
A BILL FOR AN ACT

RELATING TO COMPOSTING.

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

1 PART I

2 SECTION 1. The legislature finds that the department of
3 education produces a large amount of rubbish and waste from two
4 hundred sixty-five schools across the State, which significantly
5 impacts the State's environment and finances.

6 The legislature further finds that on-site campus
7 composting programs involving students have been extremely
8 successful in providing a beneficial method of waste diversion.
9 These programs foster learning about scientific principles and
10 social practices while allowing students to take responsibility
11 for the amount of waste generated.

12 The legislature believes that a demonstration of the
13 effectiveness of on-site campus composting allows students to
14 see the relationships between food waste, composting, nutrient
15 cycling, healthy soils, and local food production. This is a
16 natural extension of the legislature's commitment to increasing
17 garden- and farm-based opportunities and is one of five pillars



1 of the department of agriculture's Hawaii farm to school
2 program, established by Act 218, Session Laws of Hawaii 2015.
3 Proper guidance from the departments of health and education
4 regarding campus composting would increase the safety of
5 existing programs while expanding opportunities for new programs
6 in state schools.

7 The legislature finds that developing a statewide model for
8 on-site campus composting provides a way to reach the Aloha+
9 challenge waste reduction goals, increase local food production,
10 and promote natural resource management.

11 Accordingly, the purpose of this part is to establish a
12 composting grant pilot project working group and to require the
13 department of education to issue grants pursuant to the
14 recommendations of the working group.

15 SECTION 2. (a) The department of education shall issue
16 grants pursuant to the recommendation of the composting grant
17 pilot project working group.

18 (b) The department of education shall establish the
19 composting grant pilot project working group, and shall invite
20 the following members or their designees to participate in the
21 working group:



- 1 (1) The superintendent of education;
- 2 (2) A representative of the department of education,
3 office of school facilities and support services;
- 4 (3) A representative of the department of education,
5 office of curriculum, instruction, and student
6 support;
- 7 (4) A representative of the department of health,
8 sanitation branch;
- 9 (5) The Hawaii farm to school coordinator in the
10 department of agriculture;
- 11 (6) The dean of the University of Hawaii at Manoa college
12 of tropical agriculture and human resources;
- 13 (7) A representative of the Kokua Hawaii Foundation;
- 14 (8) An experienced school composting program leader; and
- 15 (9) A volunteer member of the community.
- 16 (c) The composting grant pilot project working group
17 shall:
 - 18 (1) In conjunction with the department of health, develop
19 guidelines and provide oversight for campus
20 composting, which shall include leachate monitoring,
21 pathogen testing, involvement of community members,



1 development of a fire plan, material categorization,
2 and volume recording;

3 (2) Consider multiple composting and fermentation
4 techniques that can be tested and monitored for
5 effectiveness in schools of varying sizes, such as
6 bokashi for meats, dairy products, and bones;
7 vermicomposting for vegetable wastes; hot composting
8 for vegetative wastes; and aerated compost tea and
9 vermicast tea for soil amendments;

10 (3) Establish networks and relationships with local farms
11 and piggeries that may be able to accept surplus food
12 waste; and

13 (4) Make recommendations to the department of education
14 regarding the issuance of grants to schools pursuant
15 to this section.

16 (d) The composting grant pilot project working group shall
17 elect one of its members to serve as its chair.

18 (e) The composting grant pilot project working group shall
19 be administratively attached to the department of education,
20 which shall provide support staff for the composting grant pilot
21 project working group.



1 (f) Members of the composting grant pilot project working
2 group shall serve without compensation but shall be reimbursed
3 for reasonable expenses, including travel expenses, incurred
4 during the performance of their duties.

5 (g) No member of the composting grant pilot project
6 working group shall be made subject to chapter 84, Hawaii
7 Revised Statutes, solely because of that member's participation
8 on the composting grant pilot project working group.

9 (h) The composting grant pilot project working group shall
10 submit a report to the legislature with its findings and
11 recommendations no later than twenty days prior to the convening
12 of the regular session of 2018 and each regular session
13 thereafter.

14 (i) The department of education shall adopt rules,
15 pursuant to chapter 91, to implement the composting grant pilot
16 project.

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so much
19 thereof as may be necessary for fiscal year 2018-2019 to
20 establish and implement the composting grant pilot project



1 working group and to provide grants pursuant to the
2 recommendations of the working group.

3 The sum appropriated shall be expended by the department of
4 education for the purposes of this part.

5 PART II

6 SECTION 4. The legislature finds that according to the
7 United States Environmental Protection Agency and United States
8 Department of Agriculture, food waste is the second largest
9 component that enters a waste stream and accounts for twenty-
10 five per cent of all materials sent to landfills. Recycling
11 food waste into compost has environmental benefits, such as
12 improving soil health, increasing drought resistance, and
13 reducing the need for supplemental water, fertilizers, and
14 pesticides. Furthermore, applying compost and organic matter to
15 soil sequesters carbon from the atmosphere, forming the largest
16 land-based carbon sink, and mitigates climate change by
17 effectively reducing greenhouse gas emissions. The legislature
18 believes that food waste diversion will help move the State
19 toward the Aloha+ Challenge commitment of seventy per cent waste
20 stream reduction by 2025.



