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# A BILL FOR AN ACT

RELATING TO THE 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 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 and pay  
16 handling fees to redemption centers. The department may also  
17 use the money to:



- 1 (1) Fund administrative, audit, and compliance activities
- 2 associated with collection and payment of the deposits
- 3 and handling fees of the deposit beverage container
- 4 program;
- 5 (2) Conduct recycling education and demonstration
- 6 projects;
- 7 (3) Promote recyclable market development activities;
- 8 (4) Support the handling and transportation of the deposit
- 9 beverage containers to end-markets;
- 10 (5) Hire personnel to oversee the implementation of the
- 11 deposit beverage container program, including
- 12 permitting and enforcement activities; and
- 13 (6) Fund associated office expenses.
- 14 (c) Any funds that accumulate in the deposit beverage
- 15 container deposit special fund shall be retained in the fund
- 16 unless determined by the legislature to be in excess.
- 17 (d) Beginning with the fiscal biennium that commences on
- 18 July 1, 2013, the deposit beverage container program shall be
- 19 administered in a manner that results in not more than a
- 20 \$100,000 operating deficit per fiscal biennium. If the deposit
- 21 beverage container deposit special fund incurs a deficit at the
- 22 end of a fiscal biennium such that the total expenditures from



1 the special fund exceed the total revenues on balance in the  
 2 special fund, the department shall deposit available general  
 3 fund moneys under its control at the end of that fiscal biennium  
 4 into the special fund in an amount equal to the deficit amount."

5 SECTION 2. Statutory material to be repealed is bracketed  
 6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

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*Calvin K. Soy*

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JAN 17 2014



**Report Title:**

Deposit Beverage Container Deposit; Special Fund

**Description:**

Requires DOH to replenish deficits in its deposit beverage container deposit special fund with its general fund balances under specified conditions.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

