

Collecting and Recycling Covered Electronic Devices

This Act is based upon Connecticut law enacting model legislation by The Council of State Governments/Eastern Regional Conference (CSG/ERC) and the Northeast Recycling Council, Inc. (NERC). In February 2005, CSG/ERC and NERC launched a collaborative project to develop a coordinated legislative approach to end-of-life electronics management in the Northeast. As part of the project, CSG/ERC and NERC facilitated an effort among state legislators, legislative and environmental agency staff from ten states, the U.S. Virgin Islands, Puerto Rico and Quebec to craft model legislation.

During the course of this effort, participants solicited input from nearly 100 stakeholders, including electronics manufacturers, retailers, recyclers, leasing companies, reuse organizations, environmental groups and local government representatives.

Following an intensive 14-month-long process, the group released An Act Providing for the Recovery and Recycling of Used Electronic Devices.

As of February 2007, the CSG/ERC - NERC Model Electronics Legislation was filed in the following states and territories:

- Connecticut: HB 7249
- New Jersey: A3572
- New York: A3200 / S7165
- Pennsylvania: HB7
- Puerto Rico: HB 2955
- Vermont: S.17

As of July 2007, Connecticut was among the first (and possibly, only) state to enact the ERC/NERC model. That model legislation establishes a comprehensive recycling system to ensure safe and environmentally sound management of electronic devices and components, encourages the design of electronic devices and components that are less toxic and more recyclable; and promotes the development of a statewide infrastructure for collection and recycling of end-of-life electronics.

Covered electronic devices (CEDs) the model addresses include desktop/personal computers, computer monitors, portable computers (laptops), CRT-based televisions, non-CRT-based televisions. The model does not address motor vehicle components; industrial, commercial, or medical equipment, including diagnostic, monitoring, or control equipment; clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, or air purifiers; or telephones of any type unless they contain a video display area greater than 4 inches measured diagonally. Covered electronic devices (CEDs) are those purchased at retail.

To help fund the program, the model legislation requires all manufacturers to pay a \$5,000 annual registration fee and additionally, manufacturers must either pay a fee to cover the cost of collection, transportation, and recycling of their total obligation, or collect, transport, and recycle the equivalent amount themselves.

To determine the manufacturer obligation (or share) under the model Act, the state environmental agency sets a State recycling rate. The state recycling rate is equivalent to the ratio of the weight of total overall returns of CEDs in the state to the weight of total overall sales of CEDs in the state during the previous calendar year. A manufacturer is required to either pay a fee calculated as the state recycling rate multiplied by the weight of the manufacturer's CEDs sold in the state during the previous calendar year, multiplied by no more than \$0.50 per pound; or collect, transport, and recycle a quantity of CEDs equal to the weight of the manufacturer's CEDs sold in the State during the previous calendar year, multiplied by the State recycling rate.

Under the model, in order to be eligible for the second option, a manufacturer must submit a plan for such a program that is approved by the state environmental agency. If a manufacturer fails to comply with all of the terms of an approved plan, it must submit a payment to cover the cost of collecting, transporting, and recycling the unmet portion of its obligation, plus a 10% penalty. Manufacturers can obtain credits if they collect, transport, and recycle in excess of their obligation – and apply the credits to their obligation in the following year, or sell them. No end-of-life fees are permitted.

Manufacturers must annually report the total CEDS sold in state, by weight; pay an annual registration fee of \$5,000 registration fee; pay an annual fee covering the cost of collection, transportation, and recycling of its obligation; or establish and implement a program that collects, transports, and recycles the total amount of its obligation. A manufacturer may establish a program in cooperation with other manufacturers.

Retailers can only sell products of manufacturers that are in full compliance with law and must post and provide public information that describes where and how to recycle the covered electronic device and opportunities and locations for the collection or return of the device.

This SSL draft Act creates a mandatory recycling program for discarded computers and televisions. Starting January 1, 2009, manufacturers must participate in a program to implement and finance the collection, transportation, and recycling of these covered electronic devices (CEDs). They may participate in the statewide program or a private program.

