

ACT 103

S.B. NO. 1308

A Bill for an Act Relating to Environmental Protection.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to amend chapter 342, Hawaii Revised Statutes, to allow the advancement of state funds to the counties in financing the federal share of the planning and design costs of wastewater treatment works which shall be reimbursed by federal funds at the construction stage.

SECTION 2. Section 342-34, Hawaii Revised Statutes, is amended to read as follows:

“§342-34 Treatment works; construction grants[.]; advances. (a) The director may make grants to any state or county agency of state funds as authorized and appropriated by the legislature for the construction of necessary treatment works and for other projects intended for wastewater reclamation or wastemanagement by other than conventional means to prevent or to control the discharge of untreated or inadequately treated sewage or other waste into any state waters. He shall coordinate the granting of state funds with available federal funds for the same purpose. No grant shall be made for any project unless (1) the project conforms with the state water pollution control plan, and (2) the project is certified by the director as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs, and, in the case of treatment works, (3) the application for the grant contains reasonable assurances that the applicant will provide for the proper and efficient operation and maintenance of the treatment works after its construction. If federal funds are available, the applicant shall be required to pay sixty per cent of the non-federal share of the estimated reasonable cost of

such approved treatment works as defined by PL 92-500. If federal funds are not available, the director may make grants up to one hundred per cent of the estimated reasonable cost of the project.

(b) If the federal funds are not immediately available, the director may advance the federal share of the planning and design cost to the county or state agency, subject to the following provisions:

- (1) The director shall enter into a contract with the applicant specifying the conditions of the advance.
- (2) The advances made by the State to the county or state agency are to be reimbursed to the State immediately upon the receipt from the federal government of the advancement funds or within four years after the advance is made, whichever occurs first."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$5,300,000, or so much thereof as may be necessary to carry out the purposes of this Act.

Any unexpended or unencumbered balance of any appropriations made by this Act as of the close of business on June 30, 1983 shall lapse into the general fund.

SECTION 4. The sum appropriated shall be expended by the department of health under its HTH-840 program as grants for the counties for the purposes of this Act.

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved May 24, 1982.)