

STAND. COM. REP. NO. 439

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 1135
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Energy and Environment and Judiciary and Labor, to which was referred S.B. No. 1135 entitled:

"A BILL FOR AN ACT RELATING TO RECYCLING,"

beg leave to report as follows:

The purpose and intent of this measure is to revise and expand the State's electronic waste and television recycling program to include a majority of electrically powered appliances and devices, excluding large appliances.

Your Committees received testimony in support of this measure from the Department of Health, County of Hawaii Department of Environmental Management, Recycle Hawaii, and two individuals. Your Committees received testimony in opposition to this measure from Toy Industry Association, Inc.; Consumer Electronics Association; Association of Home Appliance Manufacturers; Custom Electronic Design and Installation Association; Air Conditioning, Heating, and Refrigeration Institute; Hawaiian Hope; and Whirlpool Corporation. Your Committees received comments on this measure from Makita US, Inc.; Black and Decker, Inc.; Robert Bosch Tool Corporation; Techtronic Industries Company; and one individual.

Your Committees find that the State has not come close to meeting its recycling and reuse goals, and many parts of the current electronic waste and television recycling program are not working as planned. In 2012, a taskforce including manufacturers, retailers, recyclers, trade groups, and government agencies was convened to study the program and propose legislation that would

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correct the deficiencies of the current program and make Hawaii a leader in recycling and environmental protection. This measure is the result of that effort.

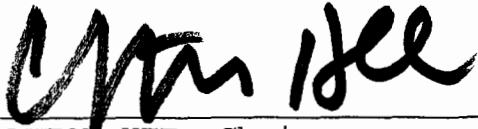
After the initial hearing on this measure, major stakeholders met to discuss ways to improve this measure to assist the State in meeting its recycling and reuse goals and make Hawaii a national leader in environmental protection. Accordingly, your Committees have amended this measure by deleting its contents and inserting language that:

- (1) Creates a new registration and reporting system, which includes a mandated recycling plan for electronic device manufacturers and representative organizations;
- (2) Sets mandatory collection and recycling goals for manufacturers of electronic devices and representative organizations, requiring the reuse or recycling of an increasing percentage of products sold in previous years;
- (3) Requires records of sales of electronic devices and amounts of recycled and reused items;
- (4) Creates reporting, record keeping, and registration requirements for collectors of recycled and reused electronic devices;
- (5) Grants the Director of Health specific authority to enforce the program; and
- (6) Creates a collaborative programmatic framework for the State to work with the counties in implementing the program.

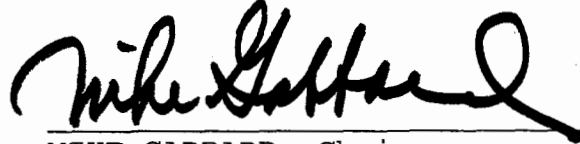
As affirmed by the records of votes of the members of your Committees on Energy and Environment and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1135, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1135, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Energy and
Environment and Judiciary and
Labor,



CLAYTON HEE, Chair



MIKE GABBARD, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 1135	Committee Referral: ENE/JDL WAM	Date: 2/12/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)	X			
CHUN OAKLAND, Suzanne				X
IHARA, Jr., Les	X			
SLOM, Sam				X
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

