

STAND. COM. REP. NO.

513

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 913
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 913 entitled:

"A BILL FOR AN ACT RELATING TO SUSTAINABLE ELECTRONICS MANAGEMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to promote electronics stewardship and reduce electronic waste in the State, by:

- (1) Requiring all persons who receive state financial assistance to donate unnecessary, but functioning, electronic devices, hardware, and televisions to nonprofit organizations that will refurbish and distribute them to eligible persons in the State;
- (2) Setting reporting requirements for donating entities, nonprofit refurbishers, and the department of accounting and general services; and
- (3) Establishing penalties for violations.

Your Committee received testimony in support of this measure from Hawaiian Hope Org, Zero Waste O'ahu, and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Business Regulation



Division; Department of Education, Department of Accounting and General Services, and one individual.

Your Committee finds that use of electronic devices has grown substantially over the past two decades, and according to the United States Environmental Protection Agency, Americans have generated approximately three million tons of waste in consumer electronics goods per year during the last decade. Your Committee also finds that donating used, but still functioning electronic devices for reuse extends the lives of valuable products and keeps them out of the waste stream for a longer duration of time. Recycling of electronic devices prevents valuable materials from going into the waste stream, which is preferable to any waste management option. Accordingly, this measure establishes a sustainable electronics program that provides a means for used electronic devices to be restored, so recipients such as schools, nonprofit organizations, and lower-income families may obtain equipment that they otherwise could not afford.

Your Committee has amended this measure by:

- (1) Inserting blank amounts for all dates, penalties, and violations;
- (2) Limiting the sustainable electronics program to entities in counties with a population greater than seven hundred and fifty thousand;
- (3) Allowing covered entities to remove all data storage devices prior to transferring the covered device to any covered refurbisher;
- (4) Limiting all penalties to administrative penalties;
- (5) Removing a judicial remedy under this program;
- (6) Limiting the price paid by a covered refurbisher for any refurbished device to no more than \$50;
- (7) Exempting enterprise hardware from the \$50 cap;



- (8) Requiring the Department of Accounting and General Services to notify all covered entities of their new responsibilities;
- (9) Requiring any covered entity to remove all material from the covered device that may be deemed inappropriate for individuals under the age of eighteen, in a way that does not compromise the integrity of the device or render the device unusable;
- (10) Inserting an effective date of May 1, 2029, to encourage further discussion; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 913, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 913, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,

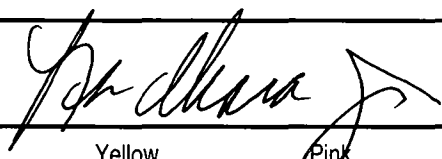


JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 913</i>	<i>HMS, WAM/JDC</i>	<i>02/16/2021</i>		
<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
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura	✓			
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt	✓			
TOTAL	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes