



**STATE OF HAWAII
DEPARTMENT OF HEALTH**

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**Testimony in SUPPORT of SB3144
RELATING TO GRANTS FOR LOCAL RECYCLING FACILITIES**

SENATOR MIKE GABBARD, CHAIR

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: 2/10/2020

Room Number: 224

1 **Fiscal Implications:** State of Hawaii general revenues shall be appropriated for the
2 Environmental Management Special Fund to establish and implement this grant program. This
3 measure may impact the priorities identified in the Governor's Executive Budget Request for the
4 Department of Health's (Department) appropriations and personnel priorities.

5 **Department Testimony:** The Department supports SB3144 to incentivize the development of
6 new recycling, bioconversion, or composting businesses within the State of Hawaii via a grant
7 program. The State's small population, prohibitive land and infrastructure costs, and current
8 recycling participation rates create significant challenges to operate a recycling facility in the
9 State. An established grant program that could alleviate some of these market challenges may
10 facilitate the Department's landfill diversion efforts and potentially reduce the State's reliance on
11 landfills and exports to manage its municipal waste.

12 The Department respectfully suggests amending the proposed bill to clarify the title and
13 purpose of the bill to establish new recycling, bioconversion, or composting businesses within
14 the State of Hawaii.

15 The Department also respectfully requests funding and approval for one permanent full-
16 time position (Contracts Specialist, Program Specialist, or equivalent) to fulfill the procurement
17 and contractual functions necessary to implement this grant program.

- 1 **Offered Amendments:** Section 2: “§342G-14 (11) Establish a recycling facility grant program
2 to incentivize [~~reduction,~~] new recycling, bioconversion, or composting businesses in the State;”
- 3 Section 3: “(a) There is established in the office of solid waste management within the
4 department of health a recycling facility grant program to be administered by the department.
5 The department shall issue grants to [~~recycling~~] new recycling, bioconversion, or composting
6 facility operators to assist them in offsetting the costs of operations within the State.”
- 7 Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2020**

ON THE FOLLOWING MEASURE:

S.B. NO. 3144, RELATING TO GRANTS FOR LOCAL RECYCLING FACILITIES.

BEFORE THE:

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

DATE: Monday, February 10, 2020 **TIME:** 2:20 p.m.

LOCATION: State Capitol, Room 224

TESTIFIER(S): Clare E. Connors, Attorney General, or
Kathleen S. Ho, Deputy Attorney General

Chair Gabbard and Members of the Committee:

The Department of the Attorney General offers the following comments on this bill.

This bill proposes to establish a recycling facility grant program to assist in offsetting the cost of operations in Hawaii.

Section 3, at page 5, lines 1-5, of this bill establishes a recycling facility grant program within the office of solid waste management. If the Legislature wishes this to be a long-term grant program, it may be advisable that it be codified into the Hawaii Revised Statutes (HRS). We would suggest that a new section be added to chapter 342G, HRS, part V, Solid Waste Management Surcharge.

Additionally, section 3, at page 5, lines 4-6, purports to allow the Department of Health to award grants to recycling facility operators to assist them in “offsetting the costs of operations within the State.” If the Legislature’s intention is to give the Department of Health the authority to award grants, section 4 of article VII of the State Constitution, requires that “[n]o grant of public money or property shall be made except pursuant to standards provided by law.”

Consequently, to establish a recycling facility grant program and provide for administrative grants, an additional section should be added to the bill setting forth the grant qualifications, standards, and conditions. Further, we suggest that this new section expressly except chapters 103D and 103F, HRS. Part II of chapter 9, HRS, and

sections 10-17, 210D-11, and 383-128, HRS, are examples of administrative grant standards provided by law.

Section 3(d), at page 5, lines 15-17, of this bill appears to be unnecessary as rulemaking authority already exists in section 342G-13, HRS. Further, the definitions in section 3(e), at page 5, lines 18-20 and page 6, lines 1-5, of this bill are terms that are already defined in section 342G-1, HRS.