It requires each CED manufacturer to register with the Department of Environmental Protection (DEP) and pay an annual registration fee, which DEP must use to administer the program. Each registered manufacturer also must pay recyclers the reasonable costs of transporting and recycling its CEDs. The Act sets a maximum transportation and recycling reimbursement rate of 50 cents per pound.

The Act prohibits, with some exceptions, retailers from selling CEDs manufactured by noncompliant manufacturers. It requires municipalities to provide for the convenient recycling of CEDs generated within their borders and arrange for bringing CEDs to DEP-approved recyclers.

The Act prohibits, starting January 1, 2011, anyone from knowingly discarding a CED at a solid waste disposal facility other than a transfer station, and charging a fee to state residents bringing seven or fewer CEDs to a collector at any one time.

It creates two separate, nonlapsing accounts within the Environmental Quality Fund. DEP must use funds from a “electronic device recycling program account” to carry out the Act’s provisions and a “covered electronic recycler reimbursement account” to reimburse recyclers for their unpaid qualified expenses.

The DEP commissioner must adopt regulations to implement the Act. The regulations must include provisions establishing:

- annual registration and reasonable fees for administering the program;
- a process for approving recyclers;
- a table of qualified reimbursable costs for recyclers;
- standards for the operation, accounting, and auditing of recyclers;
- a list of CEDs not limited to those the Act specifies, such as printers; and
- any other requirements needed to carry out the Act. The commissioner may help create and implement a regional, multi-state organization or compact to help carry out its provisions.

Submitted as:

Connecticut

[Public Act No. 07-189](#)

Status: Enacted into law in 2007.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “An Act Concerning the Collection and
2 Recycling of Covered Electronic Devices.”

3
4 Section 2. [*Definitions.*] As used in this Act:

5 (1) “Department” means the [Department of Environmental Protection];

6 (2) “Commissioner” means the [Commissioner of Environmental Protection];

7 (3) “Cathode ray tube” or “CRT” means a vacuum tube or picture tube used to
8 convert an electronic signal into a visual image;

9 (4) “Computer” means an electronic, magnetic, optical, electrochemical, or other
10 highspeed data processing device performing logical, arithmetic or storage function, and may
11 include, but not be limited to, both a computer central processing unit and a monitor, but does not
12 include an automated typewriter or typesetter, a portable handheld calculator, a portable digital
13 assistant or other similar device;

14 (5) “Covered Electronic Device” or “CED” means desktop or personal computers,
15 computer monitors, portable computers, CRT-based televisions and non-CRT-based televisions or
16 any other similar or peripheral electronic device specified in regulations adopted pursuant to
17 [section 12 of this Act], sold to consumers, but does not include:

18 (A) an electronic device that is a part of a motor vehicle or any component
19 part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchise dealer, including
20 replacement parts for use in a motor vehicle;

21 (B) an electronic device that is functionally or physically a part of a larger
22 piece of equipment designed and intended for use in an industrial, commercial or medical setting,
23 including diagnostic, monitoring or control equipment;

24 (C) an electronic device that is contained within a clothes washer, clothes
25 dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range,
26 dishwasher, room air conditioner, dehumidifier or air purifier;

27 (D) telephones of any type unless they contain a video display area greater
28 than four inches measured diagonally; or

29 (E) any handheld device used to access commercial mobile radio service, as
30 such service is defined in 47 CFR 20.3;

31 (6) “Covered electronic recycler” means a recycler that is approved to recycle
32 covered electronic devices by the department;

33 (7) “Manufacturer” means any person who:

34 (A) manufactures or manufactured covered electronic devices under a brand
35 that it licenses, owns or owned, for sale in this state;

36 (B) manufactures or manufactured covered electronic devices without
37 affixing a brand, for sale in this state;

38 (C) resells or has resold in this state under its own brand or label a covered
39 electronic device produced by other suppliers, including retail establishments that sell covered
40 electronic products under their own brand names;

41 (D) imports or imported into the United States or exports from the United
42 States covered electronic devices for sale in this state;

43 (E) sells at retail a covered electronic device acquired from an importer that
44 is the manufacturer as described in subparagraph (D) of this subdivision, and elects to register in
45 lieu of the importer as the manufacturer for those products; or