1 The purpose of this part is to appropriate moneys to the
2 department of agriculture to establish and implement a compost
3 reimbursement pilot program to assist farmers and ranchers in
4 the State with affordable compost material.

5 SECTION 5. (a) The department of agriculture shall
6 establish and implement a three-year compost reimbursement pilot
7 program to provide cost reimbursement to farming operations in
8 the State to assist farmers and ranchers in meeting the costs of
9 acquiring compost purchased from a certified processor, dealer,
10 retailer, or wholesaler licensed to do business in the State.

11 (b) Applications for cost reimbursements shall be
12 submitted on a form furnished by the department and shall be
13 filed with accompanying documentation of the costs of purchasing
14 compost pursuant to subsection (c); provided that:

15 (1) The applicant shall indemnify and hold harmless the
16 State and its officers, agents, and employees from all
17 claims arising out of or resulting from the compost
18 purchased; and

19 (2) The department may request an applicant to provide
20 necessary information for the purposes of verifying



1 the size or sale weight, as applicable, and amount of
2 compost purchased.

3 (c) Documentation of compost costs, requested by the
4 department, shall be filed for compost purchased within the
5 fiscal year immediately preceding the filing and be effective
6 for compost costs incurred after June 30, 2018, and before July
7 1, 2021.

8 (d) Funds shall be dispersed upon approval on an annual
9 basis by the department to the farmer or rancher for up to fifty
10 per cent of the costs incurred for the purchase of the compost
11 after June 30, 2018, and before July 1, 2021.

12 (e) The department shall aggregate the total reimbursement
13 applications pursuant to this section and divide and distribute
14 the available moneys on a first come, first served basis;
15 provided that no single farmer or rancher shall receive a
16 reimbursement total of more than \$50,000 per year.

17 (f) There is established within the department a compost
18 reimbursement pilot program manager position, which shall be a
19 full-time, temporary position exempt from chapters 76 and 89,
20 Hawaii Revised Statutes. The compost reimbursement pilot
21 program manager shall possess a requisite level of knowledge and



1 expertise in the area of program management necessary to carry
2 out the duties of the position. The compost reimbursement pilot
3 program manager shall:

4 (1) Facilitate the division and distribution of available
5 costs for reimbursement; and

6 (2) Manage the day-to-day coordination of the compost
7 reimbursement pilot program.

8 The compost reimbursement pilot program manager shall receive a
9 salary not to exceed \$50,000 per year.

10 (g) Any action taken by the department pursuant to this
11 section shall be exempt from the rulemaking requirements of
12 section 91-3, Hawaii Revised Statutes.

13 (h) As used in this section:

14 "Compost" means a product of a process in which organic
15 materials are biologically decomposed under controlled
16 conditions to produce a stable humus-like mulch or soil
17 amendment. The composting process includes but is not limited
18 to receipt of materials, primary processing, decomposition
19 activities, and final processing for sale and marketing.
20 Compostable materials shall include pre- and post-consumer food
21 waste, waste from animal food processing operations, green



1 waste, crop residues, and waste from vegetable food processing
2 operations and similar materials.

3 "Department" means the department of agriculture.

4 "Farming operations" shall have the same meaning as in
5 section 165-2, Hawaii Revised Statutes.

6 SECTION 6. The department of agriculture shall submit a
7 report of its findings and recommendations, including any
8 proposed legislation, regarding the results of the compost
9 reimbursement pilot program and whether the program should be
10 reinstated, with or without modifications, to the legislature no
11 later than twenty days prior to the convening of the regular
12 session of 2022.

13 SECTION 7. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so much
15 thereof as may be necessary for fiscal year 2018-2019 for the
16 department of agriculture to develop and implement a compost
17 reimbursement pilot program pursuant to section 5 of this Act;
18 provided that the department of agriculture may expend:

- 19 (1) \$ per year to establish one full-time,
20 temporary program specialist position for the compost
21 reimbursement pilot program; and



Report Title:

DOE; DOA; Composting Pilot Project; Working Group; Established; Compost Reimbursement Pilot Program; Compost Reimbursement Pilot Program Manager; Report; Appropriation

Description:

Establishes a composting grant pilot project working group. Requires the Department of Education to issue grants pursuant to the recommendation of the working group. Requires report to legislature. Requires the Department of Agriculture to establish a 3-year compost reimbursement pilot program to provide reimbursements to farmers and ranchers when purchasing compost from a certified processor, dealer, retailer, or wholesaler licensed to do business in the State. Establishes a temporary compost reimbursement pilot program manager position. Requires the department to report to the legislature. Compost reimbursement pilot program repeals 12/31/21. Makes appropriations. (SD2)

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