Committees further note the Department of Health's testimony that the Sanitation and Environmental Health Special Fund is currently operating at a surplus and will be able to absorb the cost of these new positions.

As affirmed by the records of votes of the members of your Committees on Health and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 235, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 235, S.D. 1, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committees on Health and Energy  
& Environmental Protection,

  
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NICOLE E. LOWEN, Chair

  
\_\_\_\_\_  
JOHN M. MIZUNO, Chair



**Record of Votes of the Committee on Health**

Bill/Resolution No.: <i>SB235 SD1</i>	Committee Referral: <i>HLT/EEP, FIN</i>	Date: <i>3-21-19</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>HLT Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. MIZUNO, John M. (C)	/			
2. KOBAYASHI, Bertrand (VC)	/			
3. BELATTI, Della Au				/
4. NAKAMURA, Nadine K.	/			
5. SAN BUENAVENTURA, Joy A.	/			
6. SAY, Calvin K.Y.				/
7. TOKIOKA, James Kunane				/
8. WARD, Gene	/			
<b>TOTAL (8)</b>	<i>5</i>	<i>0</i>	<i>0</i>	<i>3</i>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small style="margin-left: 200px;">committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> <i>B.T. Kolgaard</i>				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				

**Record of Votes of the Committee on Energy & Environmental Protection**

Bill/Resolution No.: <b>SB 235, SD1</b>	Committee Referral: <b>HLE/EEP, FIN</b>	Date: <b>3.21.19</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. WILDBERGER, Tina (VC)	✓			
3. HAR, Sharon E.				✓
4. TARNAS, David A.	✓			
5. TODD, Chris	✓			
6. YAMANE, Ryan I.				✓
7. THIELEN, Cynthia	✓			
<b>TOTAL (7)</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Tina Wildberger</i></u>				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				