

JAN 25 2006

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# A BILL FOR AN ACT

RELATED TO INTEGRATED SOLID WASTE MANAGEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 342G-104, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§342G-104 Deposit into deposit beverage container deposit**  
4 **special fund; use of funds.** (a) There is established in the  
5 state treasury the deposit beverage container deposit special  
6 fund, into which shall be deposited:

7 (1) All revenues generated from the deposit beverage  
8 container fee as described under sections 342G-102 and  
9 342G-105;

10 (2) All revenues generated from the deposit beverage  
11 container deposit as described under sections 342G-105  
12 and 342G-110; and

13 (3) All accrued interest from the fund.

14 (b) Moneys in the deposit beverage container deposit  
15 special fund shall be used to reimburse refund values, pay  
16 handling fees to redemption centers, fund the reverse vending  
17 machine rebate program under section 342G-102.5, and fund the  
18 redemption center and recycling infrastructure improvement



1 program established pursuant to section 342G-114.5. The  
2 department may also use the money to:

3 (1) Fund administrative, audit, and compliance activities  
4 associated with collection and payment of the deposits  
5 and handling fees of the deposit beverage container  
6 program;

7 (2) Conduct recycling education and demonstration  
8 projects;

9 (3) Promote recyclable market development activities;

10 (4) Support the handling and transportation of the deposit  
11 beverage containers to end-markets;

12 (5) Hire personnel to oversee the implementation of the  
13 deposit beverage container program, including  
14 permitting and enforcement activities; and

15 (6) Fund associated office expenses.

16 (c) Any funds that accumulate in the deposit beverage  
17 container deposit special fund shall be retained in the fund  
18 unless determined by the auditor to be [~~in~~] excess, after  
19 adjustments to the deposit beverage fee, pursuant to the  
20 management and financial audits conducted in accordance with  
21 section 342G-107.

1 (d) At the end of each even-numbered fiscal year, ten per  
 2 cent of any funds that remain in the deposit beverage container  
 3 deposit special fund and that are determined by the auditor to  
 4 be excess pursuant to subsection (c) shall constitute abandoned  
 5 deposits and may be allocated by the department to counties that  
 6 submit an application to establish or maintain one or more  
 7 recycling programs, including residential curbside recycling,  
 8 provided that:

9 (1) The recycling program shall include newspaper,  
 10 plastics, glass and aluminum, and shall be in  
 11 substantial compliance with the policies and criteria  
 12 established by the department;

13 (2) An application for funds shall be made to the  
 14 department on forms provided by the department and  
 15 shall contain information required by the department;  
 16 and

17 (3) In determining the amount of funds to be dispersed to  
 18 a county, the department shall consider the amount of  
 19 deposit beverage container deposits collected in that  
 20 county."

21 SECTION 2. Statutory material to be repealed is

1 bracketed and stricken. New statutory material is underscored.

2 SECTION 3. This Act shall take effect upon its approval.

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**Report Title:**

Recycling; Deposit Beverage Container Deposit Special Fund

**Description:**

Allocates moneys in the deposit beverage container deposit special fund to counties to establish or maintain recycling programs.

