

EXECUTIVE CHAMBERS

HONOLULU

July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2239

Honorable Members
Twenty-Fifth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2239, entitled "A Bill for an Act Relating to the Deposit Beverage Container Program."

The purpose of this bill is to expand the Hawaii Beverage Container Deposit Program by removing the current recycling program exemption for liquid dietary supplement containers starting July 1, 2010.

This bill is objectionable because the inclusion of liquid dietary supplement containers will make it difficult to recycle these containers, it will not be possible to implement by the bill's effective date, and will have a negative impact on consumers during these difficult economic times.

First, this bill would include liquid dietary supplement containers in the Deposit Beverage Container Program on July 1, 2010. There is no phase-in period, as there was when the original program began. As a result, the industry will not be able to comply with the bill's requirements since it would become law on July 1, 2010, and that date has already passed.

Second, this additional fee on liquid dietary supplement containers will impact Hawaii consumers by increasing the cost of drinking dietary supplements and health-related beverages. The fee increase would occur at a time when Hawaii families are still feeling the impacts of the recession and when it is important for Government to take steps to limit the cost of living increases imposed on our families.

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Finally, redeeming the refund value of these containers will be inconvenient because reverse vending machines do not accommodate energy drink and dietary supplement containers, many of which are neither standard in size nor shape. Currently, reverse vending machines already have trouble identifying non-standard containers with HI5 labels, thus forcing consumers to either make another trip to a redemption center or throw away the containers, thus losing their refund.

For the foregoing reasons, I am returning House Bill No. 2239 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii