



Bill Summary

LRB 03-1238, sponsored by Rep. Mark Miller (D-Monona), addresses the growing problem of discarded computers and consumer electronics - so-called electronic waste, or "e-waste." The bill is designed to protect human health and the environment and save considerable taxpayer expense, as well as create the conditions for new business opportunity in Wisconsin, by requiring producers and brand owners of consumer electronics to establish and finance a system for the collection and responsible recycling of covered equipment. Producers that fail to establish and implement an approved plan are prohibited from selling in the state.

The legislation embodies the recommendations made to the state by the Council on Recycling's Electronic Waste Task Force.

The essential elements of HB.xxx are:

- includes a **scope of covered products** that balances the need to keep all electronic devices out of landfills against the practical considerations of managing and enforcing a system; covered products include
 - Televisions, computer monitors and other video display devices
 - Computers, including portable computers and peripherals
 - Printers
 - Optical scanners
 - Mobile telephones



- **bans covered products from landfills and incinerators**, extending the federal ban on CRTs from large quantity generators and Wisconsin's stated practice of trying to keep computer equipment out of landfills;
- **requires brand owners of covered electronic equipment to establish and finance a system** for the collection and responsible recycling of their products, with enforceable goals and timetables, that permits companies to develop systems that most appropriately suit their particular business models;
- provides for **consumer education** about electronic waste and sets environmental health and safety standards for e-waste recycling;
- sets **timetables for phase out of the most hazardous materials** in covered electronic equipment, following the lead of California's SB20 to domesticate the European Union's Restriction on Hazardous Substances ("RoHS") and extend the phase out to other key substances.

Importantly, this bill establishes performance goals and timetables for the collection and re-use or recycling of obsolete electronics while giving producers and brand owners significant flexibility to design and implement systems which best fit their particular business model.

Two years following the effective date of this bill, once enacted into law, producers selling covered electronic equipment in the state must submit their plans to the DNR for approval, and include information related to consumer education and notification, occupational safety and health protection for workers involved in collection, re-use or recycling of discarded electronics, and prohibition on the export of hazardous electronic waste to developing countries.

Wisconsin joins a growing list of states, including Minnesota, Washington, Maine, Vermont and California, proposing to hold computer and electronics manufacturers responsible for managing products at the end of their useful life. Japan and the European Union already hold these companies similarly responsible, while some companies operating in the U.S. and abroad, like HP, Dell and Xerox, recognize the business advantages of such a system and the need for a level playing field among all producers.

The federal government has so far failed to act in addressing e-waste. The sole bill in Congress has yet to receive a hearing, and a 3-year old EPA sponsored multi-stakeholder dialog process is about to end with no agreed upon solution.

For more information, please contact:

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