

STAND. COM. REP. NO.

629

Honolulu, Hawaii

FEB 20 2007

RE: S.B. No. 1702
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 S.B. No. 1702 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM,"

begs leave to report as follows:

The purpose of this measure is to ensure a cleaner and healthier environment for Hawaii by increasing the success rate of the deposit beverage container program.

The measure accomplishes this purpose by amending the deposit beverage container program to require dealers in high density areas and rural areas to operate redemption centers.

Your Committee received testimony in support of this measure from the Sierra Club, Hawai'i Chapter. The Department of Health submitted testimony in support of this measure with comments. Your Committee received testimony in opposition to this measure from the Governor's Policy Office; the Hawaii Food Industry Association; Reynolds Recycling; the Retail Merchants of Hawaii; Safeway Inc.; and Aloha Glass Recycling, Inc.

Your Committee finds that the deposit beverage container program has proven to be an overwhelming success for Hawaii's environment. Your Committee further finds that the success rates will only increase with redemption centers being open in high density and rural areas, extending hours of redemption centers



operated in high density areas, and by enabling dealers to comply with the program by operating reverse vending machines.

Your Committee amended this measure by:

- (1) Clarifying that a dealer can subcontract with a certified redemption center to be operated on the dealer's premises or within one thousand feet of the premises;
- (2) Requiring redemption centers to remain open at least thirty-five hours per week, of which not less than five hours shall be on a Saturday or Sunday and shall remain open until 7 p.m. on at least two weekdays; provided that the center is located in a high density population area as defined by the director in rules;
- (3) Allowing consumers to request the refund value be computed by container count for loads of two hundred containers or less;
- (4) Clarifying that properly operated and maintained reverse vending machines may be used by redemption centers and dealers to satisfy the redemption requirements; provided that the reverse vending machine is operational and accessible during normal business hours of the center or store where it is located; and
- (5) Clarifying that dealers as well as redemption centers may refuse to pay the refund on certain non-conforming containers as described in section 342G-116.

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 S.B. No. 1702, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1702, 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.:* SB 1702	Committee Referral: ENE	Date: 2-15-07		
<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	3	0	0	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