

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 882

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Authors: Cox and others

Subject: Establishing a system to collect, reuse and recycle video display devices

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Overview

House File 882 establishes a program requiring manufacturers of video display devices sold in the state to collect, reuse and recycle such devices.

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1 Recovery and recycling of waste electronic products.

Subd. 1. Definitions. Defines certain terms, including "cathode-ray tube," "intermediate consolidation point," and "video display device."

Subd. 2. Manufacturer responsibility. Makes manufacturers of video display devices sold in the state or their representative organization, responsible for collecting, reusing, and recycling such devices delivered to intermediate consolidation points. Effective July 1, 2005, manufacturers are responsible for:

- ▶ their pro rata share of their own brands, calculated by weight;
- ▶ their pro rata share of orphan waste (where the manufacturer is unidentified, or no longer exists);
- ▶ their pro rata share of abandoned waste (cases in which the state cannot enforce this section for any reason), not to exceed 5 percent of the total waste they collect; and
- ▶ after reaching their pro rata share with respect to their own brands,

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manufacturers are required to collect, without charge, and recycle or reuse, all such devices collected at an intermediate consolidation point within three days of being notified that at least a full truckload has been consolidated there.

Manufacturers must clearly inform purchasers of opportunities to reuse or recycle video display devices.

Subd. 3. Manufacturer registration and certification. No video display device may be sold in the state as of July 1, 2005, unless the manufacturer certifies compliance with subdivision 2 and registers with the Pollution Control Agency. The commissioner may charge a registration fee and may revoke a registration if presented with evidence that the manufacturer is not in compliance with this section. The pro rata shares discussed in subdivision 2 shall be determined annually by an independent entity contracted with by the manufacturers or their industry group.

Subd. 4. Manufacturer reporting. Requires a manufacturer or manufacturers' organization to file annual reports with the Office of Environmental Assistance specifying:

- ▶ the total number and weight of video display devices collected, reused or refurbished for reuse, and recycled or resold; and
- ▶ the processes and methods used to recycle, refurbish, or reuse the devices, and whether these were in accord with the applicable rules adopted by the Organization for Cooperation and Development regarding environmentally sound management of electronic waste.

Subd. 5. Performance standards. Establishes minimum annual performance standards requiring that the number of video display devices collected from households for reuse or recycling equals 0.05 devices per state resident by 2006, 0.055 in 2007, and .06 in 2008.

Subd. 6. Office of Environmental Assistance duties. Requires the director to establish a list of approved intermediate consolidation points by November 1, 2004. The director must assess the progress in meeting the performance standards in subdivision 5 annually and include this assessment in the biennial report to the legislature required in section 115A.411 evaluating this program. That report shall also include an assessment of the ratio of discarded cathode ray tubes to other discarded video display devices, and recommendations for minimum performance standards for 2009 and 2010.

In odd-numbered years beginning in 2007 the director shall evaluate the amount and composition of other household electronic waste and recommend deleting or adding products subject to the provisions of this section.

Subd. 7. Anticompetitive conduct. Manufacturers and their representative organization are exempt from state antitrust law for activities directly related to

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implementing the requirements of subdivisions 2 and 4.

Subd. 8. Enforcement. This provision may be enforced under sections 115.071 and 116.072.

Subd. 9. Termination. The requirements in this section terminate 30 days after the director publishes a notice in the State Directory that a national program to effectively collect, transport, and reuse or recycle video display devices is established and implemented throughout the state.