

Honolulu, Hawaii

MAR 20 2008

RE: H.B. No. 2504  
H.D. 2  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred H.B. No. 2504, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LIGHTING,"

begs leave to report as follows:

The purpose of this measure is to increase energy efficiency and the use of renewable energy resources in the State.

Specifically, this measure would:

- (1) Phase out and ban the use of certain energy-inefficient lighting, especially those products with lead and high mercury content;
- (2) Establish a state lighting efficiency standard for general purpose lights; and
- (3) Direct the Department of Health to develop a statewide recycling program for the recycling of fluorescent lamps.

Testimony in support of this measure was submitted by the Department of Education, the Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., Maui Electric Company, and the Sierra Club, Hawai'i Chapter. Testimony in opposition to this measure was submitted by the Department of Health. Comments on the measure were submitted by the Department of Business, Economic



Development and Tourism, and the National Electrical Manufacturers Association.

Your Committee finds that this measure encourages Hawaii consumers to make better informed, more environmentally-responsible choices when making purchases to suit their lighting and energy needs. Your Committee further finds that the measure would result in cost-savings for the consumer, and a cleaner, healthier environment for the community.

Your Committee has amended this measure by:

- (1) Replacing its contents with that of S.B. No. 2842, S.D. 2, which does the following:
  - (A) Amends section 1 by placing it later in the measure at section 2, and:
    - (i) Extends for two years until December 31, 2015, the date after which no general purpose lights, as defined in the section, that produce less than thirty lumens per watt of electricity consumed, may be sold in the State;
    - (ii) Extends for two years until January 1, 2016, the date after which no general purpose light producing less than fifty lumens per watt of electricity consumed may be sold in the State;
    - (iii) Specifies that the Department of Business, Economic Development and Tourism (DBEDT) shall notify retail sellers of the section's new provisions;
    - (iv) Specifies the misdemeanor fines for violation of subsections (a) or (b) at a minimum of \$50 and a maximum of \$500;
    - (v) Adds clauses that state that each general purpose light sold in violation of any section shall constitute a separate offense and that fines collected pursuant to the section shall be deposited into the environmental management special fund; and



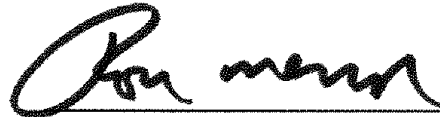
- (vi) Specifies that DBEDT "shall develop a consumer education program" rather than "may recommend programs" regarding the use of general purpose lights;
  
- (B) Amends section 2 of the measure by placing it later in the measure at section 4, replacing "hazardous" with "universal waste" in the title of the new part, and removes the exemption that would have allowed for the sale of high output and very high output linear fluorescent lamps greater than thirty-two millimeters in diameter and preheat linear fluorescent lamps after January 1, 2010; adds that fines collected pursuant to this section shall be deposited into the Environmental Management Special Fund; and that the director of DBEDT shall adopt rules to implement this part;
  
- (C) Amends the new section titled "Lighting efficiency standards" by removing the clause that would have exempted from fines any employees of a firm, company, association, corporation, or other organization that violates the new section, if the employee does not have ownership or management interest in the enterprise;
  
- (D) Adds a new section to amend section 342G-63, Hawaii Revised Statutes, as a conforming statute to specify that all moneys collected pursuant to the new section 342J-A shall be deposited into the Environmental Management Special Fund;
  
- (E) Adds a blank appropriation section;
  
- (F) Adds a severability clause;
  
- (G) Adds a technical Ramseyer clause at section 10; and
  
- (H) Changes the measure's effective date to July 1, 2008.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2504, H.D. 2, as amended herein, and recommends that it



pass Second Reading in the form attached hereto as H.B. No. 2504,  
H.D. 2, S.D. 1, and be referred to the Committee on Ways and  
Means.

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



---

RON MENOR, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Energy and Environment**  
**ENE**

Bill / Resolution No.:* <b>HB 2504, HD2</b>	Committee Referral: <b>ENE, WAM</b>	Date: <b>3/13/08</b>
--	--	-------------------------

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
MENOR, Ron (C)	✓			
HOOSER, Gary L. (VC)	✓			
IHARA, Jr., Les	✓			
KOKUBUN, Russell S.	✓			
TRIMBLE, Gordon		✓		
<b>TOTAL</b>	<b>4</b>	<b>1</b>		

Recommendation:  Adopted      Not Adopted

Chair's or Designee's Signature:  


Distribution:     Original     Yellow     Pink  
 File with Committee Report     Clerk's Office     Drafting Agency