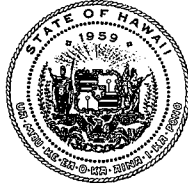


SB 2842

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

COMMITTEE ON ENERGY & ENVIRONMENT

S.B. 2842, RELATING TO LIGHTING

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

February 7, 2008
3:30pm

1 **Department's Position:** The Department appreciates the intent of H.B. 2504, but must respectfully
2 oppose the measure.

3 **Fiscal Implications:** The Department is directed to develop a statewide recycling program for
4 fluorescent bulbs, and funding for developing a separate program is not included in the executive
5 supplemental budget proposal.

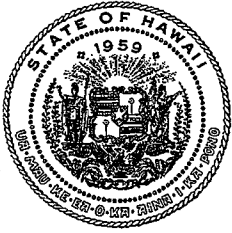
6 **Purpose and Justification:** H.B. 2504 proposes to phase out and ban the use of lighting products with
7 lead and mercury; establishes a statewide lighting efficiency standard; and directs the Department of
8 Health to develop a statewide recycling program for mercury containing compact fluorescent bulbs.

9 The Department supports the use of renewable energy sources and energy-efficiency initiatives,
10 but must respectfully oppose H.B. 2504. Most fluorescent lighting products contain mercury and
11 incandescent lighting products contain lead. For this reason, fluorescent bulbs are considered "universal
12 waste" under the federal hazardous waste regulations. Hawaii has also encouraged the designation and
13 thus recycling of these lighting products as "universal waste," while working to revise the state
14 hazardous waste regulations.

1 HRS §342J, Management of Hazardous Waste, is not the appropriate chapter to deal with
2 lighting efficiency standards and general consumer product requirements. HRS §342J deals with the
3 proper management, disposal and handling of hazardous wastes. Devices that contain a hazardous
4 substance are not hazardous waste until they can no longer be used for its intended purpose. As an
5 example, paint thinner is not hazardous waste until it is used and discarded.

6 Part III of HB 2504 directs the Department to develop a statewide program for the recycling of
7 mercury-containing compact fluorescent bulbs before January 1, 2011. Recycling of compact
8 fluorescent bulbs is currently an option under the hazardous waste/universal waste regulations. The
9 department can incorporate more education and promotion of recycling fluorescent bulbs for businesses
10 that generate hazardous waste under its existing Pollution Prevention/Waste Minimization program.
11 However, we respectfully oppose the development of a new, separate recycling program.

12 Thank you for the opportunity to testify on this measure.
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**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
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Statement of
THEODORE E. LIU
Director
Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEE
ON
ENERGY AND ENVIRONMENT
Thursday 7, 2008
3:30 p.m.
State Capitol, Conference Room 312

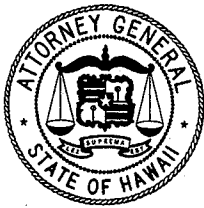
in consideration of
SB2842
RELATING TO LIGHTING.

Chair Menor, Vice Chair Hooser, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) supports the intent of SB2842, 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; directs the Department of Health to develop a statewide recycling program for recycling mercury-containing compact florescent bulbs. There have been many good ideas introduced this legislative session that support the State's energy goals. We note, however, that this proposal does not provide resources and as such, is not included in the Executive's Supplemental Budget. We request that any resources provided will not displace the priorities contained in that budget.

DBEDT supports the use of energy efficient lighting. Energy Star compact fluorescent lighting products, presently in the marketplace, already meet the fifty lumens per watt standard. We defer to the Department of Health on the implementation measures called for in this bill.

Thank you for the opportunity to offer these comments.



**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FOURTH LEGISLATURE, 2008**

ON THE FOLLOWING MEASURE:

S.B. NO. 2842, RELATING TO LIGHTING.

BEFORE THE:

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

DATE: Thursday, February 7, 2008 **TIME:** 3:30 PM

LOCATION: State Capitol, Room 414
Deliver to: committee clerk, Room 208, 1 copy

TESTIFIER(S): Mark J. Bennett, Attorney General
or Wade H. Hargrove III, Deputy Attorney General

Chair Menor and Member of the Committee:

The Attorney General has a specific concern about this bill. This bill would add a new part to chapter 342J, Hawaii Revised Statutes, to establish new state standards for lighting efficiency for manufacturers of general purpose lights.

The proposed section 342J-B(d) sets forth the criminal penalty for a violation of subsections (b) and (c), yet subsection (c) is the notification requirement of the Department of Health. We believe the bill's actual intent is to provide penalties for violations of subsections (a) and (b), not (b) and (c).

Testimony before the
Senate Committee on
Energy & Environmental Protection

S. B. 2842 - Relating to Lighting

Thursday, February 7, 2008
3:30 p.m., Conference Room 414

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

Chair Menor, Vice Chair Hooser 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 SB 2842. 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