A BILL FOR AN ACT

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

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

SECTION 1. (a) The county of Kauai is authorized, as a pilot project, to adopt an ordinance to assume the authority and duties of the department of health with regard to sections 342G-106, 342G-109, 342G-114, 342G-117, 342G-119, 342G-120, and 342G-121, Hawaii Revised Statutes; provided that this authorization shall last until June 30, 2022.

(b) If the county of Kauai adopts an ordinance pursuant to subsection (a), the county shall be entitled to the moneys in its corresponding subaccount established pursuant to section 342G-104(a), Hawaii Revised Statutes, no less than quarterly.

(c) The department shall disclose any relevant information submitted to the department pursuant to this Act to the county of Kauai, should it adopt an ordinance pursuant to subsection (a). All confidential information submitted to the department and disclosed to any county shall be treated as confidential by the county and protected to the extent allowed by law.
(d) Pursuant to subsection (a), funds accepted by the county of Kauai pursuant to subsection (b) shall be expended to reimburse refund values and pay handling fees to redemption centers. The county may also expend the funds to:

1. Fund administrative, audit, and compliance activities associated with collection and payment of the deposits and handling fees of the deposit beverage container program;
2. Conduct recycling education and demonstration projects;
3. Promote recyclable market development activities;
4. Support the handling and transportation of the deposit beverage containers to end-markets;
5. Hire personnel to oversee the implementation of the deposit beverage container program, including permitting and enforcement activities; and
6. Fund associated office expenses.

Unencumbered funds at the end of each fiscal year may be expended for the benefit of department of education schools within the county.
(e) If the county of Kauai adopts an ordinance pursuant to subsection (a), the department shall establish a separate subaccount within the deposit beverage container deposit special fund, which shall receive:

(1) All revenues generated from the deposit beverage container fee as described under sections 342G-102 and 342G-105, Hawaii Revised Statutes, from the county of Kauai;

(2) All revenues generated from the deposit beverage container deposit as described under sections 342G-105 and 342G-110, Hawaii Revised Statutes, from the county of Kauai; and

(3) All accrued interest from that subaccount.

(f) As used in this Act:

"Department" means the department of health.

SECTION 2. This Act shall take effect on July 1, 2100.
Report Title:
Deposit Beverage Container Program; County of Kauai; Pilot Project

Description:
Authorizes the county of Kauai to manage the deposit beverage container program within its jurisdiction as a pilot project for three years. (HB1085 HD1)

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