

STAND. COM. REP. NO. 970

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 1809  
H.D. 2

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 1809, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RECYCLING,"

begs leave to report as follows:

The purpose of this bill is to encourage recycling of televisions in the state by:

- (1) Requiring television manufacturers to recycle covered televisions sold in the state;
- (2) Requiring television manufacturers to label covered televisions sold or offered for sale in the state with a brand, register with the Department of Health (DOH), pay registration fees, and file ongoing registration renewals;
- (3) Prohibiting retailers from selling or offering for sale in the state covered televisions that are a brand of a manufacturer that is not registered with DOH; and
- (4) Imposing penalties on television manufacturers and retailers for non-compliance with recycling and reporting requirements.



The Sierra Club, Hawaii Chapter, Retail Merchants of Hawaii, Thomson Inc., and a concerned individual supported this bill. DOH opposed this bill.

Your Committee notes the concerns raised that the requirements of this bill may create a situation in which a retailer or manufacturer is subject to both the annual registration fee of \$5,000 for covered electronic devices, pursuant to Chapter 339D, Hawaii Revised Statutes (HRS), and the annual registration fee of \$2,500 for covered televisions.

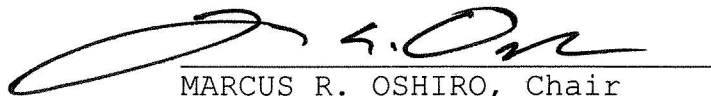
Your Committee also notes the suggestion that television manufacturers and retailers be allowed reasonable latitude to work with DOH to correct violations before being assessed penalties, such as allowed by section 339D-8, HRS. Under that provision, DOH must issue a warning notice to a person for the person's first violation of the laws regarding recycling of covered electronic devices.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,



MARCUS R. OSHIRO, Chair



