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SENATE BILL 6128

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State of Washington                      64th Legislature                      2015 2nd Special Session

By Senators Chase and Hasegawa

Read first time 06/01/15.                      Referred to Committee on Energy,  
Environment & Telecommunications.

1            AN ACT Relating to electronic product recycling; and amending RCW  
2 70.95N.290.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 70.95N.290 and 2013 c 305 s 12 are each amended to  
5 read as follows:

6            (1)(a) The authority is governed by a board of directors. The  
7 board of directors is comprised of eleven participating  
8 manufacturers, appointed by the director of the department.

9            (i) For program years 2009 through 2015, five board positions are  
10 reserved for representatives of the top ten brand owners by return  
11 share of covered electronic products, and six board positions are  
12 reserved for representatives of other brands, including at least one  
13 board position reserved for a manufacturer who is also a retailer  
14 selling their own private label. The return share of covered  
15 electronic products used to determine the top ten brand owners for  
16 purposes of electing the board must be determined by the department  
17 by January 1, 2007.

18            (ii) For program years 2016 and beyond, five board positions are  
19 reserved for representatives of the top ten brand owners by market  
20 share of covered electronic products, and (~~six~~) three board  
21 positions are reserved for representatives of other brands, including

1 at least one board position reserved for a manufacturer who is also a  
2 retailer selling its own private label. The market share of covered  
3 electronic products used to determine the top ten brand owners for  
4 purposes of electing the board must be determined by the department  
5 by October 1, 2015. Two board positions are reserved for  
6 representatives of companies engaged in the collection and  
7 transporting of discarded electronic products, at least one of which  
8 must be an employee or owner of a minority-owned business enterprise.  
9 One board position is reserved for a representative of organizations  
10 advocating for increasing the recycling and reuse of discarded  
11 electronic products.

12 (b) The board must have representation from both television and  
13 computer manufacturers.

14 (2) The board shall select from its membership the chair of the  
15 board and such other officers as it deems appropriate.

16 (3) A majority of the board constitutes a quorum.

17 (4) The directors of the department of commerce and the  
18 department of ecology serve as ex officio members. The state agency  
19 directors serving in ex officio capacity may each designate an  
20 employee of their respective departments to act on their behalf in  
21 all respects with regard to any matter to come before the authority.  
22 Ex officio designations must be made in writing and communicated to  
23 the authority director.

24 (5) The board shall create its own bylaws in accordance with the  
25 laws of the state of Washington.

26 (6) Any member of the board may be removed for misfeasance,  
27 malfeasance, or willful neglect of duty after notice and a public  
28 hearing, unless the notice and hearing are expressly waived in  
29 writing by the affected member.

30 (7) The members of the board serve without compensation but are  
31 entitled to reimbursement, solely from the funds of the authority,  
32 for expenses incurred in the discharge of their duties under this  
33 chapter.

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