



GOV. MSG. NO. 1431

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 12, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 12, 2022, the following bill was signed into law:

SB3004 SD1 HD1 CD1

RELATING TO COMPOSTING.
ACT 302

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

THE SENATE
THIRTY-FIRST LEGISLATURE, 2022
STATE OF HAWAII

S.B. NO. 3004
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO COMPOSTING.

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

1 SECTION 1. The legislature finds that food waste has
2 far-reaching environmental, financial, and social impacts on
3 society. According to the United States Department of
4 Agriculture, an estimated thirty per cent to forty per cent of
5 the food supply in the United States becomes food waste. This
6 estimate corresponded to approximately one hundred thirty-three
7 billion pounds and \$161,000,000,000 worth of food in 2010.

8 The legislature further finds that one way to reduce food
9 waste is to compost it. Recycling food waste into compost reaps
10 several environmental benefits. According to the United States
11 Environmental Protection Agency, the benefits of composting
12 include reducing and, in some cases, eliminating the need for
13 chemical fertilizers; reducing methane emissions that are
14 generated through organic waste in landfills; promoting higher
15 yields of agricultural crops; aiding reforestation, wetland
16 restoration, and habitat revitalization efforts; enhancing water
17 retention in soils; and sequestering carbon.



1 The legislature also finds that a three-year compost
2 reimbursement pilot program was established within the
3 department of agriculture pursuant to Act 89, Session Laws of
4 Hawaii 2018, to provide cost reimbursements to farming
5 operations in the State. The legislature further finds that the
6 pilot program, which was repealed on December 31, 2021, provided
7 assistance to farmers and helped ease some of the operational
8 costs relating to the purchase of composting material.

9 The purpose of this Act is to permanently establish and
10 appropriate funds for a compost reimbursement program and
11 compost reimbursement program manager position within the
12 department of agriculture.

13 SECTION 2. Chapter 141, Hawaii Revised Statutes, is
14 amended by adding a new section to part I to be appropriately
15 designated and to read as follows:

16 "§141- Compost reimbursement program. (a) There is
17 established within the department a compost reimbursement
18 program to provide cost reimbursements to farming operations and
19 landscaping operations in the State for the purchase of compost.

20 (b) The compost reimbursement program shall assist farming
21 operations and landscaping operations in meeting the costs of



1 purchasing compost from a certified processor, dealer, retailer,
2 or wholesaler licensed to do business in the State.

3 (c) Applications for cost reimbursements shall be
4 submitted on a form furnished by the department and shall be
5 filed with accompanying documentation of the costs of purchasing
6 compost pursuant to subsection (d); provided that:

7 (1) The applicant shall indemnify and hold harmless the
8 State and its officers, agents, and employees from all
9 claims arising out of or resulting from the compost
10 purchased; and

11 (2) The department may request an applicant to provide
12 necessary information for the purposes of verifying
13 the size or sale weight, as applicable, and amount of
14 compost purchased.

15 (d) Documentation of compost costs requested by the
16 department shall be filed for compost purchased within the
17 fiscal year immediately preceding the filing.

18 (e) Funds shall be disbursed upon approval on an annual
19 basis by the department to the farming operation or landscaping
20 operation for up to fifty per cent of the costs incurred for the
21 purchase of the compost.



1 (f) The department shall aggregate the total reimbursement
2 applications pursuant to this section and shall divide and
3 distribute the available funds on a first-come, first-served
4 basis; provided that no single farming operation or landscaping
5 operation shall receive a reimbursement totaling more than
6 \$50,000 per year.

7 (g) The compost reimbursement program shall be overseen by
8 a compost reimbursement program manager, which shall be a
9 full-time, permanent position exempt from chapters 76 and 89.
10 The compost reimbursement program manager shall possess a
11 requisite level of knowledge and expertise in the area of
12 program management necessary to carry out the duties of the
13 position.

14 The compost reimbursement program manager shall:

15 (1) Facilitate the division and distribution of available
16 funds for reimbursement; and

17 (2) Manage the day-to-day coordination of the compost
18 reimbursement program.

19 (h) Any action taken by the department pursuant to this
20 section shall be exempt from the rulemaking requirements of
21 section 91-3.



1 (i) The department shall submit an annual progress report
2 on the compost reimbursement program to the legislature no later
3 than twenty days prior to the convening of each regular session.

4 (j) As used in this section:

5 "Compost" means the product of a composting process,
6 including the receipt of materials, primary processing,
7 decomposition activities, and final processing for sale and
8 marketing, in which organic materials are biologically
9 decomposed under controlled conditions to produce a stable,
10 humus-like mulch or soil amendment.

11 "Department" means the department of agriculture.

12 "Farming operation" has the same meaning as in section
13 165-2.

14 "Landscaping operation" means a landscaping contractor
15 licensed under chapter 444.

16 "Organic materials" includes pre- and post-consumer food
17 waste, waste from animal food processing operations, green
18 waste, crop residues, and waste from vegetable food processing
19 operations and similar materials."

20 SECTION 3. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$945,000 or so much



1 thereof as may be necessary for fiscal year 2022-2023 for the
2 department of agriculture to establish a compost reimbursement
3 program pursuant to section 2 of this Act.

4 The sum appropriated shall be expended by the department of
5 agriculture for the purposes of this Act.

6 SECTION 4. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$55,000 or so much
8 thereof as may be necessary for fiscal year 2022-2023 for one
9 full-time equivalent (1.0 FTE) permanent compost reimbursement
10 program manager position exempt from chapters 76 and 89, Hawaii
11 Revised Statutes.

12 The sum appropriated shall be expended by the department of
13 agriculture for the purposes of this Act.

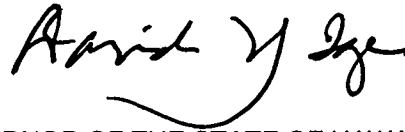
14 SECTION 5. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2022.



S.B. NO. 3004
S.D. 1
H.D. 1
C.D. 1

APPROVED this 12th day of July, 2022


A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 3, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate

SB No. 3004, SD 1, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives