

Honolulu, Hawaii

March 19, 2008

RE: S.B. No. 2842
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 2842, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LIGHTING,"

begs leave to report as follows:

The purpose of this bill is to encourage environmental stewardship and energy-efficiency in the use of lighting products by, among other things:

- (1) Beginning January 1, 2010, prohibiting the sale of general purpose lights that contain universal waste substances that would be prohibited in the European Union under the RoHS Directive;
- (2) Establishing lighting efficiency standards, in stages, for general purpose lights that increase the required lumens per watt and providing:
 - (A) That a violation constitutes a misdemeanor with specified fines; and
 - (B) For the development of consumer education programs by the Department of Health (DOH, to encourage the use of qualifying general purpose lights;



- (3) Requiring government agencies, to the extent possible, to use ENERGY STAR labeled lamps to provide the most efficient lighting; and
- (4) Appropriating funds to develop a statewide program for recycling mercury-containing compact fluorescent bulbs.

The Sierra Club-Hawaii Chapter, Hawaiian Electric Company, Inc., Maui Electric Company, Hawaii Electric Light Company, Inc., and Life of the Land testified in support of this bill. The Department of Business, Economic Development, and Tourism and National Electrical Manufacturers Association supported the intent of this measure. DOH opposed this bill.

Your Committee has amended this bill by replacing its contents with the similar provisions of House Bill No. 2504, H.D. 2, that, among other things:

- (1) Specifies that the ban on general purpose lights that contain toxic materials applies to general purpose lights that contain hazardous substances and exempts certain high output and very high output linear fluorescent lamps, with a review of the exemption beginning in 2014;
- (2) Regarding the establishment of lighting efficiency standards:
 - (A) Places the lighting efficiency standards in Chapter 342J, Hawaii Revised Statutes, relating to hazardous waste;
 - (B) Shortens the phase-in periods to meet the lumens per watt requirements;
 - (C) Provides unspecified fines for violations; and
 - (D) Authorizes DOH to recommend programs to encourage the sale of qualifying general purpose lights, rather than mandating DOH to develop consumer education programs;

and



- (3) Expands the statewide recycling program to encompass all fluorescent lamps, and deletes the appropriation provision.

Your Committee, while concerned with the environmental and public health impacts of hazardous materials in lighting products, is of the position that some necessary, time-limited exemptions for lighting products that are sold in the United States market but not in Europe are in order. Accordingly, your Committee has further amended this bill by:

- (1) Exempting from the ban on lights containing hazardous substances:

- (A) High intensity discharge lamps and compact fluorescent lamps greater than nine inches in length, until December 31, 2011; and

- (B) General service incandescent lamps and enhanced spectrum lamps, until December 31, 2013;

and

- (2) Requiring that DOH, in its 2014 review of exempted lamps, consider changes in lamp design or manufacturing technology that will allow for the removal or reduction of mercury.

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. 2842, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2842, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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



HERMINA MORITA, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB2842 SD2	Committee Referral: EEP, FIN	Date: 3/13/08		
<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. MORITA, Hermina M. (C)	✓			
2. CARROLL, Mele (VC)	✓			
3. ITO, Ken	✓			
4. KARAMATSU, Jon Riki	✓			
5. MAGAOAY, Michael Y.				✓
6. SAGUM, Roland D., III	✓			
7. SAIKI, Scott K.				✓
8. THIELEN, Cynthia				✓
TOTAL (8)	5			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Mele Carroll</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				