46 (F) manufactures or manufactured covered electronic devices, supplies them
47 to any person or persons within a distribution network that includes wholesalers or retailers in this
48 state, and benefits from the sale in this state of those covered electronic devices through such
49 distribution network;

50 (8) "Manufacturer's brands" means a manufacturer's name, brand name or brand
51 label, and all manufacturer's names, brand names and brand labels for which the manufacturer has
52 legal responsibility, including those names, brand names and brand labels of companies that have
53 been acquired by the manufacturer;

54 (9) "Monitor" means a separate video display component of a computer that does
55 not contain a tuner, whether sold separately or together with a computer central processing unit or
56 computer box, and includes a cathode ray tube, liquid crystal display, gas plasma, digital light
57 processing or other image projection technology greater than four inches when measured
58 diagonally, and its case, interior wires and circuitry;

59 (10) "Person" means an individual, trust firm, joint stock company, business
60 concern and corporation, including, but not limited to, a government department, partnership,
61 limited liability company or association;

62 (11) "Portable computer" means a computer and video display greater than four
63 inches in size that can be carried as one unit by an individual, including, but not limited to, a
64 laptop computer;

65 (12) "Purchase" means the taking, by sale, of title in exchange for consideration;

66 (13) "Recycling" means any process by which covered electronic devices that
67 would otherwise become solid waste or hazardous waste are collected, separated and processed to
68 be returned to use in the form of raw materials or products, in accordance with environmental
69 standards established by the department;

70 (14) "Registrant" means a manufacturer or group of manufacturers of covered
71 electronic devices that is, or who are, in compliance with the requirements of [sections 2 to 13,
72 inclusive, of this Act];

73 (15) "Retail sales" includes sales of products through sales outlets, via the Internet,
74 mail order or other means, whether or not the seller has a physical presence in this state;

75 (16) "Retailer" means a person who owns or operates a business that sells new
76 covered electronic devices in this state by any means to a consumer;

77 (17) "Sell" or "sale" means any transfer of title for consideration, including, but not
78 limited to, transactions conducted through sales outlets, catalogs or the Internet, or any other
79 similar electronic means, and excluding leases;

80 (18) "Television" means a stand-alone display system containing a CRT or any
81 other type of display primarily intended to receive video programming via broadcast, having a
82 viewable area greater than four inches when measured diagonally, able to adhere to standard
83 consumer video formats such as PAL, SECAM, NTSC, ATSC and HDTV and having the
84 capability of selecting different broadcast channels and support sound capability;

85 (19) "Video display" means an output surface having a viewable area greater than
86 four inches when measured diagonally that displays moving graphical images or a visual
87 representation of image sequences or pictures, showing a number of quickly changing images on a
88 screen in fast succession to create the illusion of motion, including, but not limited to, a device
89 that is an integral part of the display that cannot be easily removed from the display by the
90 consumer and that produces the moving image on the screen and includes technology using a

91 cathode ray tube, liquid crystal display, gas plasma, digital light processing or other image
92 projection technology;

93 (20) "Orphan device" means a covered electronic device for which no
94 manufacturer, as defined in this section, can be identified or for which the manufacturer is no
95 longer in business and has no successor in interest; and

96 (21) "Market share" means a manufacturer's national sales of CEDs expressed as a
97 percentage of the total of all manufacturers' national sales for a category of CEDs based on data
98 that is publicly available.

99
100 Section 3. [*Posting List of Manufacturers in Compliance with this Act.*]

101 (a) Not later than [June 1, 2009], the [Commissioner of Environmental Protection] shall
102 post a list of all manufacturers in compliance with the requirements of [sections 2 to 13, inclusive,
103 of this Act] on the [department's] Internet web site and shall maintain such list after said date.
104 Retailers shall consult the list prior to selling covered electronic devices. A retailer shall not offer
105 for sale in this state a covered electronic device of a manufacturer that is not in compliance with
106 such requirements. A retailer shall be considered to have complied with this responsibility if, on
107 the date that the product was ordered from the manufacturer or its agent, the manufacturer was
108 listed as being in compliance on the department's Internet web site.

