

ACT 33

S.B. NO. 9-S

A Bill for an Act Relating to the Authorization of Special Purpose Revenue Bonds for Medical Waste Facility Project Development.

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

SECTION 1. The legislature finds that it is in the public interest to encourage the development of facilities for the safe and proper incineration and disposal of medical waste that will be available to members of the public, including hospitals, medical clinics, and laboratories and other health care providers serving the public. The legislature further finds that Pacific Controls, Inc., a Hawaii corporation, is engaged in the development of a medical waste incineration and disposal facility on Oahu for the safe and proper incineration and disposal of medical waste and thereby serves the public.

The legislature further finds that Pacific Controls, Inc., may be assisted through the issuance of special purpose revenue bonds because it is an industrial enterprise pursuant to part V, chapter 39A, Hawaii Revised Statutes, and the financing thereof is assistance to an industrial enterprise.

The legislature finds and declares that the issuance of special purpose revenue bonds under this Act is in the public interest and for the public health, safety, and general welfare.

SECTION 2. The legislature finds and determines that the activity and facility of Pacific Controls, Inc., constitute an industrial enterprise as defined in part V, chapter 39A, Hawaii Revised Statutes. Pursuant to part V, chapter 39A, Hawaii Revised Statutes, the department of budget and finance, with the approval of the governor, is authorized to issue in one or more series special purpose revenue bonds in a total amount not to exceed \$6,000,000, for the express purpose of assisting Pacific Controls, Inc., in the establishment of a medical waste incineration and disposal facility in the Campbell Industrial Park, including relocation costs with respect to the Waipahu site, provided that:

- (1) Prior to the issuance of any permit for the medical waste incinerator, an informational briefing shall be held to inform the citizenry of all aspects of the facility's operations;
- (2) That informational briefing shall be followed by a public hearing to garner as much additional input as possible;
- (3) The department of health shall cite the language embodied in this legislation within the body of any permits issued for the medical waste incinerator, so that the legislature's conditions and limitations are not separated from the permit or permits, and shall, in addition, ensure that those conditions and limitations set forth by the legislature extend throughout the life of the facility;
- (4) Pacific Controls, Inc., may incinerate foreign waste. For the purposes of this Act, "foreign waste" is defined as that which is produced by a vessel or aircraft in transit to Hawaii from a foreign port; it does not include solid waste carried as cargo from a foreign port;
- (5) Pacific Controls, Inc., or any subsequent owner of the facility, may not incinerate either specialty waste or hazardous waste; and
- (6) This facility shall be available to members of the public, including hospitals, medical clinics, and laboratories and other health care providers serving the public.

SECTION 3. The special purpose revenue bonds issued under this Act shall be issued pursuant to part V, chapter 39A, Hawaii Revised Statutes, relating to the authority to issue special purpose revenue bonds to assist industrial enterprises.

SECTION 4. The authorization to issue special purpose revenue bonds under this Act shall lapse on December 31, 1997.

SECTION 5. This Act shall take effect upon its approval.

(Approved August 1, 1995.)