Dear Madam President and Members of the Senate:

I am transmitting herewith SB871 SD2 HD2 CD1, without my approval, and with the statement of objections relating to the measure.

SB871 SD2 HD2 CD1 A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING.

Sincerely,

LINDA LINGLE
STATEMENT OF OBJECTIONS TO SENATE BILL NO. 871

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 871, entitled "A Bill for an Act Relating to Food Waste Recycling."

The purpose of this bill is to establish a three-year pilot project in one or more schools for the recycling of food waste as part of the State's integrated solid waste management plan in chapter 342G, Hawaii Revised Statutes. The bill requires the Departments of Education and Health to consider using public-private partnerships and to seek and use public-private sector funding support in developing and implementing the pilot project.

This bill is objectionable because neither the Department of Education nor the Department of Health requested this project. In addition, this bill contains an appropriation of $25,000 out of the general revenues of the State. I am concerned that this funding may be too limited to obtain any meaningful results and could create an undue burden on the Department of Education and the Department of Health by requiring them to seek funding from the private sector to sustain the project.

While I believe recycling is necessary, I also believe the Department of Education should determine whether such a
program is warranted and will result in cost savings.

For the foregoing reasons, I am returning Senate Bill No. 871 without my approval.

Respectfully,

LINDA LINGLE
Governor of Hawaii
A BILL FOR AN ACT

RELATING TO FOOD WASTE RECYCLING.

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

SECTION 1. The legislature finds that waste disposal is an issue of critical importance throughout the islands. Section 226-15, Hawaii Revised Statutes, declares that "it shall be the policy of this State to . . . [p]romote re-use and recycling to reduce solid and liquid wastes and employ a conservation ethic."

The legislature further finds that state facilities and public schools are among the largest institutional sources of food waste, in spite of current recycling efforts. Despite statewide policies, recycling efforts still reduce only a fraction of the solid and liquid waste generated. Landfills on all islands are approaching or have already reached their maximum capacity, and both the expansion of current landfills and relocation efforts are meeting widespread community opposition.

Food waste recycling falls within the program elements of the integrated solid waste management plans under chapter 342G, Hawaii Revised Statutes.
The purpose of this Act is to establish a three-year pilot project in one or more schools, to be selected by the department of education and in partnership with the department of health, for recycling food waste as part of the State's integrated solid waste management plans under chapter 342G, Hawaii Revised Statutes.

SECTION 2. (a) The department of education, in partnership with the department of health, shall develop and implement a three-year food waste recycling pilot project in one or more schools that is in accordance with chapter 342G, Hawaii Revised Statutes.

The program sites shall be determined by the department of education as those most suitable in meeting the pilot project's objectives.

The department of health shall cooperate with the department of education to develop and implement the components of the pilot project.

(b) In developing and implementing the pilot project, the department of education and the department of health shall consider using public-private partnerships and are encouraged to seek and use public-private sector funding support.
(c) Notwithstanding any law to the contrary, the department of education and the department of health may accept and expend private monetary donations to develop and operate the pilot project required by this section.

SECTION 3. There is appropriated out of the general revenues of the State, the sum of $25,000 or so much thereof as may be necessary for fiscal year 2008-2009 to develop and implement a three-year food waste recycling pilot project in one or more public schools.

The sum appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 4. The department of education, with the assistance of the department of health, shall submit interim reports on the pilot project to the legislature no later than twenty days prior to the convening of the regular sessions of 2009 and 2010, and a final report to the legislature no later than twenty days prior to the convening of the regular session of 2011. The reports shall include information and recommendations about the efficacy of and the costs associated with the food waste recycling pilot project. The final report shall also include a recommendation on whether the food waste recycling pilot project should be made permanent.
SECTION 5. This Act shall take effect on July 1, 2008, and shall be repealed on June 30, 2011.