

STAND. COM. REP. NO.

779

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 1363  
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1363, S.D. 1, 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 protect the environment by requiring businesses to collect an offset fee of 25 cents for each non-reusable checkout bag it distributes, to reduce the excessive use of non-reusable checkout bags that present an unnecessary threat to the environment and ocean health.

Your Committee received comments in support of this measure from Loretta J. Fuddy, Acting Director of Health, Department of Health; Hawaii Food Industry Association; Susan M. Houghton, Director of Public Affairs and Government Relations, Safeway; Bob Gutierrez, Director of Government Affairs, Times Supermarket; Stuart Coleman, Hawaii Coordinator, Surfrider Foundation; Robert D. Harris, Director, Sierra Club Hawaii Chapter; Carol Pregill, President, Retail Merchants of Hawaii; Rachel Harvey; and forty three individuals.

Your Committee finds that the State has a compelling interest in protecting the natural environment. Your Committee further finds that the excessive use of non-reusable checkout bags requires excessive processing of polluting fossil fuel for production of the bags, poses serious health risks to legally protected sea turtles and marine mammals, and burdens overcrowded landfills.

SB1363 SD2 SSCR LRB 11-2455.doc



Your Committee has amended this measure by:

- (1) Deleting the definition of "exempt county" and references thereto;
- (2) Deleting the exemption from the offset fee for recipients of food subsidies through the women, infants, and children program or the supplemental nutrition assistance program;
- (3) Changing all dollar amounts and percentages to an unspecified amount; and
- (4) Making technical, nonsubstantive amendments for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1363, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1363, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
\_\_\_\_\_  
DAVID Y. IGE Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1363, SD1	ENE/EDT, WAM	3-11/11		
<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
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne		/		
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani		/		
ESPERO, Will		/		
FUKUNAGA, Carol				✓
KIM, Donna Mercado		/		
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai		/		
TOKUDA, Jill N.		/		
WAKAI, Glenn		/		
SLOM, Sam			✓	
<b>TOTAL</b>	4	7	1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes