

JAN 21 2011

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# A BILL FOR AN ACT

RELATING TO WASTE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 342J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§342J- Compact fluorescent light bulbs; signage, waste  
5 management plan. (a) Beginning on January 1, 2012, each  
6 retailer of compact fluorescent light bulbs shall post or cause  
7 to be posted a conspicuous sign in the English language that  
8 shall:

9           (1) Be at least four inches by six inches in size; and

10          (2) Include the following information:

11           (A) The amount of mercury, in milligrams, contained  
12           in each compact fluorescent light bulb;

13           (B) The amount of lead contained in each compact  
14           fluorescent light bulb; and

15           (C) Instructions on how to safely handle and dispose  
16           of a broken compact fluorescent bulb, pursuant to  
17           relevant laws and administrative rules.



1 No compact fluorescent light bulb lacking the appropriate  
2 signage required under this subsection shall be sold in the  
3 State.

4 (b) Beginning on January 1, 2012, each manufacturer of  
5 compact fluorescent light bulbs shall be responsible for the  
6 proper collection, recycling, and disposal of the compact  
7 fluorescent light bulbs produced by that manufacturer and sold  
8 in the State.

9 (c) Each manufacturer of compact fluorescent light bulbs  
10 shall submit a waste management plan to the department of health  
11 no later than January 1, 2012, and by January 1 every  
12 years thereafter. The waste management plan shall include the  
13 following information:

- 14 (1) The methods that the manufacturer will use to properly  
15 collect, recycle, and dispose of compact fluorescent  
16 light bulbs produced in the State;  
17 (2) The number and frequency of collections of compact  
18 fluorescent light bulbs;  
19 (3) The methods that the manufacturer will use to educate  
20 consumers about the options for proper recycling and  
21 disposal of compact fluorescent light bulbs; and



1        (4) The funding mechanism that the manufacturer will use  
2        to implement the plan.

3        (d) The department shall assess and collect from the  
4 manufacturers and retailers subject to this section a fee of  
5 \$                    to be used for the administration and enforcement of  
6 this section. The department shall adopt rules in accordance  
7 with chapter 91 to carry out the purposes of this section.

8        (e) Any person who violates this section shall be subject  
9 to penalties under this chapter.

10       (f) For the purposes of this section:

11       "Conspicuous sign" means a sign posted in the retailer's  
12 place of business in a location reasonably calculated to bring  
13 the sign to the attention of purchasers before making a  
14 purchase.

15       "Manufacturer" means:

16       (1) Any entity that manufactures or otherwise produces  
17 compact fluorescent light bulbs or causes compact  
18 fluorescent light bulbs to be manufactured or produced  
19 anywhere, and intends to sell these light bulbs in  
20 this State; or

21       (2) Any entity that becomes a successor of an entity  
22 described in paragraph (1).



1       "Retailer" means any person who sells or distributes  
2 compact fluorescent light bulbs in the State for consumption or  
3 use by the purchaser and not for resale."

4       SECTION 2. The department of health shall collaborate with  
5 and provide guidance to all manufacturers and retailers subject  
6 to this Act to ensure compliance with this Act. The department  
7 may invite comments from other agencies, businesses, and  
8 citizens regarding best practices and potential funding sources  
9 for the management of compact fluorescent light bulb waste.

10       SECTION 3. The department of health shall make available  
11 to manufacturers and retailers of compact fluorescent light  
12 bulbs in the State materials and information including:

- 13       (1) Recommended methods for collecting, recycling, and  
14       disposing of compact fluorescent light bulbs;
- 15       (2) Recommended methods of educating consumers about the  
16       options for proper recycling and disposal of compact  
17       fluorescent light bulbs; and
- 18       (3) Available funding sources that manufacturers and  
19       retailers may access to implement the waste management  
20       plans required under this Act.

21       SECTION 4. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon approval.

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INTRODUCED BY:

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**Report Title:**

CFL Bulbs; Recycling; Disposal; Waste Management Plan

**Description:**

Requires retailers of compact fluorescent light (CFL) bulbs to post signs with certain information by 1/1/2012. Requires manufacturers of CFL bulbs to manage their CFL bulb waste by 1/1/2012 and submit a waste management plan by 1/1/2012. Requires DOH to provide guidance for the plan.

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