

Honolulu, Hawaii

APR 27 2018

RE: S.B. No. 2571  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2571, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to preserve marine ecosystems, including coral reefs, by:

- (1) Beginning July 1, 2019, prohibiting the sale, offer for sale, and distribution for sale in Hawai'i of any sunscreen containing oxybenzone or octinoxate, or both, without a prescription from a licensed healthcare provider;
- (2) Prohibiting a county from enacting any ordinance or regulatory restriction to prohibit the sale, use, labeling, packaging, handling, distribution, or



advertisement of sunscreens containing oxybenzone or octinoxate, or both, prior to July 1, 2019; and

- (3) Appropriating funds to the Department of Land and Natural Resources for outreach and education on the prohibition and environmental impacts of sunscreen containing oxybenzone and octinoxate.

Your Committee on Conference finds that two chemicals contained in many sunscreens, oxybenzone and octinoxate, have significant harmful impacts on the marine environment and ecosystems of Hawai'i, including coral reefs that protect the shoreline. Furthermore, as the environmental contamination of oxybenzone and octinoxate is constantly refreshed and renewed daily by swimmers and beachgoers who apply sunscreens containing these two chemicals, the contamination persists in the coastal waters of Hawai'i. By prohibiting the sale and distribution in Hawai'i of sunscreens containing oxybenzone or octinoxate, or both, without a prescription, this measure preserves marine ecosystems, including coral reefs, in Hawai'i.

Your Committee on Conference has amended this measure by:

- (1) Delaying from July 1, 2019, to January 1, 2021, the beginning date from which the sale and distribution of sunscreens containing oxybenzone or octinoxate, or both, are prohibited;
- (2) Prohibiting a county from enacting an ordinance or regulatory restriction to prohibit the sale, distribution, or advertisement of sunscreens containing oxybenzone or octinoxate, or both, prior to January 1, 2021, rather than July 1, 2019;
- (3) Clarifying that sunscreen is a product marketed or intended for topical use to prevent sunburn and does not include products marketed or intended for use as a cosmetic for the face;
- (4) Removing the appropriation to the Department of Land and Natural Resources for outreach and education on the prohibition and environmental impacts of sunscreen containing oxybenzone and octinoxate; and



- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2571, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2571, S.D. 2, H.D. 2, C.D. 1.

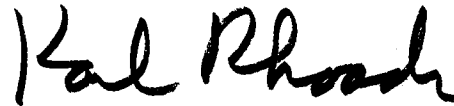
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



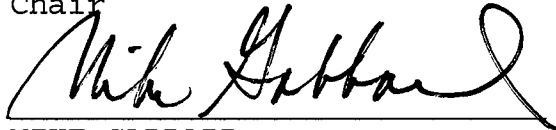
CHRIS LEE  
Co-Chair



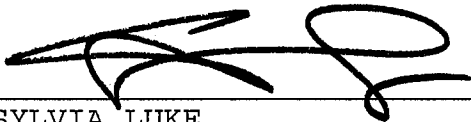
KARL RHOADS  
Chair



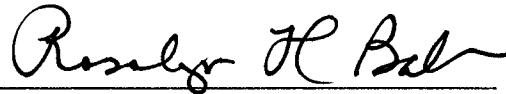
ROY M. TAKUMI  
Co-Chair



MIKE GABBARD  
Co-Chair



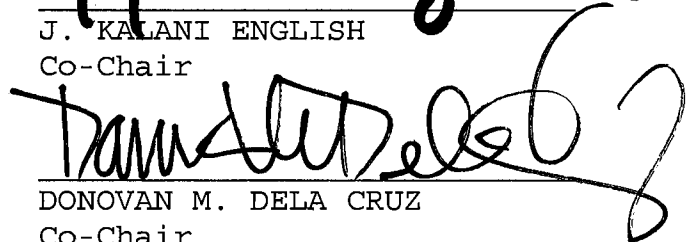
SYLVIA LUKE  
Co-Chair



ROSALYN H. BAKER  
Co-Chair



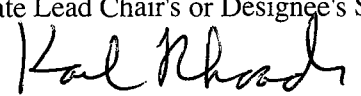
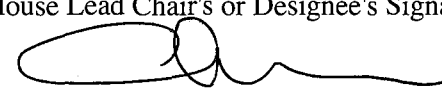
J. KALANI ENGLISH  
Co-Chair



DONOVAN M. DELA CRUZ  
Co-Chair



Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 2571, SD 2, HD 2</b>					Date/Time: <b>4/27/2018 3:37 pm</b>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				LEE, Chris, Co-Chr.	✓			
GABBARD, Mike, Co-Chr.	✓				TAKUMI, Roy M., Co-Chr.	✓			
BAKER, Rosalyn H., Co-Chr.	✓				LUKE, Sylvia, Co-Chr.	✓			
ENGLISH, J. Kalani, Co-Chr.	✓				TODD, Chris	✓			
DELA CRUZ, Donovan M., Co-Chr.	✓				WARD, Gene	✓			
RIVIERE, Gil	✓								
TOTAL	6	0	0	0	TOTAL	5	0	0	0
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
<b>Distribution:</b> <span style="margin-left: 100px;">Original</span> <span style="margin-left: 100px;">Yellow</span> <span style="margin-left: 100px;">Pink</span> <span style="margin-left: 100px;">Goldenrod</span> <span style="margin-left: 100px;">File with Conference Committee Report</span> <span style="margin-left: 100px;">House Clerk's Office</span> <span style="margin-left: 100px;">Senate Clerk's Office</span> <span style="margin-left: 100px;">Drafting Agency</span>									