

STAND. COM. REP. NO.

1491

Honolulu, Hawaii

MAR 21, 2025

RE: S.B. No. 1298
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 1298, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO RECYCLING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow manufacturers to coordinate activities directly related to the recycling of covered electronic devices;
- (2) Expand the scope of covered electronic devices to include electronic device peripherals and certain legacy devices; and
- (3) Allow manufacturers to provide collection service locations and collection events in lieu of satisfying their existing statutory recycling obligations.

Your Committee received testimony in support of this measure from the Consumer Technology Association; Chamber of Commerce Hawaii; and Retail Merchants Hawaii. Your Committee received testimony in opposition to this measure from the Office of the Mayor of the County of Maui; Department of Environmental Management of the County of Hawai'i; Hawai'i Reef and Ocean

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Coalition; Climate Protectors Hawai'i; Mr. K's Recycle and Redemption Center; Waste Reduction Task Force of the Hawaii Environmental Change Agents; Kauai Climate Action Coalition; IT Reuse Hawai'i; and numerous individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that ensuring sustainable recycling practices for electronic devices is essential to reducing waste and promoting the environmental health of the State. Your Committee seeks a balance between the need for manufacturers to meet their recycling obligations against the need to determine whether the weight basis of those recycling obligations should continue to be used or other options may be preferable.

Accordingly, your Committee has amended this measure by:

- (1) Removing language authorizing manufacturer coordination that duplicates existing authority under section 339D-23(d), Hawaii Revised Statutes, and amending that subsection to repeal the deadline for plan implementation and operation in order for that collaboration authority to apply;
- (2) Replacing all references to "covered electronic device" with "electronic device";
- (3) Clarifying that persons with a license to manufacture electronic devices for delivery exclusively to or at the order of the licensor are not excluded from the definition of "manufacturer";
- (4) Requiring manufacturers' recycling plans to describe communication efforts with the State and counties to facilitate consumer education efforts;
- (5) Updating and extending manufacturer recycling goals to 2027;
- (6) Removing authorization for manufacturers to provide collection service locations and collection events, including collectively through a coordinating body, in lieu of satisfying their statutory recycling obligations;



- (7) Requiring additional information to be included in manufacturers' reports containing information for calendar years 2025, 2026, and 2027;
- (8) Requiring collectors to report certain information regarding recyclers and refurbishers and allowing the Department of Health to require submission of bills of lading and recycler receiving reports;
- (9) Requiring the Department of Health to submit a report to the Legislature;
- (10) Deleting the preamble;
- (11) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (12) 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 S.B. No. 1298, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1298, S.D. 2, 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,



NICOLE E. LOWEN, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB1298, SD2	Committee Referral: EEP, CPC	Date: 3/18/25
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:
 Pass, unamended (as is)
 Pass, with amendments (HD)
 Hold
 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. PERRUSO, Amy A. (VC)	✓			
3. KAHALOA, Kirstin	✓			
4. KUSCH, Matthias	✓			
5. QUINLAN, Sean				✓
6. WARD, Gene				✓
TOTAL (6)	4			2

The recommendation is:
 Adopted
 Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: *Amy Perruso*

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