

Date: 02/05/2008

Committee: House Energy and
Environmental Protection

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent of Education

Title of Bill: HB 2504 RELATING TO LIGHTING.

Purpose of Bill: Phases-out and bans the use of lighting products with lead and high mercury content; establishes a statewide lighting efficiency standard for general purpose lights; directs the Department of Health to develop a statewide recycling program for recycling mercury-containing compact fluorescent bulbs.

Department's Position: The Department of Education supports HB 2504 which phases out and bans the use of lighting products with lead and high mercury content; establishes a statewide lighting efficiency standard for general purpose lights; and develops a statewide recycling program for recycling mercury-containing compact fluorescent lightbulbs. The Department recommends that the committee revise the language of the bill in Part III, Section 5, to include all fluorescent lamps, not just mercury-containing compact fluorescent lightbulbs, since all fluorescent lamps, including the more common linear fluorescent lamps, contain some amount of mercury. Under federal regulations, the vast majority of mercury-containing lamps are considered hazardous waste.

The Department agrees with Part II, Section 4, which proposes to amend Section 196-9, subsection (b), of the Hawaii Revised Statutes to include the use of energy star labeled lamps. Beginning this school year, we are providing schools requesting replacement lightbulbs for standard lightbulb

fixtures with Energy Star rated compact fluorescent lightbulbs. Thank you
for the opportunity to testify in support of HB 2504.

Testimony before the
House Committee on
Energy & Environmental Protection

H. B. 2504 - Relating to Lighting

Tuesday, February 5, 2008
8:45 a.m., Conference Room 312

by Alan K.C. Hee
Manager, Energy Services Department
Hawaiian Electric Company, Inc.

Chair Morita, Vice Chair Carroll and Members of the Committee:

My name is Alan Hee and I am testifying on behalf of Hawaiian Electric Company, Inc., and its subsidiaries, Maui Electric Company (MECO) and Hawaii Electric Light Company, Inc. (HELCO).

Hawaiian Electric strongly supports the installation of energy efficient lighting products and strongly supports HB 2504. The response to our demand-side management compact fluorescent lamp (CFL) rebate program by customers and distributors has been excellent, resulting in greater awareness and availability of these energy efficient lighting products.

Thank you for this opportunity to testify

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January 25, 2008

The Honorable Hermina M. Morita, Chair
Energy and Environmental Protection Committee
Hawaii State Legislature
PO Box 791
Hanalei, HI 96714-0791

Re: House Bill 2504

Dear Chairperson Morita:

The National Electrical Manufacturers Association (NEMA) is the primary trade association representing the interests of the US electrical products industry. Our membership encompasses virtually all of the principal US manufacturers of lamp and lighting products, including OSRAM Sylvania, Inc., GE Consumer and Industrial Lighting, and Philips Lighting. I am writing on behalf of these companies to comment on legislation you authored that is pending before the EEP committee; House Bill 2504, related to lighting products and energy efficiency.

As you would expect, NEMA lighting division members are integrally involved in policy discussions at all levels of government throughout the US concerning the transformation to more efficient lighting technologies. We were active participants in the process that led to passage of the Federal Energy Independence and Security Act of 2007, signed by President Bush last month. We also worked closely with California legislators on Assembly Bill 1109, which the state enacted during its 2007 legislative session. As explained below, both of these laws have implications for HB 2504 in Hawaii.

First, Title III, Subtitle B of the Federal bill establishes efficiency standards for general service lamps and explicitly *preempts* states¹ from establishing their own standards that differ from this national framework. It appears therefore that Federal Law preempts §342J-B of HB 2504, to the extent that it is inconsistent with the standards set therein.

Second, NEMA lamp manufacturers share your concern over the environmental and public health impacts of hazardous materials in lighting products. We therefore supported the



¹ Excluding California and Nevada

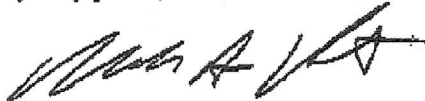
Honorable Hermina Morita
January 25, 2008

intent of California AB 1109, the California Lighting Efficiency and Toxics Reduction Act, which adopted the thresholds contained in the European Union's RoHS Directive for lead and mercury content in lamps sold in California. Section 342J-A of Hawaii's bill appears to have the same intent.

The California law, however, contains some necessary, time-limited exemptions for lighting products that are sold in US markets but not in Europe. These exemptions are not matched in HB 2504. NEMA believes that AB 1109 establishes a sensible, technologically feasible framework for reducing lead and mercury in lamps and we would support a similar approach in Hawaii. We cannot support more restrictive thresholds, however, which would disrupt the market and deprive consumers and municipalities in Hawaii of important, highly valuable lighting products. We therefore urge you and your committee members to modify the scope of Section 342J of HB 2504 to make it consistent with California AB 1109.

In general, NEMA supports the intent of HB 2504 to advance the transition within Hawaii to energy-efficient lighting and to encourage reductions in hazardous materials in lighting products. The industry continues to make great strides on both fronts and we are always willing to work with lawmakers and other stakeholders on policies that will ensure continued progress. I respectfully urge you therefore to amend HB 2504 as indicated above. If you have questions or would like additional information, please feel free to contact me at 703-841-3249, or mar_kohorst@nema.org.

Very truly yours,



Mark A. Kohorst
Senior Manager, Environment, Health & Safety
National Electrical Manufacturers Association

- cc: Vice Chair State Representative Mele Carroll
- Member State Representative Pono Chong
- Member State Representative Ken Ito
- Member State Representative Michael Magacay
- Member State Representative Roland D. Sagum
- Member State Representative Scott K. Saiki
- Member State Representative Cynthia Thielen