

STAND. COM. REP. NO.

651

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 391
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 391 entitled:

"A BILL FOR AN ACT RELATING TO RECYCLING,"

begs leave to report as follows:

The purpose and intent of this measure is to, beginning January 1, 2026:

- (1) Expand the Electronic Device Recycling and Recovery Act to include the collection and recycling of certain rechargeable lithium-ion batteries and lithium-ion battery-embedded products;
- (2) Require manufacturers under the Electronic Device Recycling and Recovery Act to ensure that the manufacturer and its agents collect, store, transport, and recycle rechargeable lithium-ion batteries and lithium-ion battery-embedded products in a safe manner; and
- (3) Require manufacturers under the Electronic Device Recycling and Recovery Act to include certain information regarding the recycling of certain rechargeable lithium-ion batteries and lithium-ion battery-embedded products in its recycling plan.



Your Committee received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission, Hawai'i Reef and Ocean Coalition, and one individual.

Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii; IT Reuse Hawai'i; and Mr. K's Recycle and Redemption Center, Inc.

Your Committee received comments on this measure from the Department of Health and Hawaii State Energy Office.

Your Committee finds that the improper disposal of batteries and battery-embedded products creates considerable safety and environmental dangers, noting that lithium-ion batteries, in particular, pose significant fire risks. Your Committee recognizes that although recycling helps to protect the environment and move the State toward a more sustainable future, because of the lack of accessible recycling options, certain products, like rechargeable lithium-ion batteries, remain improperly disposed of as solid waste and end up in landfills or other inappropriate parts of the solid waste system. This measure seeks to ensure that lithium-ion batteries are properly disposed of and stay out of the State's landfills by requiring lithium-ion battery producers to play a more active role in the recovery and recycling of their products.

According to testimony received by your Committee, because existing law regulates the disposal of lithium-ion batteries, the formation of a working group is recommended to ensure the success of additional legislation regarding the end-of-life management of lithium-ion batteries in the State. Amendments to this measure are therefore necessary to address this issue.

Your Committee has amended this measure by deleting its contents and replacing it with language that:

- (1) Establishes an End-of-Life Lithium-ion Battery Management Working Group;
- (2) Requires the Working Group to submit a report to the Legislature before the Regular Session of 2026; and



- (3) Makes technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 391, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 391, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB391	Committee Referral: AEN, CPN	Date: 02-12-25
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)	X			
DECOITE, Lynn	X			
RHOADS, Karl	X			
AWA, Brenton	X			
TOTAL	5	-	-	-

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**