109 (b) Notwithstanding subsection (a) of this section, a retailer may sell any CEDs ordered or
110 in stock at the time of the initial posting of such list by the [commissioner], regardless of whether
111 the manufacturer of such CED is on such list, until [six months after the initial posting] or until
112 [December 1, 2009], whichever is earlier.

113
114 Section 4. [*Labeling.*] On and after [January 1, 2008], a manufacturer or retailer shall not
115 sell or offer for sale a covered electronic device in the state unless it is labeled with the
116 manufacturer's brand, and the label is permanently affixed and readily visible.

117
118 Section 5. [*Registration.*]

119 (a) Each manufacturer of covered electronic devices shall register with the [Department of
120 Environmental Protection] not later than [January 1, 2008], and [annually] thereafter, on a form
121 prescribed by the [Commissioner of Environmental Protection] and accompanied by a fee set by
122 the [Commissioner of Environmental Protection] in accordance with this section and any
123 regulations adopted pursuant to this section. The [department] may review, at a public hearing, as
124 necessary, the CED recycling and registration fees. The [commissioner] shall deposit the proceeds
125 of the fees received from registrants in the [Electronic Device Recycling Program Account]
126 established under [section 14 of this Act] for the purposes of covering the cost for the [department]
127 to administer the program created in [sections 2 to 13, inclusive, of this Act] except as otherwise
128 provided.

129 (b) Not later than [January 1, 2008], each manufacturer that has sold more than [one
130 hundred CEDs in calendar year 2007] shall pay an initial registration fee of [five thousand
131 dollars]. On or after [January 1, 2008], each manufacturer that has not sold CEDs by any means in
132 the state prior to [January 1, 2008], shall pay an initial registration fee of [five thousand dollars]
133 and an additional fee equivalent to the greater of: (1) [one per cent of the prior year's total share of
134 orphan devices expressed in pounds multiplied by fifty cents], or (2) [one thousand dollars]. Such
135 additional fee shall be deposited in the [Covered Electronic Recycler Reimbursement Account]
136 established under [section 14 of this Act] for the purpose of reimbursing covered electronic
137 recyclers for unpaid qualified expenses incurred under [section 6 of this Act]. The initial
138 registration fee of [five thousand dollars] shall be deposited in the [Electronic Device Recycling

139 Program Account] established under [section 14 of this Act] for the purposes of covering the cost
140 for the [department] to administer the program created in [sections 2 to 13, inclusive, of this Act].

141 (c) Commencing [January 1, 2009], all manufacturers shall pay an annual registration
142 renewal fee as determined by the [commissioner] in accordance with [subsection (d) of this
143 section].

144 (d) Not later than [October 1, 2008], the [commissioner] shall adopt regulations, in
145 accordance with the provisions of [insert citation], to establish annual registration and reasonable
146 fees for administering the program established by this Act. All fees charged shall be based on
147 factors relative to the costs of administering such program and be based on a sliding scale that is
148 representative of the manufacturer's market share of covered electronic devices in the state.
149 Market share information shall be based on available national market share data. Fees shall be
150 established in amounts to fully cover but not to exceed expenses incurred by the commissioner for
151 the implementation of such program, including the cost of any education or outreach necessary to
152 carry out such program.

153
154 Section 6. *[Required Participation in State-Wide Electronics Program.]*

155 (a) On and after [January 1, 2009], each manufacturer shall participate in the state-wide
156 electronics recycling program established in this section to implement and finance the collection,
157 transportation and recycling of covered electronic devices, and may participate in a private
158 electronics recycling program.

159 (b) On and after [January 1, 2009], each municipality shall provide for the recycling of
160 CEDs generated within its boundaries by participating in the state-wide electronics recycling
161 program. Municipalities that participate in a regional recycling program may elect to participate in
162 the state-wide electronics program through such regional authority. Each municipality or regional
163 authority shall

164 (1) provide for the collection of CEDs from residents within such municipality or
165 region,

166 (2) arrange for the transportation of collected CEDs to a covered electronic
167 recycler, and

168 (3) make information readily available to residents of the municipality or region of
169 the time and location of the collection of CEDs. In providing collection and recycling
170 opportunities to its residents each municipality shall give priority to convenience and accessibility.