Finally, we would suggest that moneys appropriated out of the general revenues of the State be deposited into the environmental management special fund as described in section 3(c), at page 5, lines 10-14, and section 4, at page 6, lines 6-10, of this bill.

Thank you for the opportunity to testify.

SB-3144

Submitted on: 1/31/2020 9:53:08 AM

Testimony for AEN on 2/10/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Kahn	Testifying for Surfrider Oahu	Support	No

Comments:

SB-3144

Submitted on: 1/31/2020 9:57:36 AM

Testimony for AEN on 2/10/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Regina Gregory	Testifying for EcoTipping Points Project	Support	No

Comments:

SB-3144

Submitted on: 2/3/2020 8:41:19 PM

Testimony for AEN on 2/10/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Mulinix	Testifying for Our Revolution Hawaii	Support	No

Comments:



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEE ON
AGRICULTURE & ENVIRONMENT
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 224
MONDAY, FEBRUARY 10, 2020 AT 2:20 P.M.**

To The Honorable Mike Gabbard, Chair;
The Honorable Russell E. Ruderman, Vice Chair; and
Members of the Committee on Agriculture & Environment,

**COMMENTS ON SB3144 RELATING TO
GRANTS FOR LOCAL RECYCLING FACILITIES**

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce, with approximately 650 members. I am writing share our comments on SB3144.

We wholeheartedly support this concept because we feel there is great opportunity for more recycling, waste reduction, bioconversion and composting in each County of the State. However, we were looking for additional details in this bill. While it notes that individual grants can be up to \$750,000, we would like to see that grants are made available to each County. We would also like to see a timeframe for programs, better understand who qualifies for such grants and the anticipated overall program costs including management, staffing, marketing of the program and executing and monitoring of grants.

We look forward to supporting a revised bill with additional details included. We appreciate the opportunity to testify on this matter.

Sincerely,

Pamela Tumpap

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



Pono Hawai'i Initiative

Josh Frost - President • Patrick Shea - Treasurer • Kristin Hamada
Nelson Ho • Summer Starr

Monday, February 10, 2020

Relating to Grants for Local Recycling Facilities
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports SB3144 Relating to Grants for Local Recycling Facilities**, which requires the office of Solid Waste Management to establish a recycling facility grant program.

Any measure that can help encourage green initiatives should be supportive. Hawai'i has a finite amount of space and as a community we need to do what we can to preserve it. By incentivizing the development of new recycling, bioconversion, or composting businesses within the State we can help to reduce our contributions to climate change.

For all these reasons, we urge you to move this bill forward.

Mahalo for the opportunity,
Gary Hooser
Executive Director
Pono Hawai'i Initiative

SB-3144

Submitted on: 2/5/2020 5:02:01 PM

Testimony for AEN on 2/10/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support SB3144. Tax credits will incentivize recycling, which will help to mitigate Hawaii's landfill problem.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei

SB-3144

Submitted on: 2/6/2020 9:55:56 PM

Testimony for AEN on 2/10/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaitlyn P Jacobs	Individual	Support	No

Comments:

I support this bill strongly!!! Recycling is such a beneficial resource to us, especially as an island... where recycling (and reducing) should be an obvious win for us! I moved here and was shocked to hear that my neighborhood just doesn't take recycling. I know that it has become expensive to recycle, and the fact that China doesn't take alot of our countries recycling changes things, but if we as a state start building efficient recycling systems, other states will follow. If we start incentivising recycling, people will be more inclined, and we can make a true reduction in our waste production!

SB-3144

Submitted on: 2/7/2020 8:46:46 PM

Testimony for AEN on 2/10/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rob Weltman	Individual	Support	No

Comments:

Please support investment in solid waste recycling. At this point it is not profitable enough in itself to support the required investment.

SB-3144

Submitted on: 2/8/2020 4:56:40 PM

Testimony for AEN on 2/10/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollack	Individual	Support	No

Comments: