

ACT 144

H. B. NO. 1293-70

A Bill for an Act Relating to a State Plan for Waste Disposal.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"CHAPTER

HAWAII WASTE MANAGEMENT

Sec. -1. Findings and purpose. The legislature finds that existing waste disposal practices in the State are improper and inadequate and create public health hazards and nuisances that are offensive to the public, pollute the environment, and cause economic loss. The purpose of this chapter is to provide for the establishment and operation of a program for waste management, including cooperative planning by the State and county governments, State technical and financial assistance to the counties and utilization of private enterprise.

Sec. -2. Definitions. As used in this chapter, unless the context otherwise requires:

- (1) "Commission" means the waste advisory commission.
- (2) "Department" means the State department of health.
- (3) "University" means the university of Hawaii.

Sec. -3. Waste advisory commission. There is established within the department of health for administrative purposes a waste advisory commission consisting of not less than fifteen nor more than twenty-one members. The director of health or his representative shall be chairman. The director of planning and economic development, director of transportation, director of land and natural resources, chairman of the board of agriculture and the president of the university, or their respective representative shall serve as ex officio voting members of the commission. The mayor of each county shall appoint a county member to the commission representing the county departments of public works, planning, or water supply, or their equivalent department in the respective counties, whose term shall be determined by the respective mayor. The remaining members shall be appointed by the governor as provided in section 26-34, and shall be selected from agricultural, industrial, labor and conservation interests.

The members of the commission shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties. The department may employ such personnel as it finds necessary for the performance of its functions. The employees shall be subject to Chapter 76 and 77.

Sec. -4. Waste management plan. The department shall prepare a waste management plan which shall be submitted to the commission for its review prior to July 1, 1971 and which shall become effective not later than January 1, 1972. The plan shall be annually reviewed by the commission. Any amendments to the plan shall be reviewed at least one month prior to the effective date of the amendment.

Sec. -5. Powers and duties of the department. The department shall:

- (1) Review plans and progress in implementation of waste disposal oper-

ations and management by the State and the counties, and make recommendations in connection therewith;

- (2) Recommend priorities for the allocation of State, federal, and private funds among the counties for waste disposal programs and projects;
- (3) Coordinate planning of public and private agencies for waste management in the State; and
- (4) Recommend legislation and administrative rules and regulations to the State and county governments for the improvement of waste management, including recommendations for the establishment of standards, rating methods, and guidelines.
- (5) Inspect waste disposal practices and facilities throughout the State;
- (6) Adopt rules and regulations pursuant to chapter 91, necessary for the purposes of this chapter;
- (7) Set design and performance standards for waste collection and disposal practices, facilities, and sites;
- (8) Provide technical assistance to other State departments and county governments;
- (9) Cooperate with federal agencies, the commission, other State departments, county governments, and private organizations in implementing the State and county waste management plans; and

Sec. -6. Training of personnel. The university shall conduct courses for training personnel for waste management system and shall prepare research, demonstration projects, and studies in the field of waste management.

Sec. -7. Grants to State departments and to counties. The department may make grants to other State departments and to the counties from State, federal, or private funds made available to it for the implementation of the waste management plans and programs.”

SECTION 2. This Act shall take effect upon its approval.

(Approved June 22, 1970.)