

Honolulu, Hawaii

May 1, 2009

RE: H.B. No. 1809  
H.D. 2  
S.D. 1  
C.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1809, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RECYCLING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to establish a television recycling program in the State.

Specifically, this measure:

- (1) Amends the title of chapter 339D, Hawaii Revised Statutes, from the "Electronic Waste Recycling Act" to the "Electronic Waste and Television Recycling and Recovery Act", establishes a new part entitled "Television Recovery System", and makes conforming amendments to existing provisions in chapter 339D;



- (2) Requires television manufacturers to submit a recycling plan to the Department of Health by June 1, 2010, and to begin recycling covered televisions sold in the State by January 1, 2011;
- (3) Requires television manufacturers to label covered televisions sold or offered for sale in the State with a brand, register with the Department of Health, pay registration fees, and file ongoing registration renewals;
- (4) Prohibits retailers from selling or offering for sale in the State covered televisions that are a brand of a manufacturer that is not registered with the Department of Health;
- (5) Provides a formula for the Department of Health to calculate each television manufacturer's recycling obligation;
- (6) Imposes penalties on manufacturers and retailers for noncompliance with recycling and reporting requirements of the chapter; and
- (7) Stipulates that implementation of this measure by January 1, 2011, shall satisfy the requirement for a separate plan for the collection, transportation, and recycling of televisions called for in Act 13, Special Session Laws of Hawaii 2008.

Your Committee on Conference has amended this measure by:

- (1) Amending the definition of "electronic device manufacturer" to delete the annual sales provision for "specialized computers";
- (2) Prohibiting television manufacturers and electronic device manufacturers from charging owners a fee to recycle televisions and electronic devices under certain circumstances;
- (3) Requiring electronic device manufacturers and their agents to be responsible for following applicable regulations and for adopting environmentally sound recycling programs;
- (4) Clarifying requirements for television manufacturers submitting plans to the Department of Health;



- (5) Allowing electronic device manufacturers to develop their own recycling program, provided it is implemented and fully operational by January 1, 2010;
- (6) Deleting redundant provisions with respect to television manufacturers developing recycling programs and their recycling obligations;
- (7) Specifying penalty amounts for the sale of unlabeled electronic devices and covered televisions or violations of section 339D-4 or 339D-C;
- (8) Correcting references to sections with respect to fees assured by the Department of Health;
- (9) Changing the effective date of the measure to upon approval; and
- (10) Making technical nonsubstantive amendments for the purposes of consistency, clarity, and style.

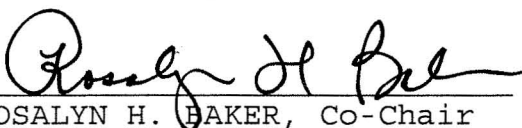
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1809, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1809, H.D. 2, S.D. 1, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE



MIKE GABBARD, Chair



ROSALYN H. BAKER, Co-Chair

ON THE PART OF THE HOUSE



HERMINA MORITA, Co-Chair

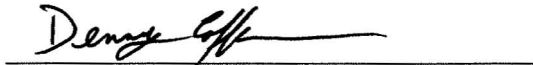


ANGUS L.K. MCKELVEY, Co-Chair



  
BRIAN T. TANIGUCHI, Co-Chair

  
JON RIKI KARAMATSU, Co-Chair

  
DENNY COFFMAN, Co-Chair



