

Honolulu, Hawaii

March 20, 2008

RE: S.B. No. 2843  
S.D. 2  
H.D. 2

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

Sir:

Your Committee on Economic Development & Business Concerns,  
to which was referred S.B. No. 2843, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING,"

begs leave to report as follows:

The purpose of this bill is to encourage the recycling of  
electronic devices in Hawaii by establishing the Electronic Waste  
Recycling Act. Specifically, this measure:

- (1) Creates a device labeling and manufacturer registration system to identify and account for electronic devices covered by the law;
- (2) Requires that manufacturers implement their own recycling program for covered electronic devices or participate in the Department of Health's (DOH's) program for a fee;
- (3) Requires DOH and manufacturers to annually report on covered electronic devices collected, and DOH to annually determine and inform manufacturers of the share of electronic devices that a manufacturer is responsible for recycling;
- (4) Prohibits the disposal of covered electronic devices in solid waste disposal facilities;



- (5) Establishes fines for noncompliance with the recycling law; and
- (6) Establishes the electronic device recycling fund into which all fees, payments, and penalties collected under the law are to be deposited.

Kauai County Department of Public Works, Sierra Club, and Retail Merchants of Hawaii supported this bill. Sprint Nextel supported the bill with amendments. The Department of Education and the University of Hawaii supported the intent of this measure. The Department of Budget and Finance, and Information Technology Industry Council opposed the measure. DOH, Tax Foundation of Hawaii, Thomson Inc., Covanta Energy Group, AT&T, and Verizon Wireless offered comments.

Your Committee recognizes the growing need for an electronic device recycling program as the world becomes increasingly dependent on computers and other electronic devices. Ten states already have electronic device recycling laws and 14 more are considering passing legislation this year.

Your Committee has amended this bill by:

- (1) Expanding the definition of "covered entity" to include any household, government entity, business, or nonprofit organization;
- (2) Adding computer printers to the definition of "covered electronic device";
- (3) Changing the date on which manufacturers must label covered electronic devices for sale in Hawaii, from January 1, 2009, to October 1, 2009;
- (4) Removing the provisions requiring DOH to develop a recycling program;
- (5) Requiring recyclers to submit by September 1, 2012, and annually thereafter, the total weight of covered electronic devices recycled in the previous year;
- (6) Allowing DOH to publish a ranking of manufacturers based on the total weight each manufacturer recycled in the



previous year, and by rule, allow a procurement preference based on a manufacturer's ranking;

- (7) Removing the provisions requiring DOH to determine the share of covered electronic devices each manufacturer is responsible for recycling and allowing DOH to impose fees on manufacturers that fail to recycle their share;
- (8) Removing the penalties for violation of the recycling law; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2843, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2843, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Development & Business  
Concerns,



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KYLE T. YAMASHITA, Chair



**Record of Votes of the Committee on Economic Development & Business Concerns**

<b>Bill/Resolution No.:</b> SB2843 SD2 HD1	<b>Committee Referral:</b> EEP ,EDB ,FIN	<b>Date:</b> 3/18/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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)				
<b>EDB Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. YAMASHITA, Kyle T. (C)	✓			
2. WAKAI, Glenn (VC)	✓			
3. BERG, Lyla B., Ph.D.				✓
4. BROWER, Tom	✓			
5. CHANG, Jerry L.	✓			
6. HANOHANO, Faye P.	✓			
7. HERKES, Robert N.				✓
8. MANAHAN, Joey	✓			
9. TSUJI, Clift	✓			
10. YAMANE, Ryan I.	✓			
11. CHING, Corinne W.L.				✓
12. MARUMOTO, Barbara C.		✓		
<b>TOTAL (12)</b>	8	1	0	3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office				