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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3610

03/24/2016 Authored by Hertaus, Peterson and Yarusso

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to environment; modifying electronic waste management; amending
1.3 Minnesota Statutes 2014, section 115A.1318, subdivision 1.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 115A.1318, subdivision 1, is amended to
1.6 read:

1.7 Subdivision 1. **Manufacturer's responsibilities.** (a) In addition to fulfilling the
1.8 requirements of sections 115A.1310 to 115A.1330, a manufacturer must comply with
1.9 paragraphs (b) to ~~(e)~~ (f).

1.10 (b) A manufacturer must annually recycle or arrange for the collection and recycling
1.11 of an amount of covered electronic devices equal to the total weight of its video display
1.12 devices sold to households during the preceding program year, multiplied by the
1.13 proportion of sales of video display devices required to be recycled, as established by the
1.14 agency under section 115A.1320, subdivision 1, paragraph (c).

1.15 (c) The obligations of a manufacturer apply only to video display devices received
1.16 from households and do not apply to video display devices received from sources other
1.17 than households.

1.18 (d) A manufacturer must conduct and document due diligence assessments of
1.19 collectors and recyclers it contracts with, including an assessment of items specified
1.20 under subdivision 2. A manufacturer is responsible for maintaining, for a period of three
1.21 years, documentation that all video display devices recycled, partially recycled, or sent to
1.22 downstream recycling operations comply with the requirements of subdivision 2.

2.1 (e) A manufacturer must provide the agency with contact information for a person
2.2 who can be contacted regarding the manufacturer's activities under sections 115A.1310
2.3 to 115A.1320.

2.4 (f) A manufacturer must provide sufficient disassembly documentation, schematics,
2.5 diagnostic tools, firmware corrections, and access to service parts to enable a recycler to
2.6 restore useful covered electronic devices that are out of warranty to full function for the
2.7 devices' reuse. The information must be in the same format and terms as provided to
2.8 the manufacturer's authorized repair or refurbishment facilities. The manufacturer must
2.9 provide access to service parts for a minimum of five years following the end of production
2.10 of the covered electronic device. Fully or partially reused devices under this paragraph are
2.11 exempt from the requirements of subdivision 2. For the purposes of this paragraph:

2.12 (1) "covered electronic device" means a cell phone, computer, laptop, tablet,
2.13 e-reader, server, computer peripheral, external storage device, computer accessory such as
2.14 a pointing device, data entry device, or keyboard, external power supply, portable battery,
2.15 printer, or other media-handling device, including a multifunction device, networking or
2.16 switching device, display device, or media capture or playback device, sold or used by a
2.17 consumer in the state, but does not mean an electronic device, other than a cell phone,
2.18 with a video display smaller than nine inches; and

2.19 (2) "reuse" means to restore covered electronic devices to full function as originally
2.20 intended by the manufacturer, inclusive of any necessary repairs, replacement parts, or
2.21 improvements needed to be desirable in the secondary market such that devices are not
2.22 recycled and are diverted from the waste stream.