

SENATE BILL REPORT

SB 6378

As of January 25, 2016

Title: An act relating to electronic product recycling.

Brief Description: Concerning electronic product recycling.

Sponsors: Senators Chase, Roach, Conway, McCoy, Hasegawa, Lias and McAuliffe.

Brief History:

Committee Activity: Energy, Environment & Telecommunications: 1/26/16.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Staff: Jan Odano (786-7486)

Background: The Electronic Products Recycling Act, also known as the E-Cycle law was established by the Legislature in 2006. The E-cycle program provides free recycling of electronic products, which includes computers, monitors, laptops, and televisions, for households, charities, small businesses, school districts, and small governments.

The Washington Materials Management and Financing Authority (Authority), established as a public entity, manages the E-Cycle program. The Authority must devise and implement a standard plan for collecting, transporting, and recycling the electronic products of its participating manufacturers. All manufacturers of electronic products sold, or previously sold, in or into the state must participate in a recycling plan. Manufacturers are automatically included as participants in the standard plan. If certain criteria are met, a manufacturer or group of manufacturers may implement their own independent plan. Manufacturers must finance the operations of the Authority.

The Authority is governed by a board of directors (Board) appointed by the director of the Department of Ecology (Ecology). The Board includes representatives from television and computer manufacturers and is comprised of 11 representatives, five of which are reserved for the top 10 brand owners and the remaining six for other brands including a retailer selling its private label. The director of Ecology, the director of the Department of Commerce, and the state treasurer serve as ex-officio members. The Board must select a chair, create bylaws, and adopt a general operating plan. The Board is responsible for ensuring the Authority is compensated for administrative and operational costs associated with the standard plan.

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.

Ecology reviews all plans for compliance and operation and enforces the E-Cycle law.

The Department of Enterprise Services (DES) is responsible for policy development and oversight of the procurement of goods and services by all state agencies. Public procurement of goods and services is generally handled through a competitive solicitation and bidding process, with exceptions for emergency, sole source, direct buy, client services, and market conditions. The award for the purchase or contract is given to the lowest responsive and responsible bidder.

Summary of Bill: The Authority must be guided by the policies and procedures for procurement of goods and services as developed by DES.

The Board membership is revised. Representation of six non-top 10 positions are revised to include two positions for discarded electronic products collection and transporting companies - at least one being a mini- or micro-owned business enterprise; and one reserved for a representative of an organization that advocates recycling and reuse of discarded electronic products.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.