171 (c) On and after [January 1, 2009], each covered electronic recycler shall:

172 (1) cooperate with any municipality or regional authority to provide for the
173 collection and transportation of CEDs,

174 (2) reimburse a municipality or regional authority for such municipality's or such
175 authority's qualified costs of transportation,

176 (3) recycle all collected CEDs in accordance with the minimum standards
177 established in [section 9 of this Act],

178 (4) maintain a written log that identifies responsible manufacturers by recording the
179 brand and weight of each CED delivered to a covered electronic recycler and identified upon
180 receipt as generated by a household in the state,

181 (5) report to the [commissioner] any manufacturer that is in arrears for more than
182 [ninety days],

183 (6) file a plan for carrying out the provisions of this section on a form approved by
184 the [commissioner], and

185 (7) invoice manufacturers quarterly for the reasonable costs of transporting and
186 recycling that the manufacturer is responsible for pursuant to this section. Such costs shall be
187 calculated on a per pound basis and shall not exceed [fifty cents per pound] or an amount

188 determined by the [commissioner] in regulations adopted pursuant to [section 12 of this Act].
189 Nothing in this subsection shall prohibit a registered manufacturer from entering into a
190 cooperative agreement with a covered electronic recycler to return such manufacturer's CEDs for
191 subsequent recycling by the manufacturer provided the manufacturer certifies to the
192 [commissioner] that such CEDs have been recycled in accordance with [subsection (e) of this
193 section] and the manufacturer reimburses the covered electronic recycler for such recycler's
194 qualified costs, as determined by the [commissioner].

195 (d) On and after [January 1, 2009], each manufacturer shall pay the reasonable costs of
196 transportation and recycling incurred by a covered electronic recycler for the CEDs attributed to
197 such manufacturer and the manufacturer's pro rata share of orphan devices processed by a covered
198 electronic recycler. A manufacturer's pro rata share of orphan devices shall be calculated as a
199 manufacturer's market share for the preceding calendar year divided by the total market share of
200 all registered manufacturers for the same year multiplied by the total, in pounds, of orphan devices
201 returned. The pro rata share of orphan devices shall be calculated separately for CEDs consisting
202 of computer-related components, including desktop or personal computers, computer monitors,
203 portable computers and for CEDs consisting of television-related components, including CRT-
204 based and non-CRT-based televisions. Manufacturers of only CEDs consisting of television-
205 related components or only CEDs consisting of computer-related components shall only be liable
206 for their corresponding pro rata share. The [commissioner] may suspend the registration of any
207 manufacturer in arrears for more than [ninety days]. A manufacturer that has had such
208 manufacturer's registration suspended in accordance with this subsection shall demonstrate that all
209 past due payments and a penalty equivalent to [ten per cent of such past due payments] has been
210 paid to the [commissioner] prior to seeking reinstatement of such registration. The [commissioner]
211 shall deposit such penalty in the [Covered Electronic Recycler Reimbursement Account]
212 established under [section 14 of this Act] for the purpose of reimbursing covered electronic
213 recyclers for unpaid qualified expenses in accordance with this section and any regulations
214 adopted pursuant to [section 12 of this Act]. Any covered electronic recycler seeking
215 reimbursement for such qualified expenses shall file a request with the [commissioner] and certify
216 that such expenses are qualified. The [commissioner] shall reimburse each covered electronic
217 recycler to the extent that funds are available.

218 (e) Any private program for the collection, transportation and recycling of CEDs shall
219 comply with the standards established in [section 9 of this Act]. Any manufacturer participating in
220 a private program shall file a description of such program with such manufacturer's annual
221 registration, including:

222 (1) the methods that will be used to collect the covered electronic devices,
223 including, but not limited to, the name and locations of all collection and consolidation points;

224 (2) the processes and methods that will be used to recycle recovered covered
225 electronic devices, including a description of the disassembly and physical recovery operation
226 such as crushing, shredding, grinding, glass-to-glass recycling or other operations that will be
227 used;

228 (3) the name and location of all facilities to be utilized;

229 (4) documentation of audits of each processor used in the plan and compliance with
230 processing standards established in [section 9 of this Act];

231 (5) a description of the means that will be utilized to publicize the collection
232 opportunities; and

