

Honolulu, Hawaii

**FEB 16 2024**

RE: S.B. No. 2545

S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 2545 entitled:

"A BILL FOR AN ACT RELATING TO RECYCLING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend electronic manufacturer recycling goals under the Electronic Device Recycling Recovery Act to be based upon the manufacturer's overall market share in the State;
- (2) Amend the per pound penalty for any shortfall in meeting the manufacturer recycling goals to be a tiered penalty based upon the amount of the shortfall;
- (3) Exclude floor-standing printers and printers with optional floor stands from the definition of a covered electronic device under the Electronic Device Recycling Recovery Act; and
- (4) Make other housekeeping amendments.

Your Committee received testimony in support of this measure from the Consumer Technology Association and Retail Merchants of Hawaii.



Your Committee received testimony in opposition to this measure from the Mr. K's Recycle and Redemption Center, Recycle Hawaii, and six individuals.

Your Committee received comments on this measure from the Department of Health.

Your Committee finds that manufacturers of electronic devices are struggling to comply with Act 151, Session Laws of Hawaii 2022, which amended provisions of the State Electronic Waste Recycling Program to assist in the overall effort of recycling electronic waste in the State. Your Committee recognizes that manufacturers especially struggle with the increased weight targets, as the weights of electronics have decreased over time. Your Committee further recognizes that the increased shortfall penalties to these manufacturers for failing to meet the updated electronic device collection requirements may lead to increased production costs that may ultimately be passed to consumers.

Although this measure aims to address the issues and complications that electronic device manufacturers face with the updated recycling goals, your Committee has heard the concerns raised and finds that the language of S.B. No. 3264, Regular Session of 2024, a substantially similar measure that increases electronic waste collection opportunities, is preferable.

Accordingly, your Committee has amended this measure by:

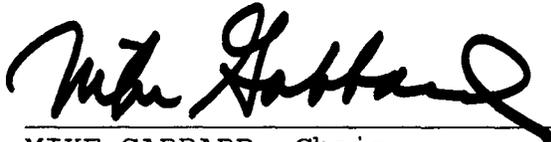
- (1) Deleting its contents and inserting the contents of S.B. No. 3264, that allows manufacturers of electronic devices to:
  - (A) Coordinate collection activities to meet the requirements of the Electronic Device Recycling and Recovery Act; and
  - (B) Be considered to have satisfied recycling goals by providing only collection service locations for recycling at no cost to the owner in each county and zip code tabulation area with a population greater than twenty-five thousand, under certain circumstances; and



- (2) Making a technical, nonsubstantive amendment 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. 2545, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2545, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

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



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MIKE GABBARD, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 2545</b>	Committee Referral: <b>AEN, CPN/JDC</b>	Date: <b>2/9/24</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
RICHARDS, III, Herbert M. "Tim" (VC)				✓
DECOITE, Lynn				✓
RHOADS, Karl	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency            Committee File Copy				

\*Only one measure per Record of Votes