

April 1, 2013

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair
Committee on Finance

HAWAII HOUSE OF REPRESENTATIVES
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

HEARING: Monday, April 1, 2013
2:00 PM
Conference Room 308

Re: CEDIA's opposition to Senate Bill 1135, SD2, HD1

Dear Representative Luke, Representative Nishimoto, Representative Johanson, and members of the committee:

On behalf of the Custom Electronic Design & Installation Association (CEDIA), thank you for allowing us the opportunity to provide written testimony opposing Hawaii Senate Bill 1135, SD2, HD1, legislation that amends and expands the Electronic Waste and Television Recycling Program.

CEDIA raises concerns with Senate Bill 1135, SD2, HD1, with its broad and problematic definitions of "covered electronic device," "electric devices," and "peripheral."

CEDIA is the professional trade association representing companies that specialize in planning and installing electronic systems for the home. These systems include residential networking, home automation / communication, media rooms, home theaters, single /multi-room entertainment, and integrated whole-house subsystems providing control over lighting, security, and heating, ventilation & air conditioning (HVAC) systems.

CEDIA represents seven member companies who work in the residential electronic systems industry in Hawaii. All of these companies are electronic systems contractors (ESCs), many of which are independent retailers and installers representing a vital part of small business in Hawaii.

CEDIA participated on the Department of Health's Hawaii Electric Device Recycling Task Force and was glad to serve as a resource throughout the task force's work. Electronic waste is an important issue for CEDIA's Hawaii-based members. We strongly encourage further discussion by all stakeholders, and coming to a workable solution that takes into account Hawaii's unique situation before moving Senate Bill 1135, SD2, HD1, forward.

As currently written, Senate Bill 1135, SD2, HD1, has the following very broad and problematic definitions:

“Covered electronic device”: (1) Means [~~a computer, computer printer, computer monitor, or portable computer with a screen size greater than four inches measured diagonally;~~ electronic equipment intended for use by consumers, governmental institutions, educational institutions, and businesses; such as televisions and their peripherals; computers and their peripherals; and similar devices used by consumers and businesses; and (Page 9, lines 6 -15).

“Electric devices” means any device or appliance that operates on electricity. (Page 7, lines 14 – 15).

“Peripheral” means any electrically powered device intended for use with a computer, television or similar device. (Page 8, lines 3 – 4).

CEDIA raises concern with these broad and problematic definitions and feels the expanded definitions listed in Senate Bill 1135, SD2, HD1, would impact a substantial number of industries and countless number of product categories.

From the perspective of the residential electronic systems industry, the expanded definitions in Senate Bill 1135, SD2, HD1, would include (though not limited to) the following product categories: motorized window shades, motorized screens, and television lifts. These are important product categories for electronic systems contractors, but would unintentionally be defined into the expanded product scope. This could discourage these specialty equipment manufacturers to sell products both in or into Hawaii and make it more difficult for electronic systems contractors to provide solutions to their customer’s electronic systems projects.

These are examples of how Senate Bill 1135, SD 2, HD1, would impact some of the product categories used in the residential electronic systems industry --- one of numerous industries that would be impacted by the expanded definitions of Senate Bill 1135, SD2, HD1. CEDIA strongly encourages an examination of the definitions of “covered electronic device,” “electric devices,” and “peripheral” before moving Senate Bill 1135, SD 2, HD1, forward.

On behalf of CEDIA, thank you for the opportunity to share our concerns on Hawaii Senate Bill 1135, SD2, HD1. CEDIA looks forward to working with members of the Committee on Finance, Department of Health staff, and other industry stakeholders on this important issue to Hawaii and the residential electronic systems industry. Thank you for your time and consideration.

Respectfully submitted,



Darren Reaman

Director of Public Policy

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LATE

April 1, 2013

Representative Sylvia Luke
Chair
Committee on Finance
House of Representatives
State of Hawaii

RE: SB 1135 SD2 HD1 – **Oppose**

Dear Representative Luke:

TechNet, which represents the nation's leading technology companies in sectors such as hardware, software, Internet, clean energy, biotechnology and venture capital, writes in *opposition* to SB 1135 SD2 HD1, as presented to the Committee, which proposes to amend and expand the Hawaii electronic device recycling law.

TechNet and our member companies share your interest and commitment to robust environmental protection. Our companies have established programs to recycle tens of millions of pounds of old computers annually, and the technology sector continues to innovate in developing ways to recycle more efficiently, incorporate product designs that minimize the use of materials of concerns and promote reuse and recyclability.

TechNet supported last year's legislation authorizing the Electronics Device Task Force in an attempt to develop a consensus approach that would strengthen the state's e-waste program.

TechNet is concerned that the current version of the bill adopts formulaic tonnage collection requirements (pp.1-2) and convenience standards (pp.20-21) that are unnecessary and continue to be problematic, potentially requiring the IT sector to essentially subsidize the collection of other industries' products.

We stand willing to work with you on a solution that delivers better results for the environment and people of Hawaii. Unfortunately, the legislation currently before the Committee is not in a form that TechNet can support. Accordingly, we request your opposition. If you have any questions, please do not hesitate to contact me at jhawley@technet.org or 916 594 7987.

Best regards,



Jim Hawley
Senior Vice President