233 (6) the total weight of CEDs collected, transported and recycled the previous year.
234

235 Section 7. [*Consumer Information.*]

236 (a) On and after [July 1, 2010], a retailer shall provide consumers with information
237 provided by the [Department of Environmental Protection], including a toll-free telephone number
238 and Internet web site. Such information shall be provided in a clear written form and shall be
239 included in the packaging of the covered electronic device or accompany the sale of the covered
240 electronic device. If applicable, each manufacturer shall make readily available to all retailers
241 selling such manufacturer's CEDs information concerning such manufacturer's private program
242 for the collection, transportation and recycling of CEDs that has been submitted to the department,
243 in accordance with [section 6 of this Act].

244 (b) No resident of this state giving [seven or fewer] covered electronic devices to a
245 collector at any one time shall be charged any fees or costs for the collection, transportation or
246 recycling of such covered electronic devices.

247
248 Section 8. [*State-Wide Per-Capita Collection and Recycling Goals.*]

249 (a) Not later than [October 1, 2010], and every [three] years thereafter, the [commissioner]
250 shall prepare an electronics recycling plan that establishes state-wide per-capita collection and
251 recycling goals and identifies any necessary actions to achieve such goals. Such report shall be
252 posted on the [department's] web site and a copy of such report submitted to the [joint standing
253 committee of the General Assembly] having cognizance of matters relating to the environment.

254 (b) Not later than [October 1, 2010], and [annually] thereafter, the [commissioner] shall
255 gather information from registrants and prepare a report regarding the status of the electronics
256 recycling program. The [commissioner] shall submit such report to the [joint standing committee
257 of the General Assembly] having cognizance of matters relating to the environment, in accordance
258 with the [insert citation]. Such report shall contain:

259 (1) sufficient data, as determined by the [commissioner], and analysis of such data
260 to evaluate the effectiveness of the state-wide recycling program and the components of such
261 program, and

262 (2) if at any time the federal government establishes a national program for the
263 collection and recycling of electronic devices and the [department] determines that the federal law
264 substantially meets or exceeds the requirements of [sections 2 to 13, inclusive, of this Act],
265 information about the federal law.

266
267 Section 9. [*Complying with Federal Requirements.*]

268 (a) On and after [January 1, 2009], covered electronic devices collected through any
269 program in this state, whether by manufacturers, retailers, for-profit or not-for-profit corporations,
270 units of government or organized by the [commissioner], shall be recycled in a manner that is in
271 compliance with all applicable federal, state and local laws, regulations and ordinances, and shall
272 not be exported for disposal in a manner that poses a significant risk to the public health or to the
273 environment.

274 (b) The [commissioner] shall establish performance requirements in order for collectors,
275 transporters and recyclers of covered electronic devices to be eligible to receive funds from the
276 [department]. All entities shall, at a minimum, demonstrate compliance with the United States
277 Environmental Protection Agency's Plug-In to eCycling Guidelines for Materials Management as
278 issued and available on said agency's Internet web site in addition to any other requirements
279 mandated by state or federal law.

280
281 Section 10. [*Prohibiting Disposing Covering Electronic Devices in Solid Waste Facilities.*]

282 (a) On and after [January 1, 2011], no person shall knowingly place a covered electronic
283 device or any of the components or subassemblies of such device in any solid waste facility. An

284 owner or operator of a solid waste facility shall not be found in violation of this section if such
285 owner or operator has:

- 286 (1) made a good faith effort to comply with this section,
287 (2) posted, in a conspicuous location at the facility, a sign stating that covered
288 electronic devices or any components thereof shall not be accepted at such facility, and
289 (3) notified, in writing, all collectors registered to haul solid waste to such facility
290 that such devices or components shall not be accepted at the facility.

