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## A BILL FOR AN ACT

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

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

1 SECTION 1. Section 342G-114, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§342G-114 Redemption centers.** (a) Prior to operation,  
4 redemption centers shall be certified by the department.

5 (b) Applications for certification as a redemption center  
6 shall be filed with the department on forms prescribed by the  
7 department.

8 (c) The department, at any time, may review the  
9 certification of a redemption center. After written notice to  
10 the person responsible for the establishment and operation of  
11 the redemption center and to the dealers served by the  
12 redemption center, the department, after it has afforded the  
13 redemption center operator a hearing in accordance with chapter  
14 91, may withdraw the certification of the center if it finds  
15 that there has not been compliance with applicable laws, rules,  
16 permit conditions, or certification requirements.

(d) Redemption centers shall:



- 1           (1) Accept all types of empty deposit beverage containers  
2                   for which a deposit has been paid;
- 3           (2) Verify that all containers to be redeemed bear a valid  
4                   Hawaii refund value;
- 5           (3) Pay to the redeemer the full refund value in either  
6                   cash or a redeemable voucher for all deposit beverage  
7                   containers, except as provided in section 342G-116;
- 8           (4) Ensure each deposit beverage container collected is  
9                   recycled through a contractual agreement with an out-  
10                  of-state recycler or an in-state recycling facility  
11                  permitted by the department; provided that this  
12                  paragraph shall not apply if the redemption center is  
13                  operated by a recycler permitted by the department;  
14                  and
- 15           (5) Forward the documentation necessary to support claims  
16                  for payment as stated in section 342G-119.
- 17           (e) Redemption centers' redemption areas shall be  
18 maintained in full compliance with applicable laws and with the  
19 orders and rules of the department, including permitting  
20 requirements, if deemed necessary, under chapter 342H.
- 21           (f) The department shall develop procedures to facilitate  
22 the exchange of information between deposit beverage container



1 manufacturers, distributors, and retailers and certified  
2 redemption centers, including but not limited to universal  
3 product code information for reverse vending machine purposes.  
4 The procedures developed by the department shall allow for a  
5 reasonable time period between the introduction of a new deposit  
6 beverage product and the deadline for submitting universal  
7 product code information to certified redemption centers  
8 operating reverse vending machines.

9 (g) Consumers may request that the refund value be  
10 computed by container count without limitation on the number of  
11 containers presented for redemption."

12 SECTION 2. Section 342G-116, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "**§342G-116 Refusal of refund value payment for a deposit**  
15 **beverage container.** Redemption centers shall refuse to pay the  
16 refund value on any broken, corroded, or dismembered deposit  
17 beverage container, or any deposit beverage container that:

- 18 (1) Contains a free-flowing liquid;  
19 (2) Does not properly indicate a refund value; [~~or~~]  
20 (3) Contains a significant amount of foreign material[~~-~~];  
21 or



1       (4) Exhibits characteristics of having been previously  
2             processed or baled."

3           SECTION 3. Section 342G-117, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5           "(a) The department shall pay to each certified redemption  
6 center a handling fee of not less than the prevailing deposit  
7 beverage container fee for each deposit beverage container  
8 redeemed by a consumer that is:

9           (1) Transported out-of-state;

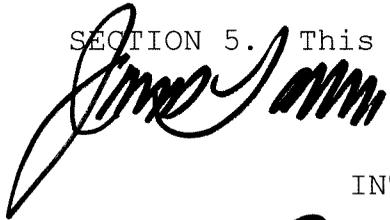
10          (2) Received by an approved in-state company for an  
11 approved end use for recycling; or

12          (3) Received by a department-permitted recycling  
13 facility[-];

14 provided that the deposit beverage container is physically  
15 received by the redemption center and does not exhibit  
16 characteristics of having been previously processed and baled."

17           SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19           SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

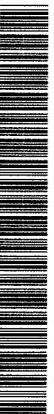
  
  
  
  




H.B. NO. 589

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**Report Title:**

Deposit Beverage Container Program; Redemption Value

**Description:**

Allows consumers to request that refund value be computed by actual container count with no limit. Allows redemption centers to refuse refund where containers appear to have been previously processed.

