
A BILL FOR AN ACT

RELATING TO LANDFILLS.

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

1 SECTION 1. The purpose of this Act is to establish a host
2 municipality benefit fee to be paid by operators of privately
3 owned or operated recovery facility or landfills to offset the
4 impact of the facility.

5 SECTION 2. Chapter 342G, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§342G- Host municipality benefit fee. Each operator of
9 a privately owned or operated resource recovery landfill,
10 excluding transfer stations, shall be subject to a host
11 municipality benefit fee for any health or safety violation
12 pursuant to chapter 342H. The fee shall be \$250 per penalty;
13 provided that all of the fees collected shall be deposited into
14 a separate account of the general fund for distribution by the
15 department of education in equal amounts to every high school
16 within a five-mile radius of the landfill that incurred the
17 penalty. If there is no high school within a five-mile radius
18 of the landfill that incurred the penalty, the remaining fees



1 collected shall be deposited into the environmental response
2 revolving fund."

3 SECTION 3. Section 342H-10.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§342H-10.5 Disposition of collected fines and penalties.

6 Except as otherwise provided in this section~~[7]~~ and section
7 342H- , fees, fines, and penalties collected under sections
8 342H-9 ~~[and]~~ , 342H-10 , and 342H- shall be deposited into the
9 environmental response revolving fund established by section
10 128D-2. Where a county individually, or the State and a county
11 jointly, initiates and conducts an investigation resulting in
12 the imposition and collection of a fine or penalty, pursuant to
13 section 342H-30(c), the fine or penalty shall be distributed as
14 follows:

- 15 (1) One half to the department of the county whose
16 officers or employees initiated and conducted the
17 investigation; and
18 (2) One half to the environmental response revolving fund
19 established in section 128D-2."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 24 2013



H.B. NO. 1357

Report Title:

Host Municipality Benefit Fees; Landfills

Description:

Creates a host municipality benefit fee to be assessed against landfill operators who violate solid waste pollution laws. Requires the State to distribute the fee to high schools within a five-mile radius of the penalized landfill.

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