

STAND. COM. REP. NO.

1522

Honolulu, Hawaii

APR 04 2007

RE: H.B. No. 639
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred H.B. No. 639, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to improve the deposit beverage container program.

Specifically, this measure reduces and clarifies the availability of exemptions, increases the number of hours a center is to remain open in high density populations, and clarifies the rights and duties of dealers and redemption centers.

Testimony in support of this measure was submitted by Reynolds Recycling and the Sierra Club, Hawai'i Chapter. Testimony in opposition to this measure was submitted by the Department of Health. Comments on this measure were submitted by two members of the Environmental Center at the University of Hawaii at Manoa and the Windward Ahupua'a Alliance.

Your Committee finds that although there has been much success with the "bottle law", a great more can be done if the process were less cumbersome and more convenient. Your Committee believes that the changes proposed in this amended measure will make the program even more successful.



This measure was amended to conform to Senate Bill No. 1702, S.D. 2, which is significantly similar. As a result, the proposed amendments to sections 342G-102, 342G-105, 342G-111, 342G-112, and 342G-117, Hawaii Revised Statutes, were deleted.

The amended measure:

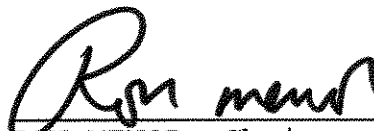
- (1) Requires dealers located in a high density urban area and within two miles of a certified redemption center to establish and operate a certified redemption center;
- (2) Clarifies section 342G-113, Hawaii Revised Statutes, so that a dealer can subcontract with a certified redemption center on the dealer's premises or within one thousand feet of the dealer's premises and making it possible for dealers located in a shopping center to operate a coordinated redemption center;
- (3) Adds a requirement that centers located in densely populated areas remain open at least thirty-five hours a week, of which a minimum of five hours must be on a weekend day; provides that consumers may request container count computation for loads up to two hundred; and requires the Department of Health to encourage the facilitation of agreements between shopping center managers or owners, store owners, and dealers to establish redemption centers;
- (4) Allows dealers to utilize properly operating and maintained reverse vending machines to satisfy the requirement that the dealer establish a certified redemption center;
- (5) Gives dealers the discretion to refuse to pay the refund value for damaged containers as codified in section 342G-116, Hawaii Revised Statutes; and
- (6) Takes effect on July 1, 2020, to ensure further discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 639, H.D. 2, as amended herein, and recommends that it



pass Second Reading in the form attached hereto as H.B. No. 639, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,




RON MENOR, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* HB 639 HD2	Committee Referral: ENE	Date: 3/20/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MENOR, Ron (C)	✓			
HOOSER, Gary L. (VC)	✓			
IHARA, Jr., Les				✓
KOKUBUN, Russell S.				✓
TRIMBLE, Gordon			✓	
TOTAL	2		1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes