

JAN 21 2022

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# 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 far-  
2 reaching environmental, financial, and social impacts on  
3 society. According to the United States Department of  
4 Agriculture, food waste in the United States is estimated at  
5 between thirty per cent to forty per cent of the food supply.  
6 This estimate corresponded to approximately one hundred  
7 thirty-three billion pounds and \$161,000,000,000 worth of food  
8 in 2010.

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



1 restoration, and habitat revitalization efforts; enhancing water  
2 retention in soils; and sequestering carbon.

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8 pilot program, which repealed on December 31, 2021, provided  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

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

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

18 "§141 Compost reimbursement program. (a) There is  
19 established within the department a compost reimbursement  
20 program to provide cost reimbursements to farming operations in  
21 the State.



1        (b) The compost reimbursement program shall assist farmers  
2 and ranchers in meeting the costs of acquiring compost purchased  
3 from a certified processor, dealer, retailer, or wholesaler  
4 licensed to do business in the State.

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

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

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

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

20        (e) Funds shall be disbursed upon approval on an annual  
21 basis by the department to the farmer or rancher for up to



1 fifty per cent of the costs incurred for the purchase of the  
2 compost.

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

8 (g) The compost reimbursement program shall be overseen by  
9 a compost reimbursement program manager, which shall be a full-  
10 time, permanent position exempt from chapters 76 and 89. The  
11 compost reimbursement program manager shall possess a requisite  
12 level of knowledge and expertise in the area of program  
13 management necessary to carry out the duties of the 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 but not limited to the receipt of materials, primary  
7 processing, decomposition activities, and final processing for  
8 sale and 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  
13 section 165-2.

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

18        SECTION 3. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$                    or so  
20 much thereof as may be necessary for fiscal year 2022-2023 for



1 the department of agriculture to establish a compost  
2 reimbursement program pursuant to section 2 of this Act.

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

5 SECTION 4. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$ or so  
7 much thereof as may be necessary for fiscal year 2022-2023 for  
8 one full-time equivalent (1.00 FTE) permanent compost  
9 reimbursement program manager position exempt from chapters 76  
10 and 89, Hawaii Revised Statutes.

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

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval;  
15 provided that sections 3 and 4 shall take effect on July 1,  
16 2022.

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INTRODUCED BY: 



# S.B. NO. 3004

**Report Title:**

Department of Agriculture; Compost Reimbursement Program;  
Compost Reimbursement Program Manager; Appropriation

**Description:**

Establishes and appropriates funds for a compost reimbursement program within the department of agriculture and one full-time permanent compost reimbursement program manager position to oversee the program. Requires an annual progress report of the program to the legislature prior to each regular session.

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

