

STAND. COM. REP. NO. 682

Honolulu, Hawaii

Feb 16, 2007

RE: H.B. No. 639

H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 639, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SOLID WASTE,"

begs leave to report as follows:

The purpose of this bill is to encourage recycling by
improving the deposit beverage container law. Specifically, this
bill:

- (1) Allows the Director of Health (Director) to temporarily suspend the deposit beverage container fee after consulting with the Auditor and determining that the funds in the Deposit Beverage Container Deposit Special Fund (Fund) meet statutory requirements;
- (2) Requires deposit beverage distributors to report the number of containers sold and pay fees thereon;
- (3) Requires dealers with more than 75,000 square feet of interior space to operate a redemption center;
- (4) Allows consumers to request that the refund value be calculated by container count only when redeeming up to 50 containers of each material type per visit to a redemption center;

HB639 HD2 HSCR CPC HMS 2007-2334



- (5) Requires redemption centers to refuse to pay the refund value on containers that appear to have been previously processed and baled; and
- (6) Requires the Department of Health (DOH) to pay the handling fee only on containers physically received by the redemption center.


The Sierra Club, Hawaii Chapter, testified in support of this bill. DOH and Reynolds Recycling opposed this measure. The Retail Merchants of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Director may temporarily suspend an automatic increase of the deposit beverage container fee, rather than the fee itself, after consulting with the Auditor and determining that the amounts in the Fund meet statutory requirements; and
- (2) Deleting the provision requiring dealers with more than 75,000 square feet of interior space to operate a redemption center.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 639, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 639, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



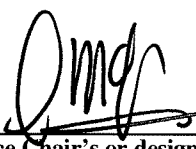
ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 682

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 639, HD 1	Date: February 14, 2007			
Committee Referral: EEP, CPC, FIN	<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.			
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	X			
2. McKELVEY, Angus L.K. (VC)	X			
3. CALDWELL, Kirk				X
4. EVANS, Cindy	X			
5. GREEN, Josh, M.D.	X			
6. ITO, Ken	X			
7. LUKE, Sylvia				X
8. MORITA, Hermina M.	X			
9. SONSON, Alex M.	X			
10. SOUKI, Joseph M.		X		
11. TSUJI, Clift	X			
12. YAMANE, Ryan I.	X			
13. YAMASHITA, Kyle T.	X			
14. MARUMOTO, Barbara C.	X			
15. THIELEN, Cynthia	X			
TOTAL	12	1		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				