

JAN 19 2007

A BILL FOR AN ACT

RELATING TO SOLID WASTE MANAGEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Hawaii's bottle law has proven to be an
2 overwhelming success for Hawaii's environment, with over half a
3 billion bottles and cans being diverted from Hawaii's landfills.
4 The initiative has reduced litter, created employment, and
5 provided fundraising opportunities for schools and charities.
6 However, many consumers complain about the cumbersome redemption
7 process. Many elderly consumers, in particular, find the
8 redemption process burdensome, considering they may only have a
9 few bottles or cans to redeem, and would prefer to redeem the
10 beverage containers at a nearby dealer.

11 The purpose of this Act is to require dealers in high-
12 density population areas to provide redemption to consumers.
13 The dealers can decide whether to subcontract with a certified
14 redemption center to operate on the dealer's premises or provide
15 a reverse vending machine pursuant to section 342G-115, Hawaii
16 Revised Statutes.



1 SECTION 2. Section 342G-113, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§342G-113 Redemption of empty deposit beverage**

4 **containers.** (a) Except as provided in subsection (b), a dealer
5 shall:

6 (1) Operate a redemption center by July 1, 2005, and shall
7 accept all types of empty deposit beverage containers
8 with a Hawaii refund value;

9 (2) Pay to the redeemer the full refund value for all
10 deposit beverage containers that bear a valid Hawaii
11 refund value; and

12 (3) Ensure each deposit beverage container collected is
13 recycled, and forward documentation necessary to
14 support claims for payment as stated in section
15 342G-119 or rules adopted under this part.

16 (b) Subsection (a) shall not apply to any dealer:

17 ~~-(1) Who is located in a high density population area as~~
18 ~~defined by the director in rules, and within two miles~~
19 ~~of a certified redemption center that is operated~~
20 ~~independently of a dealer;~~

21 ~~-(2)]~~ (1) Who is located in a rural area as defined by
22 rule;



- 1 ~~[(3)]~~ (2) Who subcontracts with a certified redemption
2 center to be operated on the dealer's premises;
- 3 ~~[(4)]~~ (3) Whose sales of deposit beverage containers are
4 only via vending machines;
- 5 ~~[(5)]~~ (4) Whose place of business is less than five
6 thousand square feet of interior space;
- 7 ~~[(6)]~~ (5) Who can demonstrate physical or financial
8 hardship, or both, based on specific criteria
9 established by rule; or
- 10 ~~[(7)]~~ (6) Who meets other criteria established by the
11 director.

12 Notwithstanding ~~[paragraphs]~~ paragraph (1) ~~[and (2)]~~, the
13 director may allow the placement of redemption centers ~~[at~~
14 ~~greater than prescribed distances]~~ to accommodate geographical
15 features while ensuring adequate consumer convenience.

16 (c) Regardless of the square footage of a dealer's place
17 of business, dealers who are not redemption centers shall post a
18 clear and conspicuous sign at the primary public entrance of the
19 dealer's place of business that specifies the name, address, and
20 hours of operation of the closest redemption center locations.

21 ~~[(d) If there is no redemption center within the two mile~~
22 ~~radius of a dealer due to the criteria described in subsection~~



1 ~~(b), then the respective county and the State shall determine~~
 2 ~~the need for a redemption center in that area. If a redemption~~
 3 ~~center is deemed necessary, then the State, with assistance from~~
 4 ~~the county, shall establish the redemption center with funding~~
 5 ~~from the deposit beverage container deposit special fund.~~

6 ~~(e)]~~ (d) Businesses that sell deposit beverages for on-
 7 premises consumption, such as hotels, bars, and restaurants,
 8 shall collect used deposit beverage containers from the patron
 9 and either use a certified redemption center for the collection
 10 of containers or become a certified redemption center."

11 SECTION 3. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.
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INTRODUCED BY: Shiranne Chun Oakland
Joe Deane Jr
Will Evers



Report Title:

Solid Waste Management; Deposit Beverage Container Program

Description:

Requires dealers in high-density population areas to operate redemption centers.

