

July 13, 2005

The Honorable Robert Bunda, President  
and Members of the Senate  
Twenty-Third State Legislature  
State Capitol, Room 003  
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 680 S.D.1, H.D.1

On July 12, 2005, Senate Bill No. 680, entitled "Relating to Solid Waste Control" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This measure requires the Department of Health to develop procedures for the exchange of universal product codes between beverage manufacturers, distributors, retailers and redemption centers. This data can and should be exchanged freely between private sector participants in the beverage container redemption program. Thus it is both inappropriate and unfortunate that the State is being burdened with this duty. This requirement is indicative of the poor thought given to the original program and the failure to recognize that container recycling would work better if left to the private entities involved.

Further, this bill mandates that the private operators of redemption centers must bill the State no less than twice a month. Some recyclers prefer to bill monthly and will find the new requirements burdensome and another discouragement to participate in the recycling initiative. Again, this provision is an example of the legislative micromanagement that has plagued this program.

Therefore, I allowed Senate Bill No. 680, S.D.1, H.D.1 to become law as Act 227 effective July 12, 2005 without my signature.

Sincerely,

LINDA LINGLE