
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. Chapter 342G, Hawaii Revised Statutes, is
2 amended by adding a new section to part VII to be appropriately
3 designated and to read as follows:
4 "§342G- Adoption of program by county. (a) Any county
5 may adopt an ordinance to assume the authority and duties of the
6 department with regard to sections 342G-106, 342G-109, 342G-114,
7 342G-117, 342G-119, 342G-120, and 342G-121.
8 (b) Any county that adopts an ordinance pursuant to
9 subsection (a) shall be entitled to the moneys in its
10 corresponding subaccount established pursuant to section
11 342G-104(a) no less than quarterly.
12 (c) The department shall disclose any relevant information
13 submitted to the department pursuant to this part to any county
14 that adopts an ordinance pursuant to subsection (a). All
15 confidential information submitted to the department and
16 disclosed to any county shall be treated as confidential by the
17 county and protected to the extent allowed by law.



1 (d) Funds accepted by a county pursuant to subsection (b)
2 shall be expended to reimburse refund values and pay handling
3 fees to redemption centers. A county may also expend the funds
4 to:

5 (1) Fund administrative, audit, and compliance activities
6 associated with collection and payment of the deposits
7 and handling fees of the deposit beverage container
8 program;

9 (2) Conduct recycling education and demonstration
10 projects;

11 (3) Promote recyclable market development activities;

12 (4) Support the handling and transportation of the deposit
13 beverage containers to end-markets;

14 (5) Hire personnel to oversee the implementation of the
15 deposit beverage container program, including
16 permitting and enforcement activities; and

17 (6) Fund associated office expenses.

18 Unencumbered funds at the end of each fiscal year may be
19 expended by the county for the benefit of department of
20 education schools within the county."



1 SECTION 2. Section 342G-102, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) No county shall impose or collect any assessment or
4 fee on deposit beverage containers for the same or similar
5 purpose that is the subject of this chapter[-] unless it has
6 adopted an ordinance pursuant to section 342G- ."

7 SECTION 3. Section 342G-104, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§342G-104 Deposit into deposit beverage container deposit**
10 **special fund; subaccounts; use of funds.** (a) There is
11 established in the state treasury the deposit beverage container
12 deposit special fund, [~~into which~~] within which shall exist four
13 separate subaccounts, representing one subaccount for each
14 county. Into each subaccount shall be deposited:

15 (1) All revenues generated from the deposit beverage
16 container fee as described under sections 342G-102 and
17 342G-105[+] from that county;

18 (2) All revenues generated from the deposit beverage
19 container deposit as described under sections 342G-105
20 and 342G-110[+] from that county; and

21 (3) All accrued interest from [~~the fund-~~] that subaccount.



1 (b) Moneys in the deposit beverage container deposit
2 special fund subaccounts shall be used to reimburse refund
3 values and pay handling fees to redemption centers[-] in that
4 county. The department may also proportionately use the money
5 in the subaccounts of any county that has not adopted an
6 ordinance pursuant to section 342G-_____ to:

7 (1) Fund administrative, audit, and compliance activities
8 associated with collection and payment of the deposits
9 and handling fees of the deposit beverage container
10 program;

11 (2) Conduct recycling education and demonstration
12 projects;

13 (3) Promote recyclable market development activities;

14 (4) Support the handling and transportation of the deposit
15 beverage containers to end-markets;

16 (5) Hire personnel to oversee the implementation of the
17 deposit beverage container program, including
18 permitting and enforcement activities; and

19 (6) Fund associated office expenses[-],

20 In any county that has not adopted an ordinance pursuant to
21 section 342G-_____.



1 (c) [~~Any~~] Except as provided in section 342G- (d), any
 2 funds that accumulate in the deposit beverage container deposit
 3 special fund subaccounts shall be retained in the fund unless
 4 determined by the legislature to be in excess."

5 SECTION 4. Section 342G-111, Hawaii Revised Statutes, is
 6 amended by amending subsection (c) to read as follows:

7 "(c) Each deposit beverage distributor shall generate and
 8 submit to the department a monthly report on the net number of
 9 deposit beverage containers sold, donated, or transferred by
 10 container size and type[-] in each county. All information
 11 contained in the reports, including confidential commercial and
 12 financial information, shall be treated as confidential and
 13 protected to the extent allowed by state law."

14 SECTION 5. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect upon its approval.
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INTRODUCED BY:

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H.B. NO. 1085

Report Title:

Deposit Beverage Container Program; Counties; HI-5

Description:

Authorizes each county to manage the deposit beverage container program within its jurisdiction. Authorizes each county to retain any corresponding excess funds. Requires deposit beverage distributor reports to include county specific data.

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