291 (b) For the purposes of this section, “solid waste facility” means “solid waste facility” as
292 defined in [insert citation], but does not include transfer stations.
293

294 Section 11. [*Cease and Desist Orders.*] On and after [January 1, 2009], the [Commissioner
295 of Environmental Protection] may issue cease and desist orders in accordance with [insert citation]
296 for any violation of [sections 2 to 13, inclusive, of this Act], and to suspend or revoke any
297 registration issued by the [commissioner] under [section 5 of this Act] upon a showing of cause
298 and after a hearing. The courts may grant such restraining orders and such temporary and
299 permanent injunctive relief as may be necessary to secure compliance with [sections 2 to 13,
300 inclusive, of this Act]. Civil proceedings to enforce [sections 2 to 13, inclusive, of this Act] may
301 be brought by the [Attorney General] in the [superior court for any judicial district] affected by the
302 violation.
303

304 Section 12. [*Regulations to Implement this Act.*] The [Commissioner of Environmental
305 Protection] shall adopt regulations, in accordance with [insert citation], to carry out the provisions
306 of [sections 2 to 13, inclusive, of this Act]. Such regulations shall include, but not be limited to,
307 provisions that establish:

- 308 (1) a process for approving covered electronic recyclers,
309 (2) a table of qualified reimbursable costs for covered electronic recyclers,
310 (3) standards for operation, accounting and auditing of covered electronic recyclers,
311 (4) a list of covered electronic devices and such list may include additional devices
312 other than those specified in [section 2], such as printers, and
313 (5) any other requirements necessary to carry out the provisions of [sections 2 to
314 13, inclusive, of this Act].
315

316 Section 13. [*Regional Multistate Organization or Compact.*] The [commissioner] may
317 participate in the establishment and implementation of a regional, multistate organization or
318 compact to assist in carrying out the requirements of [sections 2 to 13, inclusive, of this Act].
319

320 Section 14. [*Environmental Quality Fund.*]

321 (a) There is established a fund to be known as the “Environmental Quality Fund” which
322 shall be held by the [Treasurer]. Within the [Environmental Quality Fund], there is established and
323 created an account to be known as the “Environmental Quality Account.” The [Environmental
324 Quality Fund] may include other accounts separate and apart from the [Environmental Quality
325 Account]. Notwithstanding any provision of state law to the contrary, any moneys required by law
326 to be deposited in the [Environmental Quality Fund] shall be deposited therein and credited to the
327 [Environmental Quality Account]. Any balance remaining in the [Environmental Quality Account]
328 at the end of any fiscal year shall be carried forward in the [Environmental Quality Account] for
329 the fiscal year next succeeding. The [Environmental Quality Account] shall be used by the
330 [Department of Environmental Protection] for the administration of the [central office and
331 environmental quality programs] authorized by state law.

332 (b) Notwithstanding any provision of state law, on and after [July 1, 1990], the amount of
333 any fee received by the [Department of Environmental Protection] which is attributable to the
334 [insert citation], or any regulation adopted or amended pursuant to [insert citation] or pursuant to
335 any other provision of [insert citation], shall be deposited directly into the [Environmental Quality
336 Fund] established by [subsection (a) of this section] and credited to the [Environmental Quality
337 Account]. The [Commissioner of Environmental Protection] shall [annually] certify to the
338 [Treasurer], with respect to each such fee received on and after [July 1, 1990], the amount of such
339 fee which shall be credited to the [General Fund].

340 (c) There is established an account to be known as the “Covered Electronic Recycler
341 Reimbursement Account” which shall be a separate, nonlapsing account within the
342 [Environmental Quality Fund]. The account shall contain any moneys required by law to be
343 deposited in the account. Moneys in the account shall be expended by the [Department of
344 Environmental Protection] for the purpose of reimbursing covered electronic recyclers for unpaid
345 qualified expenses in accordance with [section 6 of this Act] and any regulations adopted pursuant
346 to [section 12 of this Act].

347 (d) There is established an account to be known as the “Electronic Device Recycling
348 Program Account” which shall be a separate, nonlapsing account within the [Environmental
349 Quality Fund]. The account shall contain any moneys required by law to be deposited in the
350 account. Moneys in the account shall be expended by the [Department of Environmental
351 Protection] for the purposes of carrying out the provisions of [sections 2 to 13, inclusive, of this
352 Act].

353

354 Section 15. [*Severability.*] [Insert severability clause.]

355

356 Section 16. [*Repealer.*] [Insert repealer clause.]

357

358 Section 17. [*Effective Date.*] [Insert effective date.]