JAN 2 4 2013

A BILL FOR AN ACT

RELATING TO LANDFILLS.

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

- SECTION 1. 1 The purpose of this Act is to establish a host 2 municipality benefit fee to be paid by operators of privately 3 owned or operated recovery facility or landfills to offset the 4 impact of the facility. 5 SECTION 2. Chapter 342G, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated 6 7 and to read as follows: "§342G- Host municipality benefit fee. Each operator of
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- 9 a privately owned or operated resource recovery landfill,
- 10 excluding transfer stations, shall be subject to a host
- 11 municipality benefit fee for any health or safety violation
- 12 pursuant to chapter 342H. The fee shall be \$250 per penalty;
- 13 provided that all of the fees collected shall be deposited into
- 14 a separate account of the general fund for distribution by the
- department of education in equal amounts to every high school 15
- 16 within a five-mile radius of the landfill that incurred the
- 17 penalty. If there is no high school within a five-mile radius
- 18 of the landfill that incurred the penalty, the remaining fees 2013-0895 SB SMA-1.doc



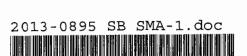
- collected shall be deposited into the environmental response 1 2 revolving fund." 3 SECTION 3. Section 342H-10.5, Hawaii Revised Statutes, is 4 amended to read as follows: 5 "\$342H-10.5 Disposition of collected fines and penalties. 6 Except as otherwise provided in this section $[\tau]$ and section 7 342H- , fees, fines, and penalties collected under sections 342H-9 [and], 342H-10, and 342H- shall be deposited into the 8 9 environmental response revolving fund established by section 10 128D-2. Where a county individually, or the State and a county jointly, initiates and conducts an investigation resulting in 11 12 the imposition and collection of a fine or penalty, pursuant to 13 section 342H-30(c), the fine or penalty shall be distributed as 14 follows: 15 (1) One half to the department of the county whose officers or employees initiated and conducted the 16 investigation; and 17 18 (2) One half to the environmental response revolving fund 19 established in section 128D-2." SECTION 4. Statutory material to be repealed is bracketed **20** and stricken. New statutory material is underscored. 21
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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:



S.B. NO. 1262

Report Title:

Host Municipality Benefit Fees; Landfills

Description:

Creates a host municipality benefit fee to be assessed against landfill operators who violate solid waste pollution laws. Requires the State to distribute the fee to high schools within a five-mile radius of the penalized landfill.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.