

A Bill for an Act Relating to Solid Waste Control.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that redemption centers require universal product code information to process redemptions for empty containers at reverse vending machines. The purpose of this Act is to require the department of health to facilitate the exchange of information between beverage container manufacturers, distributors, and retailers and certified redemption centers that operate reverse vending machines to facilitate the input of the universal product code, thus enabling a reverse vending machine to accept an empty container for redemption.

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

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

(b) Applications for certification as a redemption center shall be filed with the department ~~[of health]~~ on forms prescribed by the department.

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

(d) Redemption centers shall:

- (1) Accept all types of empty deposit beverage containers for which a deposit has been paid;
- (2) Verify that all containers to be redeemed bear a valid Hawaii refund value;
- (3) Pay to the redeemer the full refund value in either cash or a redeemable voucher for all deposit beverage containers, except as provided in section 342G-116;
- (4) Ensure each deposit beverage container collected is recycled through a contractual agreement with an out-of-state recycler or an in-state recycling facility permitted by the department; provided that this paragraph shall not apply if the redemption center is operated by a recycler permitted by the department; and
- (5) Forward the documentation necessary to support claims for payment as stated in section 342G-119.

(e) Redemption centers' redemption areas shall be maintained in full compliance with applicable laws and with the orders and rules of the department, including permitting requirements, if deemed necessary, under chapter 342H.

(f) The department shall develop procedures to facilitate the exchange of information between deposit beverage container manufacturers, distributors, and retailers and certified redemption centers, including but not limited to universal product code information for reverse vending machine purposes. The procedures developed by the department shall allow for a reasonable time period between the introduction of a new deposit beverage product and the deadline for submitting universal product code information to certified redemption centers operating reverse vending machines.”

SECTION 3. Section 342G-119, Hawaii Revised Statutes, is amended to read as follows:

**“§342G-119 Redemption center reporting.** The department shall pay certified redemption centers handling fees and refund values as described in section 342G-117, based on collection reports submitted by the redemption centers. All redemption centers shall submit to the department the following information on forms prescribed by the department, which information shall include at a minimum:

- (1) The number or weight of deposit beverage containers of each material type accepted at the redemption center for the reporting period;
- (2) The amount of refunds paid out by material type;
- (3) The number or weight of deposit beverage containers of each material type transported out-of-state or to a permitted recycling facility; and
- (4) Copies of out-of-state transport and weight receipts or acceptance receipts from permitted recycling facilities. If the redemption center and the recycling facility are the same entity, copies of out-of-state transport and weight receipts, or documentation of end use accepted by the department, shall also be included.

The requests for payment shall be no ~~more~~ less ~~frequent~~ than two times per month.”

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

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

(Became law on July 12, 2005, without the Governor’s signature, pursuant to Art. III, §16, State Constitution.)