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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  
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 6 pilot program, which was repealed on December 31, 2021, provided  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 in  
 19 the State.

20           (b) The compost reimbursement program shall assist farmers  
 21 and ranchers in meeting the costs of acquiring compost purchased



1 from a certified processor, dealer, retailer, or wholesaler  
2 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 farmer or rancher for up to  
20 fifty per cent of the costs incurred for the purchase of the  
21 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 farmer or rancher shall receive a  
5 reimbursement totaling more than \$50,000 per year.

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

13       The compost reimbursement program manager shall:

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

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

18       (h) Any action taken by the department pursuant to this  
19 section shall be exempt from the rulemaking requirements of  
20 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  
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 (1.0 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 on July 1, 2050;  
15 provided that sections 3 and 4 shall take effect on July 1,  
16 2050.



**Report Title:**

HDOA; Compost Reimbursement Program; Compost Reimbursement Program Manager; Appropriation

**Description:**

Establishes and appropriates moneys for a compost reimbursement program within the Department of Agriculture and for one full-time permanent compost reimbursement program manager position. Requires an annual progress report to the Legislature prior to each regular session. Effective 7/1/2050. (SD1)

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

