

AMENDMENTS TO HOUSE BILL NO. 708

Sponsor: REPRESENTATIVE ROSS

Printer's No. 787

1 Amend Bill, page 1, line 4, by inserting after "enforcement;"
2 establishing the Electronic Materials Recycling Account in
3 the General Fund;

4 Amend Bill, page 2, by inserting between lines 10 and 11
5 Section 510. Electronic Materials Recycling Account.

6 Amend Bill, page 2, line 28, by striking out "electronic
7 printer," in line 28

8 Amend Bill, page 3, lines 1 and 2, by striking out "The term
9 also does not include a computer" in line 1 and all of line 2

10 Amend Bill, page 3, lines 4 through 23, by striking out all
11 of said lines and inserting

12 (1) who manufactures covered computer devices to be sold
13 under its own brand as identified by its own brand label;

14 (2) who sells covered computer devices manufactured by
15 others under its own brand as identified by its own brand
16 label; or

17 (3) who assumes the duties imposed on the computer
18 manufacturer under this act.

19 Amend Bill, page 3, line 28, by inserting after "monitor"
20 or peripheral

21 Amend Bill, page 5, lines 26 through 29, by striking out "A
22 television manufacturer's prior year's" in line 26 and all of
23 lines 27 through 29 and inserting

24 An estimate of the total weight of a television manufacturer's
25 sales of covered television devices during the previous program
26 year calculated by multiplying the weight of its covered
27 television devices sold nationally times the quotient of this

Commonwealth's population divided by the national population.

Amend Bill, page 6, by inserting between lines 28 and 29

"Peripheral." A keyboard, printer or any other device sold exclusively for external use with a computer that provides input into or output from the computer. The term does not include adaptive or assistive technologies.

Amend Bill, page 8, lines 4 through 30; page 9, lines 1 and 2, by striking out all of said lines on said pages and inserting

(1) manufactures covered television devices to be sold under its own brand as identified by its own brand label or sold under a brand it licenses;

(2) sells covered television devices manufactured by others under its own brand as identified by its own brand label; or

(3) assumes the duties imposed on a television manufacturer under this act.

Amend Bill, page 9, line 10, by striking out "or" where it occurs the first time and inserting

and, no later than 12 months after the effective date of this section, no

Amend Bill, page 9, lines 15 and 16, by striking out "Beginning April 1," in line 15 and "2010" in line 16 and inserting

No later than six months after the effective date of this section

Amend Bill, page 9, line 22, by striking out "A" and inserting

Beginning no later than 12 months after the effective date of this section, a

Amend Bill, page 10, line 4, by striking out "name and"

Amend Bill, page 10, line 9, by inserting after "2011,"

or six months after the effective date of this section, whichever is later,

Amend Bill, page 10, line 10, by inserting after "2011,"

or six months after the effective date of this section, whichever is later,

Amend Bill, page 10, line 24, by striking out "By April 1,

1 2010" and inserting
2 No later than six months after the effective date of this
3 section
4 Amend Bill, page 11, line 12, by inserting after "report"
5 to the department
6 Amend Bill, page 11, lines 13 through 26, by striking out
7 "the market share of all new covered television" in line 13, all
8 of lines 14 through 25 and "program year" in line 26 and
9 inserting
10 an estimate of the total weight of its covered television
11 devices sold to households during the previous year calculated
12 by multiplying the weight of its covered television devices sold
13 nationally times the quotient of this Commonwealth's population
14 divided by the national population. The report required under
15 this paragraph shall be submitted to the department upon initial
16 registration and then by January 30 each year thereafter
17 Amend Bill, page 11, line 27, by striking out "(3)" and
18 inserting
19 (2)
20 Amend Bill, page 12, by inserting between lines 23 and 24
21 (d) Sales data.--Any national sales data submitted by a
22 television manufacturer to the department to fulfill its
23 obligations under this act shall be exempt from disclosure under
24 the provisions of the act of February 14, 2008 (P.L.6, No.3),
25 known as the Right-To-Know Law, and shall not be disclosed by
26 the department unless otherwise required by law or court order.
27 Amend Bill, page 15, line 30; page 16, lines 1 through 30;
28 page 17, lines 1 and 2, by striking out "clearly post and" in
29 line 30 on page 15, all of lines 1 through 30 on page 16, all of
30 line 1 and "(4)" in line 2 on page 17 and inserting
31 notify customers about the manner in which to recycle a covered
32 device and of the locations for the collection and return of
33 covered devices. This notification shall occur either by posting
34 the information within the retail location, by providing the
35 department's toll-free telephone number, Internet website or
36 both, or by providing retailer-developed information.
37 (b) Compliance.--
38 Amend Bill, page 18, line 26, by striking out "at a public

1 hearing"

2 Amend Bill, page 18, line 30; page 19, line 1, by striking
3 out "included in" in line 30 on page 18 and "the annual report"
4 in line 1 on page 19 and inserting
5 published in the Pennsylvania Bulletin. The department shall
6 provide for a 30-day public comment period on the recommended
7 changes. The department shall consider all comments received and
8 revise accordingly any of its original recommendations and
9 changes to the program or fees, which shall be contained in the
10 annual report

11 Amend Bill, page 19, line 6, by inserting after "device"
12 where it occurs the second time

13 , unless a financial incentive of equal or greater value
14 is provided to the consumer. The financial incentive may
15 be in the form of a coupon or rebate

16 Amend Bill, page 19, lines 16 through 18, by striking out
17 "The department shall" in line 16, all of line 17 and
18 "transportation and recycling programs for covered devices." in
19 line 18

20 Amend Bill, page 19, line 19, by inserting after
21 "demonstrate"

22 to the satisfaction of the department

23 Amend Bill, page 19, line 21, by inserting after "eCycling"
24 or Responsible Recycling (R2) Practices for use in
25 Accredited Certification Programs

26 Amend Bill, page 19, line 22, by inserting after "issued"
27 or any subsequent revisions or new editions

28 Amend Bill, page 20, line 26, by inserting after "to" where
29 it occurs the first time

30 submit a plan as required in section 305 or to

31 Amend Bill, page 20, line 30, by inserting after "the"
32 Electronic Materials

33 Amend Bill, page 21, line 1, by striking out "Fund" and

1 inserting
2 Account
3 Amend Bill, page 21, lines 1 and 2, by striking out "section
4 501 and" in line 1 and "other recycling programs within this
5 Commonwealth" in line 2 and inserting
6 this act
7 Amend Bill, page 21, line 20, by inserting after "the"
8 Electronic Materials
9 Amend Bill, page 21, line 20, by striking out "Fund" and
10 inserting
11 Account
12 Amend Bill, page 21, lines 21 and 22, by striking out
13 "section 501 and other" in line 21 and "recycling programs
14 within this Commonwealth" in line 22 and inserting
15 this act
16 Amend Bill, page 22, by inserting between lines 5 and 6
17 Section 510. Electronic Materials Recycling Account.
18 (a) Establishment.--The Electronic Materials Recycling
19 Account is established as a restricted account in the General
20 Fund. All proceeds resulting from the manufacturer's
21 registration fees, renewal fees, penalties and judicial actions
22 shall be deposited into the account.
23 (b) Uses.--The department may expend the moneys of the
24 Electronic Materials Recycling Account only to carry out the
25 duties imposed on the department under this act.