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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. In 2002, the legislature recognized that  
2 community participation is crucial to environmental protection  
3 and litter reduction. Thus, Act 176, Session Laws of Hawaii  
4 2002, was enacted to establish the deposit beverage container  
5 program for the purpose of increasing community participation in  
6 the recycling program by raising recycling rates for deposit  
7 beverage containers.

8           In February 2006, the department of health issued a report  
9 to the legislature on the activities of the deposit beverage  
10 container program. The report states that the program is well  
11 on its way to reaching its eighty per cent goal of redemption of  
12 deposit containers, which is an indicator of the program's  
13 success. However, the primary complaint received by the  
14 department as the program has evolved has been from consumers  
15 who redeem large quantities of recyclables.

16           The department implemented segregated rates, weighing rates  
17 for separate types of containers, which allow redemption centers



1 to weigh large quantities of recyclables as opposed to counting.  
2 The current law, section 342G-117(c), Hawaii Revised Statutes,  
3 enables the department to choose to pay the redemption centers  
4 the handling fee and refund value on the basis of weight. It  
5 does not state that the redemption centers may pay redeemers the  
6 refund value on the basis of weight. This method of segregated  
7 rates has caused consumers to receive reduced refunds which has  
8 created the unintended consequence of discouraging community  
9 participation in the recycling program.

10 Since the deposit beverage container program was  
11 established, schools, businesses, and nonprofit organizations  
12 have begun picking-up containers from public parks, beaches, and  
13 streets, collecting these recyclables for fundraisers. These  
14 activities need to be encouraged by paying redeemers the full  
15 refund value for all beverage containers.

16 The purpose of this Act is to encourage community  
17 participation in the deposit beverage recycling program by  
18 requiring redemption centers to count a minimum of two hundred  
19 deposit beverage containers, per redeemer, at redeemer's  
20 request.

21 SECTION 2. Section 342G-114, Hawaii Revised Statutes, is  
22 amended by amending subsection (d) to read as follows:



- 1           " (d) Redemption centers shall:
- 2           (1) Accept all types of empty deposit beverage containers
- 3                 for which a deposit has been paid;
- 4           (2) Verify that all containers to be redeemed bear a valid
- 5                 Hawaii refund value;
- 6           (3) [~~Pay~~] Compute the refund value payment per deposit
- 7                 beverage container at the redeemer's request for up to
- 8                 two hundred containers, per redeemer, and pay to the
- 9                 redeemer the full refund value in either cash or a
- 10                 redeemable voucher for all deposit beverage
- 11                 containers, except as provided in section 342G-116;
- 12           (4) Ensure each deposit beverage container collected is
- 13                 recycled through a contractual agreement with an out-
- 14                 of-state recycler or an in-state recycling facility
- 15                 permitted by the department; provided that this
- 16                 paragraph shall not apply if the redemption center is
- 17                 operated by a recycler permitted by the department;
- 18                 and
- 19           (5) Forward the documentation necessary to support claims
- 20                 for payment as stated in section 342G-119."

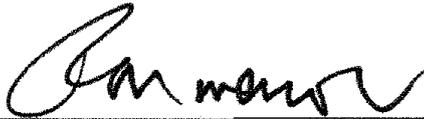


1 SECTION 3. Within thirty days of the effective date of  
2 this Act, the department shall adopt rules to implement this  
3 Act.

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

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

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INTRODUCED BY: 



**Report Title:**

Deposit Beverage Container Program; Refund Values

**Description:**

Requires redemption centers to compute the refund value payment per deposit beverage container for up to two hundred containers.

