

STAND. COM. REP. NO.

183

Honolulu, Hawaii

FEB 15 2011

RE: S.B. No. 1059
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Energy and Environment, to which was referred S.B. No. 1059 entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit certain businesses from distributing single-use plastic checkout bags at the point of sale, with certain exceptions, in order to reduce overall waste generation of the State.

Your Committee received testimony in support of this measure from Bob Loy, The Outdoor Circle; Marjorie Ziegler, Conservation Council for Hawai'i; Stuart Coleman, Surfrider Foundation, Hawai'i Chapters; Gina Hart; Joy Leilei Shih; Scott Higgins; Mariya Gold; Roxanne Rivero; Rachel Harvey; Charlie Taylor; Brent Carman; Sandra; Ken Sentner; Annie Lovell; and Danielle Best. Your Committee received testimony in opposition to this measure from Loretta J. Fuddy, Department of Health; Tim Shestek, American Chemistry Council; Lauren Zirbel, Hawaii Food Industry Association; Carol Pregill, Retail Merchants of Hawaii; Jennifer Milholen; Lee McIntosh; Natalie Iwasa; and Marjorie Bonar. Your Committee received comments on this measure from Victor Lim, Hawaii Restaurant Association.

Your Committee finds that single-use plastic checkout bags present a hazard to the environment and that this measure addresses that hazard. Your Committee recognizes that there are other methods of addressing the harm that the unregulated

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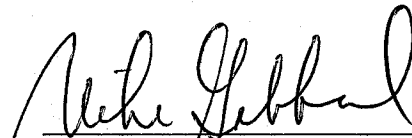
proliferation of these bags cause and that this measure is one of several potential means. Your Committee also acknowledges the concerns raised in testimony regarding clarification of the prepared food exemption in the measure.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying the exemption for bags used to protect prepared foods or bakery goods;
- (2) Inserting an effective date of July 1, 2050, to allow for further discussion of this measure; and
- (3) Making technical nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1059, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1059, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,




MIKE GABBARD, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

| | | | | |
|--|--|------------------------|----------|----------|
| Bill / Resolution No.:* SB 1059 | Committee Referral: ENE, JDL | Date: 2/8/11 | | |
| <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 | ✓ | | | |
| IHARA, Jr., Les | ✓ | | | |
| SLOM, Sam | | | ✓ | |
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| TOTAL | 3 | 0 | 1 | 1 |
| 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 | | | | |

*Only one measure per Record of Votes