
Environment Committee

HB 2903

Brief Description: Concerning electronic product recycling.

Sponsors: Representatives Peterson, Ortiz-Self, Tarleton, Stanford, Buys and Santos.

Brief Summary of Bill

- Requires the Washington Materials Management and Financing Authority (WMMFA), which is the organization established to run the state's electronic waste recycling program, to follow state purchasing and procurement policies.

Hearing Date: 2/2/16

Staff: Jacob Lipson (786-7196).

Background:

Electronic Waste Recycling.

Since 2009 Washington's electronic waste recycling program, or E-Cycle, has allowed for the recycling of electronic waste at no direct cost to consumers. Electronic products covered by the Electronic Waste Recycling law (E-Cycle law) include televisions, monitors, computers, laptops, and tablets. Accessories such as computer keyboards are not recyclable through E-Cycle. Under the E-Cycle law, manufacturers of covered electronic products are required to participate in an electronics recycling program.

The E-Cycle law allows for, but does not require, the establishment of multiple electronics recycling programs. However, to date the only electronics recycling program that has been established is the standard plan operated by the Washington Materials Management and Financing Authority (WMMFA) whose creation was required by the E-Cycle law.

The Washington Materials Management and Financing Authority.

The WMMFA is a public body governed by a board of directors appointed by the director of the Department of Ecology (ECY). The WMMFA's 11-person board must include:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- representatives of five of the 10 covered electronic product brands sold, measured by weight;
- representatives from six other covered electronic product brands, chosen regardless of the volume of their sales (size-irrelevant brands), including one retailer that sells covered electronic products under its own label;
- representatives of manufacturers of both televisions and computers; and
- representatives of the ECY and the Department of Commerce, who serve on the board as ex-officio members.

The board adopts the WMMFA's operating plan for the collection, transport, and recycling covered electronic products, and is also responsible for collecting the funds needed to operate the program from covered electronic product manufacturers. The board appoints a chief executive officer, and the WMMFA must also employ other specified staff. The WMMFA may execute contracts and other agreements, and make administrative expenditures in order to carry out the program. The WMMFA has adopted procedures and standards for contracting for goods and services as part of its operating plan.

State Procurement Policies.

The Department of Enterprise Services (DES) is the state agency responsible for establishing and implementing the state's policies for procuring goods and services by all state agencies. State agencies covered by the DES's procurement policies include all executive and judicial branches of state government including: offices; divisions; boards; commissions; higher education institutions; and correctional and other institutions. With certain exceptions, the DES must competitively solicit contracts. The DES may also enter into agreements with other state agencies that delegate certain authority to those agencies to purchase their own goods and services.

State law establishes certain preferences for procurement of goods or services that meet a variety of criteria, including goods and services through inmate work programs administered by the Department of Corrections, minority and women's owned businesses, goods that contained recycled content, electronic products that meet environmental performance standards, and products that do not contain polychlorinated biphenyls (PCBs). State procurement policies also encourage and facilitate purchases from microbusinesses, which are defined as independently-owned businesses that have an annual gross revenue of less than \$1 million, and minibusinesses, which are independently owned businesses with annual revenues of between \$1 million and \$3 million dollars per year.

Summary of Bill:

The WMMFA's procurement of goods and services must follow the policies and procedures that apply to state agencies.

The WMMFA board composition is revised to include:

- two board positions reserved for companies that collect or transport discarded electronic products, including one owner or employee of a mini or micro-owned business enterprise;
- one board position reserved for representatives of electronic product recycling advocacy organizations;

- a reduction from six to three in the number of board positions reserved for the size-irrelevant brands.

Appropriation: None.

Fiscal Note: Requested on January 29, 2016.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.