

JAN 24 2007

A BILL FOR AN ACT

RELATING TO INTEGRATED SOLID WASTE MANAGEMENT.

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

1 SECTION 1. The legislature finds that the city and county
2 of Honolulu recently completed a waste composition study that
3 indicated that approximately seventy-five to one hundred ten
4 million recyclable plastic containers, and one hundred twenty to
5 one hundred ninety million aluminum recyclable containers are
6 disposed of at H-Power and the Waimanolo gulch sanitary
7 landfill. The plastic containers are recycled to energy and the
8 metals are shipped off island for recycling. However, it is
9 estimated that many of these containers are eligible for a
10 deposit refund through the deposit beverage container program.

11 The legislature further finds that the counties can
12 increase the amount of deposit beverage containers, or HI-5
13 containers, that are recycled through the deposit beverage
14 container program by promoting the use of community recycling
15 bins and HI-5 fundraiser bins at public, private, and
16 educational locations.



1 There are currently about seventy-five community recycling
2 bins on school campuses around Oahu. These community recycling
3 bins are partitioned into sections for the collection of mixed
4 containers and paper from the host schools and the surrounding
5 communities. Revenue from the sale of the recyclable materials
6 is giving to the host schools. The city and county of Honolulu
7 intends to establish an additional forty community recycling bin
8 sites and to offer schools and nonprofit organizations the
9 option of a bin partitioned into a third section for the
10 collection of deposit beverage containers. This third partition
11 will significantly increase the schools' and nonprofit
12 organizations' revenue potential.

13 The purpose of this Act is to permit the department of
14 health to make grants from the deposit beverage container
15 deposit special fund to the counties for the purchase,
16 placement, maintenance, and collection of community recycling
17 bins and HI-5 fundraiser bins.

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

20 **"§342G-104 Deposit into deposit beverage container deposit**
21 **special fund; use of funds.** (a) There is established in the



1 state treasury the deposit beverage container deposit special
2 fund, into which shall be deposited:

3 (1) All revenues generated from the deposit beverage
4 container fee as described under sections 342G-102 and
5 342G-105;

6 (2) All revenues generated from the deposit beverage
7 container deposit as described under sections 342G-105
8 and 342G-110; and

9 (3) All accrued interest from the fund.

10 (b) Moneys in the deposit beverage container deposit
11 special fund shall be used to reimburse refund values, pay
12 handling fees to redemption centers, fund the reverse vending
13 machine rebate program under section 342G-102.5, and fund the
14 redemption center and recycling infrastructure improvement
15 program established pursuant to section 342G-114.5. The
16 department may also use the money to:

17 (1) Fund administrative, audit, and compliance activities
18 associated with collection and payment of the deposits
19 and handling fees of the deposit beverage container
20 program;

21 (2) Conduct recycling education and demonstration
22 projects;



- 1 (3) Promote recyclable market development activities;
- 2 (4) Support the handling and transportation of the deposit
- 3 beverage containers to end-markets;
- 4 (5) Hire personnel to oversee the implementation of the
- 5 deposit beverage container program, including
- 6 permitting and enforcement activities; [and]
- 7 (6) Make grants to the counties for the purchase,
- 8 placement, maintenance, and collection of community
- 9 recycling bins and HI-5 fundraiser bins; and
- 10 ~~[(6)]~~ (7) Fund associated office expenses.

11 (c) Any funds that accumulate in the deposit beverage
12 container deposit special fund shall be retained in the fund
13 unless determined by the auditor to be ~~in~~ excess, after
14 adjustments to the deposit beverage fee, pursuant to the
15 management and financial audits conducted in accordance with
16 section 342G-107.

17 (d) At the end of each even-numbered fiscal year, sixty
18 per cent of any funds that remain in the deposit beverage
19 container deposit special fund and that are determined by the
20 auditor to be excess pursuant to subsection (c) shall constitute
21 abandoned deposits and shall be allocated by the department to
22 any county that submits an application for the purchase,



1 placement, maintenance, and collection of community recycling
 2 bins and HI-5 fundraiser bins on a form prescribed by the
 3 department; provided that in determining the amount of funds to
 4 be dispersed to a county, the department shall prorate the
 5 abandoned deposits based on the amount of deposit beverage
 6 container deposits collected in that county."

7 SECTION 3. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Recycling; Deposit Beverage Container Deposit Special Fund

Description:

Permits the department of health to make grants from the deposit beverage container deposit special fund to the counties for the purchase, placement, maintenance, and collection of community recycling bins and HI-5 fundraiser bins.

