

STAND. COM. REP. NO.

52

Honolulu, Hawaii

FEB 06 , 2023

RE: H.B. No. 595  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 595 entitled:

"A BILL FOR AN ACT RELATED TO RECYCLING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the electronic device manufacturer recycling goals under the Electronic Device Recycling and Recovery Act so that the recycling goals are based upon the manufacturer's overall market share in the State;
- (2) Amend the per pound penalty for any shortfall in meeting manufacturer recycling goals to a tiered penalty based upon the amount of the shortfall;
- (3) Amend the definition of "electronic device" to clarify the scope of covered devices; and
- (4) Make housekeeping amendments.

Your Committee received testimony in support of this measure from the Retail Merchants of Hawaii. Your Committee received testimony in opposition to this measure from Zero Waste Hawai'i Island, Consumer Technology Association, Mr. K's Recycle and

2023-1063 HB595 HD1 HSCR HMSO



52

Redemption Center, and three individuals. Your Committee received comments on this measure from the Department of Health and County of Hawai'i Department of Environmental Management.

Your Committee finds that the expansion of the electronic waste recycling law has resulted in increased electronic collection opportunities. However, in the implementation of this updated program, manufacturers have struggled to comply with all of the requirements. Therefore, this measure addresses many of the issues and complications that electronic device manufacturers have faced to comply with the State's electronic waste recycling program and prevents significant cost increases from being passed on to consumers.

Your Committee has amended this measure by:

- (1) Deleting findings related to the amendments made to the Electronic Device Recycling and Recovery Act by Act 151, Session Laws of Hawaii 2022;
- (2) Deleting the definition of "market share";
- (3) Deleting language that amended:
  - (A) The recycling goals under the Electronic Device Recycling and Recovery Act so that the recycling goals are based upon the manufacturer's overall market share in the State; and
  - (B) The penalties for any shortfall in meeting manufacturer recycling goals;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 595, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 595,



H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,

  
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NICOLE E. LOWEN, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 595	Committee Referral: EEP, CPC, FIN	Date: 1/31/23		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. COCHRAN, Elle (VC)	✓			
3. GATES, Cedric Asuega	✓			
4. KAHALOA, Kirstin	✓			
5. PERRUSO, Amy A.	✓			
6. WOODSON, Justin H.	✓			
7. WARD, Gene	✓			
TOTAL (7)	7	0	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <u>Elle Cochran</u>				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				