

STAND. COM. REP. NO.

2141

Honolulu, Hawaii

FEB 10 2010

RE: S.B. No. 2709

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committees on Education and Housing and Energy and Environment, to which was referred S.B. No. 2709 entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS,"

beg leave to report as follows:

The purpose of this measure is to require the Department of Education to give first preference to environmentally-sensitive cleaning and maintenance products that have been approved by the Design for the Environment Program of the United States Environmental Protection Agency for use in public schools.

Testimony in support of this measure was submitted by one state agency. One state agency and one private organization provided comments. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that the United States Environmental Protection Agency (EPA) has years of experience and technical expertise in environmental health issues. Your Committees also find that as a product of the EPA, the Design for the Environment Program is a credible source of recommendations for cleaning and maintenance products that prevent serious threats to human and environmental health. However, your Committees further find that expanding the list of products that are given first preference by the Department of Education in some of its purchasing decisions promotes competition among the producers of those products.



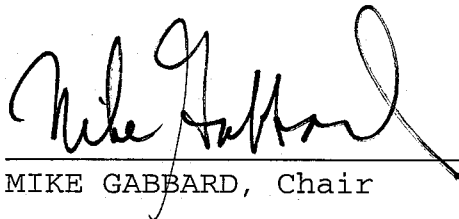
In accordance with the findings, your Committees have amended this measure by:

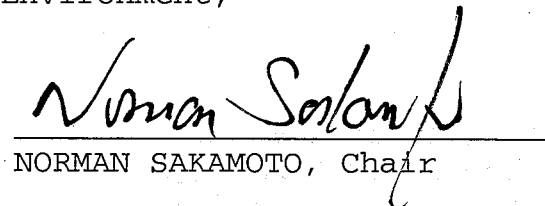
- (1) Adding the Green Seal program and the EcoLogo program administered by TerraChoice Environmental Marketing Inc. as programs, in addition to the Design for the Environment program, whose approved cleaning and maintenance products shall be given first preference by the Department of Education in the purchase and use of cleaning and maintenance products in public schools; and
- (2) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committees note that although preferences for the use and purchase of products approved by certain nongovernmental certifiers may be a concern under the equal protection clause, your Committees find it important to ensure that products used to clean and maintain facilities used by children, teachers, and staff meet stringent human and environmental health requirements. Your Committees recommend further discussion to address this issue in a way that does not compromise the health and safety of schools or school children, teachers, and staff.

As affirmed by the records of votes of the members of your Committees on Education and Housing and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2709, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2709, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Housing and Energy and
Environment,


MIKE GABBARD, Chair


NORMAN SAKAMOTO, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Education and Housing
EDH

Bill / Resolution No.:* SB2709	Committee Referral: EDH/ENE, WAM	Date: 2-4-2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
GALUTERIA, Brickwood	✓			
TSUTSUI, Shan S.				✓
HEMMINGS, Fred	✓			
TOTAL	4			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 2709	Committee Referral: EDH/ENE, WAM	Date: Feb. 4, 2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
ENGLISH, J. Kalani (VC)				✓
GREEN, M.D., Josh	✓			
HOOSER, Gary L.	✓			
IHARA, Jr., Les				✓
KOKUBUN, Russell S.				✓
HEMMINGS, Fred	✓			
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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