

JAN 18 2008

A BILL FOR AN ACT

RELATING TO DEPOSIT BEVERAGE CONTAINER PROGRAM.

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

1 SECTION 1. Section 342G-104, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Any funds that accumulate in the deposit beverage
4 container deposit special fund shall be retained in the fund
5 unless determined by the auditor to be in excess, after
6 adjustments to the deposit beverage fee, pursuant to the
7 management and financial audits conducted in accordance with
8 section 342G-107 [-]; provided that thereafter, fifty per cent of
9 the excess funds, if any, shall be distributed equally on July 1
10 of an even numbered year among the counties for deposit into
11 each county's general fund without the necessity of legislative
12 appropriation."

13 SECTION 2. Section 342G-107, Hawaii Revised Statutes, is
14 amended to read as follows:

15 " [H]§342G-107 [H] Management and financial audit. The
16 auditor shall conduct a management and financial audit of the
17 program for fiscal years 2004-2005 and 2005-2006, and for each



1 fiscal year thereafter ending in an even-numbered year. The
2 auditor shall submit the audit report, including the amount of
3 unredeemed refund value [~~and~~], the amount of distributions that
4 should be made to the counties under section 342G-104, and
5 recommendations, to the legislature and the department no later
6 than twenty days prior to the convening of the next regular
7 session. The costs incurred by the auditor for the audit shall
8 be reimbursed by the deposit beverage container program special
9 fund. The auditor may contract the audit services of a third
10 party to conduct the audit."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.
14

INTRODUCED BY: *Maricel R. Brown*
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Report Title:

Deposit Beverage Container Revenues; Counties

Description:

Requires half of surplus funds in the deposit beverage container deposit special fund to be shared among the counties equally.

