A BILL FOR AN ACT

RELATING TO GRANTS FOR LOCAL RECYCLING FACILITIES.

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

SECTION 1. The legislature finds that Hawaii has grappled with solutions to deal with municipal waste for decades. Landfill capacity is rapidly decreasing, even after creating mitigation measures like exportation and incineration. Currently, the vast majority of recyclable materials are recycled outside the State. Landfill diversion has global environmental benefits, including reducing the need to extract raw materials from mines, such as aluminum, and decreasing the amount of methane gas released into the atmosphere as waste decomposes. Landfills are the third largest source of methane emissions in the United States behind industry and agricultural sources. According to the United States Environmental Protection Agency, methane is the second most prevalent greenhouse gas emitted in the United States from human activities, which has a significant impact on climate change.

The legislature further finds that an investment in local recycling facilities is immediately necessary to the human
impact on Hawaii's natural environment and mitigate the effects of the climate crisis.

The purpose of this Act is to incentivize the development of new recycling, bioconversion, or composting businesses within the State of Hawaii.

SECTION 2. Chapter 342G, Hawaii Revised Statutes, is amended by adding a new section to part V to be appropriately designated and to read as follows:

"§342G- Recycling facility grant program. (a) There is established in the office within the department a recycling facility grant program to be administered by the department. The department shall issue grants to recycling facility operators to assist them in offsetting the costs of operations within the State.

(b) Grant program funds shall be disbursed from the environmental management special fund established under section 342G-63 upon approval by the department, to the recycling facility operator for up to $750,000.

(c) Any recycling facility operator requesting a grant shall:
(1) Be licensed and accredited, as applicable, under the laws of the State;

(2) Submit its request together with all the information required by the director on an application form provided by the department;

(3) Comply with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, disability, or any other characteristic protected under applicable federal or state law;

(4) Not use the grant for purposes of entertainment or perquisites;

(5) Comply with any other requirements the director may prescribe;

(6) Allow the director, the legislative bodies, and the legislative auditor full access to records, reports, files, and other related documents so that the program, management, and fiscal practices of the grant recipient may be monitored and evaluated to assure the proper and effective expenditure of public funds; and
(7) Be monitored according to rules established by the director to ensure compliance with this section.

(d) Any recipient of a grant under this section who withholds or omits any material fact or deliberately misrepresents facts to the director or who violates the terms of the recipient's contract shall be in violation of this section and, in addition to any other penalties provided by law, shall be prohibited from applying for a grant under this section for a period of five years from the date of termination.

SECTION 3. Section 342G-14, Hawaii Revised Statutes, is amended to read as follows:

"[§342G-14] Powers and duties of the office of solid waste management. The office shall:

(1) Promote the development of coordinated statewide solid waste management;

(2) Identify and monitor environmental and public health issues relating to solid waste management;

(3) Promote source reduction, recycling, and bioconversion, including home composting, through the provision of a comprehensive, innovative, and effective statewide public education and awareness programs."
program concerning the value of source reduction and
recycling, and the way the public can participate in
these areas;
(4) Comply with the federal Resource Conservation and
Recovery Act of 1976 (42 United States Code section
6901 et seq.) and any other federal law heretofore or
hereafter enacted affecting solid waste;
(5) Seek compliance with sections 226-18, 226-52, and 226-
103;
(6) Assess the feasibility of employing disposal fees,
including fees at the point of introduction or sale of
any product that would require eventual disposition as
solid waste, as possible funding sources for waste
management activities;
(7) Coordinate with the department of land and natural
resources to incorporate solid waste management and
processing concerns in the department of land and
natural resources’ land use planning and development
efforts;
(8) Coordinate the bioconversion efforts of appropriate
agency and county activities, including the provision
of technical assistance and the evaluation of bioconversion programs;
(9) Provide waste evaluation services and assistance in developing paper recycling and other materials programs to both the public and private sector, where feasible;
(10) Promote the use of enterprise zones in each county to support source reduction, recycling, and bioconversion-type businesses;
(11) Establish a recycling facility grant program to incentivize reduction, recycling, bioconversion, or composting businesses in the State;
(12) Create and maintain a database to assess the composition of the State’s waste stream. If feasible, this database shall contain the information necessary to generate the office’s annual report;
(13) Identify and apply for appropriate federal funds to support the programs and activities authorized by this chapter; and
(14) Cooperate with appropriate federal, state, and county agencies in carrying out the office’s responsibilities under this chapter."

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of $ or so much thereof as may be necessary for fiscal year 2020-2021 to be deposited into the environmental management special fund.

SECTION 5. There is appropriated out of the environmental management special fund the sum of $ or so much thereof as may be necessary for fiscal year 2020-2021 for the implementation of the recycling facility grant program pursuant to this Act, including one full-time equivalent (1.0 FTE) contract specialist position.

The sum appropriated shall be expended by the office of solid waste management for the purposes of this Act.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 2020.
Report Title:
DOH; Office of Solid Waste Management; Recycling; Environmental Management; Grant Program; Recycling Facilities; Appropriation

Description:
Requires the office of solid waste management to establish a recycling facility grant program to incentivize recycling in the State. Appropriates funds. (SDl)

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