

Honolulu, Hawaii

Feb 8, 2008

RE: H.B. No. 3445
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Water, Land, Ocean Resources & Hawaiian Affairs, to which was referred H.B. No. 3445 entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

beg leave to report as follows:

The purpose of this bill is to establish a five-cent surcharge on bottled water produced or distributed in the state to be deposited into:

- (1) The Bottled Water Special Fund for the protection of watershed areas; and
- (2) The Invasive Species Special Fund to fight against invasive species.

The Department of Agriculture, The Nature Conservancy of Hawaii, and Conservation Council for Hawaii testified in support of this bill. The Department of Land and Natural Resources supported the intent of this measure. The Department of Health, Retail Merchants of Hawaii, International Bottled Water Association, Hawaii Food Industry Association, Hawaiian Springs, LLC, Hawaiian Isles Water Company, Menehune Water Company, Inc., Pacific Allied Products, The Pepsi Bottling Group Hawaii, Coca-Cola Bottling Company of Hawaii, and a concerned individual opposed this bill. The Department of Budget and Finance provided comments.



Upon careful consideration, your Committees have amended this bill by deleting the substance of the bill and inserting:

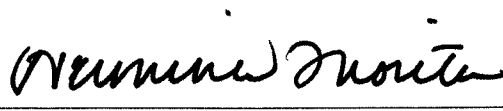
- (1) Part I, establishing a royalty to be assessed by the county boards of water supply or the Commission of Water Resource Management for water sold to a water bottling enterprise. The royalties will be used for the preservation and protection of the state's finite water supply; and
- (2) Part II, imposing a moratorium on the manufacture, production, processing, and sale of bottled water originating from groundwater sources in the state that are not under the control of any county boards of water supply until a clear policy is developed to guide the development of this groundwater use.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, Ocean Resources & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 3445, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 3445, H.D. 1, and be referred to the Committees on Agriculture and Economic Development & Business Concerns.

Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Water, Land, Ocean Resources &
Hawaiian Affairs,



KEN ITO, Chair



HERMINA MORITA, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 270-08

Record of Votes of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Bill/Resolution No.: HB 3445	Committee Referral: EEP/WLH, AGR/EDB, FIN	Date: 2/7/08		
<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)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. KARAMATSU, Jon Riki (VC)	✓			
3. CARROLL, Mele				/
4. MAGAOAY, Michael Y.	/			
5. MORITA, Hermina M.	/			
6. SAGUM, Roland D., III	✓			
7. SAIKI, Scott K.	/			
8. THIELEN, Cynthia	/			
TOTAL (8)	7	0	0	1
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>Jon Riki Karamatsu</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				