

STAND. COM. REP. NO.

2474

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2717  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 2717 entitled:

"A BILL FOR AN ACT RELATING TO CESSPOOLS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a cesspool compliance grant program and special fund to assist beneficiaries on Hawaiian home lands with cesspool upgrade, conversion, or connection costs;
- (2) Prohibit a recipient of a cesspool compliance grant from claiming the cesspool upgrade, conversion, or connection income tax credit and vice versa; and
- (3) Appropriate funds for the grant program.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Ho'omana Pono, LLC; Ho'omanapono Political Action Committee; and Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i. Your Committees received comments on this measure from the Department of the Attorney General, Department of Health, Department of Budget and Finance, and Department of Taxation.



Your Committees find that section 342D-72, Hawaii Revised Statutes, requires the upgrade, conversion, or connection of all cesspools by 2050. There are currently approximately eighty-eight thousand cesspools in the State, discharging roughly fifty-three million gallons of untreated sewage into the groundwater every day. Your Committees note that about ninety-five percent of the State's drinking water is sourced from underground, making cesspools a significant threat to public health. Your Committees believe that establishing a grant program to assist beneficiaries on Hawaiian home lands to comply with section 342D-72, Hawaii Revised Statutes, to ensure the protection of the public's health.

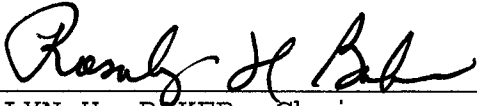
Your Committees have amended this measure by:

- (1) Inserting the language in the Hawaii Revised Statutes, rather than the Hawaiian Homes Commission Act, 1920, as amended;
- (2) Clarifying the definitions for "cesspool", "septic system", and "aerobic treatment unit system";
- (3) Authorizing the Department of Hawaiian Homes Lands and Department of Taxation to share information regarding grant recipients and their tax identification number to ensure that recipients of the newly established grant do not claim the cesspool upgrade, conversion, or connection income tax credit; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2717, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2717, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Hawaiian Affairs  
and Commerce, Consumer  
Protection, and Health,



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ROSALYN H. BAKER, Chair



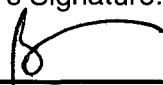
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MAILE S.L. SHIMABUKURO, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

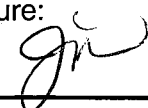
**Record of Votes**  
**Committee on Hawaiian Affairs**  
**HWN**

Bill / Resolution No.:* <i>SB 2717</i>	Committee Referral: <i>HWN/CPH, WAAU</i>	Date: <i>2/13/2018</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
SHIMABUKURO, Maile S.L. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
ENGLISH, J. Kalani				✓
GREEN, Josh				✓
RIVIERE, Gil	✓			
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> 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-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:* <b>SB2717</b>	Committee Referral: <b>HWN/CPH, WAM</b>	Date: <b>2/14/18</b>		
<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
BAKER, Rosalyn H. (C)	—			
TOKUDA, Jill N. (VC)	—			
CHANG, Stanley	—			
ESPERO, Will	—			
IHARA, Jr., Les				—
NISHIHARA, Clarence K.	—			
RUDERMAN, Russell E.	—			
<b>TOTAL</b>	<b>6</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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