

COUNCIL OF THE COUNTY OF MAUI
**PUBLIC WORKS AND
TRANSPORTATION COMMITTEE**

February 16, 2001

**Committee
Report No.**

01-24

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Works and Transportation Committee, having met on January 31, 2001, makes reference to County Communication No. 00-296, from the Director of Public Works and Waste Management, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 20 OF THE MAUI COUNTY CODE, PERTAINING TO GLASS RECYCLING FOR LICENSED LIQUOR ESTABLISHMENTS". The purpose of the proposed bill is to require all licensed liquor establishments to recycle glass containers.

Your Committee notes that County Communication No. 00-296 was referred to your Committee at the Council meeting of January 12, 2001 (County Communication No. 01-8).

By letter dated January 24, 2001, Terryl Vencl, Executive Director, Maui Hotel Association (MHA), was requested to attend the meeting to facilitate discussion of the proposed bill.

By memorandum dated January 31, 2001, the Chair of your Committee transmitted information relating to Senate Bill No. 1132 and House Bill No. 657. Both proposed bills are included in the Governor's Legislative Package and purports to increase the fee imposed on glass containers from one and one-half cents to two cents. Revenues from the proposed increase would be distributed to the respective counties to fund glass recycling efforts in each county.

At its meeting, your Committee met with the Director of Public Works and Waste Management, the Director and Deputy Director from the Department of Liquor Control, and a Deputy Corporation Counsel.

Your Committee received oral and written testimony from Terryl Vencl, Executive Director, (MHA), indicating that she had worked on the proposed bill for the last several years. Ms. Vencl also noted that the proposal is supported by

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the MHA; however, she emphasized the importance of processing and using the recycled glass product. She also questioned the provision in the bill that would exempt certain licensees from recycling requirements, and recommended that all liquor establishments receive equal treatment.

Your Committee also received testimony from Shaun Stenshol, Operations Manager, Maui Recycling Service, in support of the proposed bill.

The Director of Public Works and Waste Management noted that the exemption for recycling of all glass containers would only apply to those establishments that are located in areas where private waste hauling services are not available. He noted that licensed liquor establishments located in the Hana district would fall into this category and, as an example, a licensed liquor establishment operating in the Hotel Hana Maui could be exempt from the provisions of the proposed bill.

The Director also clarified the procedure that will be utilized to determine whether licensed liquor establishments are complying with the provisions of the proposed bill. He noted that his Department would be checking with the various waste haulers to determine the specific establishments that have secured waste hauling services. Those establishments not on a list would be investigated to determine whether they are in compliance with the provisions of the bill. The Director clarified that a few of these establishments may decide to undertake the task of recycling glass containers on their own and, as such, would not be included on any of the aforementioned lists.

The Director of Liquor Control noted that 210 licensees would be affected by the bill and that the Department would ensure that all licensees are in compliance with all applicable rules and laws. He noted that the Liquor Control Commission has the authority to revoke licenses of the establishments that fail to comply with any of the applicable rules, regulations and laws.

Your Committee noted that certain dates referenced in the proposed bill had already elapsed. As such, your Committee authorized the Deputy Corporation Counsel to work with the Director of Public Works and Waste Management to revise Section 12.22.020 to provide the Department with

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sufficient time to establish procedures to administer the provisions of the proposed bill.

Your Committee is in receipt of a revised proposed bill incorporating new implementation dates.

Your Public Works and Transportation Committee RECOMMENDS the following:

1. That Bill No. _____ (2001), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 20 OF THE MAUI COUNTY CODE, PERTAINING TO GLASS RECYCLING FOR LICENSED LIQUOR ESTABLISHMENTS", PASS FIRST READING and BE ORDERED TO PRINT; and
2. That County Communication No. 00-296 be FILED.

Adoption of this report is respectfully requested.

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MICHAEL J. MOLINA **Chair**

G. RIKI HOKAMA **Member**

DAIN P. KANE **Vice-Chair**

PATRICK S. KAWANO **Member**

ALAN M. ARAKAWA **Member**

CHARMAINE TAVARES **Member**

ROBERT CARROLL **Member**