

**PROCLAMATION**  
BY THE  
**Governor of the State of Texas**

41-3189

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto House Bill No. 821 as passed by the Eighty-first Texas Legislature, Regular Session, because of the following objections:

Although House Bill No. 821 attempts to make it easier for consumers to recycle old televisions, it does so at the expense of manufacturers, retailers and recyclers by imposing onerous new mandates, fees and regulations.

House Bill No. 821 mandates that television manufacturers collect and recycle a quantity of televisions – regardless of the televisions’ original manufacturers – to be determined annually by the Texas Commission on Environmental Quality. It would also hold manufacturers responsible for recycling old televisions on the basis of their market share of new television sales, not on the basis of their past share of manufactured televisions. Additionally, the bill imposes new fees on both manufacturers and recyclers. These requirements would generate unfair results and stifle competition.

The program established by this bill is significantly different from a program established by House Bill No. 2714 in the 80th Legislature for the recycling of computer equipment, which has been widely successful without distorting the marketplace. House Bill No. 2714 requires computer manufacturers to develop plans providing opportunities for consumers to easily return equipment to the manufacturer for recycling. Rather than mandating a program, it provides incentives to manufacturers for accepting equipment from other companies, and specifically prohibits imposing new fees on manufacturers, retailers and recyclers.

Texas has repeatedly proven that wise incentives can accomplish environmental progress with far greater success than burdensome mandates, fees, regulations and extensive reporting requirements.

Before mandating programs and regulations that entail new costs to the state, consumers and Texas employers, lawmakers should look to encouraging voluntary recycling programs like those being implemented by electronics retailers across the state. I recommend that the 82nd Legislature reconsider this issue to enhance the program for television recycling without hindering competitiveness and imposing burdensome fees and regulations.

Since the Legislature by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I  
have signed my name officially  
and caused the Seal of the State to

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2 PM O'CLOCK  
JUN 19 2009



be affixed hereto at Austin, this  
19th day of June, 2009.

*Rick Perry*  
RICK PERRY  
Governor of Texas

ATTESTED BY:

*Coby Shorter, III*  
COBY SHORTER, III  
Deputy Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
*ZM* O'CLOCK

JUN 19 2009