



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2015**

ON THE FOLLOWING MEASURE:

H.B. NO. 101, RELATING TO RECYCLING.

BEFORE THE:

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

DATE: Thursday, February 12, 2015 **TIME:** 8:30 a.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Russell A. Suzuki, Attorney General, or
William F. Cooper, Deputy Attorney General

Chair Lee and Members of the Committee:

The Department of the Attorney General has concerns with this bill. The measure requires that each county provide and maintain onsite methods for the collection and recycling of deposit beverage containers in its buildings and facilities, without any provision for the State to share the cost of implementing these requirements.

Section 1 of the bill, at page 1, lines 4-8, proposes a new section in chapter 46, Hawaii Revised Statutes, that would mandate that each county “provide and maintain onsite methods for the collection and recycling of deposit beverage containers in its buildings and facilities; provided that agency shall also provide and maintain onsite methods of solid waste disposal.” This bill contains no appropriation whereby the State would share the cost to the county to implement the mandated onsite methods for the collection and recycling of deposit beverage containers. This violates section 5, article VIII, of the Hawaii State Constitution, which provides:

If any new program or increase in the level of service under an existing program shall be mandated to any of the political subdivisions by the legislature, it shall provide that the State share in the cost.

This problem may be averted by including an appropriation in the bill allowing the State to share in the cost of the proposed mandates. Alternatively, section 1 may be amended so that the counties may, but are not required to, provide and maintain these recycling methods.

We respectfully request that the Committee amend this measure in one of these ways.

EEPtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 9:03 PM
To: EEPtestimony
Cc: psgegen@hotmail.com
Subject: Submitted testimony for HB101 on Feb 12, 2015 08:30AM

HB101

Submitted on: 2/9/2015

Testimony for EEP on Feb 12, 2015 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
pat gegen	Zero Waste Kauai	Support	No

Comments: ZWK Strongly supports this measure and would like to add a suggested amendment. According to research regarding recycling and behavior it is very important to make sure that it is as convenient to deposit recyclables as it is to discard waste in a garbage can. Therefore please add that "...next to each and every public waste receptacle shall also be a recycling receptacle." According to research and personal experience this will increase the recycling rate significantly.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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EEPttestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 8:04 PM
To: EEPtestimony
Cc: sharon.s.coburn@gmail.com
Subject: *Submitted testimony for HB101 on Feb 12, 2015 08:30AM*

HB101

Submitted on: 2/10/2015

Testimony for EEP on Feb 12, 2015 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sharon Coburn	Individual	Support	No

Comments:

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DAVID Y. IGE
GOVERNOR OF HAWAII



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LAND
STATE PARKS

**Testimony of
CARTY S. CHANG
Interim Chairperson**

LATE

**Before the House Committee on
ENERGY & ENVIRONMENTAL PROTECTION**

**Thursday, February 12, 2015
8:30 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 101
RELATING TO RECYCLING**

House Bill 101 proposes to require state and county agencies to provide and maintain onsite methods for the collection of deposit beverage containers provided that the agency also provides and maintains solid waste disposal. The Department of Land and Natural Resources (Department) appreciates the intent of this measure.

The Department's Division of State Parks carries out recycling at Diamond Head State Monument, a high volume visitation park. At the Diamond Head Crater Park, recycling receptacles are placed in several locations, and the recyclable items in the receptacles are sorted and recycled. The funds generated from the redemption are deposited into the State Parks Special Fund. In addition, the recycling of these items has decreased the solid waste stream generated at Diamond Head.

In most areas, the Department finds that much of the recyclable items are removed from the waste stream by individuals. At Kaiwi State Scenic Shoreline, Malaekahana State Recreation Area, Wahiawa Freshwater State Recreation Area, and Ka'ena Point State Park (Keawa'ula Bay area), community groups have installed small recycling bins with signage to "put-in/take-out." The community groups and/or individuals remove the recyclables from these bins. While fairly low volume, these recycling bins have also helped to facilitate recycling at State Parks.

Rather than mandating the provisions of recycling methods, the Department prefers to implement the methods where it is practical.