



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 16, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

Re: House Bill No. 1809 HD2 SD1 CD1

On July 15, 2009, House Bill No. 1809, entitled "A Bill for an Act Relating to Recycling" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to mandate the recycling of televisions sold in the State by expanding the Department of Health's existing electronic device recycling program.

As I have stated in the past, I have strong concerns about establishing new State programs that are not essential to nor improve the efficiency of government. Given that we face a budget shortfall of at least \$2.73 billion over the next several years, I question how the Legislature can justify passing legislation that creates a new program and increases the demand on personnel, while at the same time making funding reductions to State departments.

In addition, I am concerned that the program created by this bill places numerous requirements on manufacturers and retailers that will increase the cost of doing business in our state. Further, the fees and increased reporting requirements mandated by this bill will likely be passed on to consumers through higher retail prices.

While I agree that it is important to encourage proper recycling methods for computers, televisions, and other electronic devices, the private sector already provides a number of options to consumers and these options continue to grow. In the Department of Health's report to the Legislature on Act 13, Special Session Laws of 2008, I note the following reference to a recycling program developed by the Sony Corporation:

"Sony established a national recycling program for consumer electronics. The Sony Take Back Recycling Program allows consumers to recycle all Sony-branded products for no fee at 75 Waste Management Recycle America eCycling drop-off centers throughout the U.S. The

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program, began on September 15, 2007 (and) was developed in collaboration with WM Recycle America, LLC, a wholly owned subsidiary of Waste Management, Inc. The program also allows consumers to recycle other manufacturers' consumer electronics products at market prices, and may include a recycling fee for some types of materials.”

Given that programs such as this already exist in the private sector, there is little advantage to be gained by setting up a State-managed television recycling program.

Despite these strong concerns, I am allowing this bill to become law without my signature. If this bill does not become law, televisions would be subject to the more onerous recycling requirements of Act 13 of the 2008 Special Session. In the coming 2010 Legislative Session, I encourage the Legislature to reconsider its support for both the electronic device and television recycling programs in this bill and in Act 13 and consider repealing them.

For the foregoing reasons, I allowed House Bill No. 1809 to become law as Act 183, effective July 15, 2009, without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle", with a stylized flourish at the end.

LINDA LINGLE