

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO INTEGRATED SOLID WASTE MANAGEMENT.

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

1           SECTION 1. Section 342G-81, Hawaii Revised Statutes, is  
2 amended by amending the definitions of "deposit glass beverage  
3 container" and "glass recovery program" to read as follows:

4           ""Deposit glass beverage container" means:

5           (1) The individual, separate, sealed, glass container used  
6           for containing, at the time of import, [~~sixty-eight~~]  
7           one hundred twenty-eight fluid ounces or less of a  
8           beverage; or

9           (2) The empty, individual, separate glass container that  
10           will be filled with [~~sixty-eight~~] one hundred twenty-  
11           eight fluid ounces or less of a beverage and sealed in  
12           this State, so that these glass beverage containers  
13           will be subject to part VIII.

14           "Glass recovery program" means a program for glass recovery  
15 and reuse for purposes including but not limited to:

16           (1) Glass container reuse or recycling whereby containers  
17           are refilled, processed for shipment out of the State,  
18           or crushed into aggregate substitute; [~~and~~]



1           (2) Use in roadway materials or concrete as provided in  
2                    this part[-]; and

3           (3) Use in building materials."

4           SECTION 2. Section 342G-82, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6           "(a) Every glass container importer shall pay to the  
7 department an advance disposal fee. The fee shall be imposed  
8 only once on the same glass container and shall not be assessed  
9 on drinking glasses, cups, bowls, plates, ashtrays, and similar  
10 tempered glass containers. For the period beginning  
11 September 1, 1994, the fee shall be one and one-half cents per  
12 glass container. Beginning October 1, 2004, the glass advance  
13 disposal fee shall only apply to glass containers that are not  
14 [~~glass~~] deposit glass beverage containers."

15           SECTION 3. Section 342G-101, Hawaii Revised Statutes, is  
16 amended by amending the definitions of "deposit beverage" and  
17 "deposit beverage container" to read as follows:

18           ""Deposit beverage" means beer, ale, or other drink  
19 produced by fermenting malt, spirits, mixed spirits, wine, mixed  
20 wine, tea and coffee drinks regardless of dairy-derived product  
21 content, soda, or noncarbonated water, milk and all other diary-  
22 derived products, and all nonalcoholic drinks in liquid form and



1 intended for internal human consumption that is contained in a  
2 deposit beverage container.

3 The term "deposit beverage" excludes the following:

4 (1) A liquid which is:

5 (A) A syrup;

6 (B) In a concentrated form; or

7 (C) Typically added as a minor flavoring ingredient  
8 in food or drink, such as extracts, cooking  
9 additives, sauces, or condiments;

10 (2) A liquid which is a drug, medical food or infant  
11 formula as defined by the Federal Food, Drug, and  
12 Cosmetic Act (21 U.S.C. §301 et seq.);

13 (3) A liquid which is designed and consumed only as a  
14 dietary supplement and not as a beverage as defined in  
15 the Dietary Supplement Health and Education Act of  
16 1994 (P.L. 103-417);

17 (4) Products frozen at the time of sale to the consumer,  
18 or, in the case of institutional users such as  
19 hospitals and nursing homes, at the time of sale to  
20 the users;

21 (5) Products designed to be consumed in a frozen state;

22 (6) Instant drink powders; and



- 1           (7) Seafood, meat, or vegetable broths, or soups, but not  
2                    juices [~~+~~ and  
3           ~~(8) Milk and all other dairy derived products, except tea~~  
4                    ~~and coffee drinks with trace amounts of these~~  
5                    ~~products~~].

6            "Deposit beverage container" means the individual,  
7            separate, sealed glass, polyethylene terephthalate, high density  
8            polyethylene, or metal container less than or equal to [~~sixty-~~  
9            ~~eight~~] one hundred twenty-eight fluid ounces, used for  
10           containing, at the time of sale to the consumer, a deposit  
11           beverage intended for use or consumption in this State."

12           SECTION 4. Statutory material to be repealed is bracketed  
13           and stricken. New statutory material is underscored.

14           SECTION 5. This Act shall take effect on January 1, 2014.

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INTRODUCED BY: ~~SEN. A.C. RICH~~ *A.C. Rich*  
BY REQUEST OF ANOTHER PERSON



# S.B. NO. 1271

**Report Title:**

Glass Container Recovery; Deposit Beverage Container Program; Definitions

**Description:**

Increases the size of a deposit glass beverage container from sixty-eight to one hundred twenty-eight fluid ounces. Adds building materials as a purpose under the glass recovery program. Adds wine, spirits, and milk and other dairy-derived products to the definition of "deposit beverage". Increases the size of a deposit beverage container from sixty-eight to one hundred twenty-eight fluid ounces. Takes effect 1/1/2014.

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