

STAND. COM. REP. NO.

290

Honolulu, Hawaii

FEB 13 2019

RE: S.B. No. 367
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 367 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to prohibit food service businesses and stores from the sale, use, or distribution of polystyrene foam containers, expanded polystyrene food service products, plastic straws, and plastic bags.

Your Committees received testimony in support of this measure from the Department of Education, Office of Hawaiian Affairs, one member of the Hawai'i County Council, County of Maui Department of Environmental Management, Ocean Tourism Coalition, Beach Environmental Awareness Campaign Hawai'i, Dolphin Quest, Surfrider Foundation O'ahu, Animal Rights Hawai'i, Hawai'i Reef and Ocean Coalition, Keiko Conservation, League of Women Voters of Hawaii, Sierra Club of Hawai'i, Americans for Democratic Action, Zero Waste O'ahu, Kokua Hawaii Foundation, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Kaiser High School Wipeout Crew, Delphi Cinema, Sustainable Coastlines Hawaii, and over seventy individuals. Your Committees received testimony in opposition to this measure from Papa's Cafe; Wiki Wiki Drive Inn; Loco Moco Drive Inn; Plastics Industry Association; Hibachi Kailua; Hawai'i Restaurant Association; Hawaii



Food Industry Association; Queen Street Cafe & Grill; Jets Fast Food; Shiro's Saimin Haven; HNA Food Services LLC dba Tsukenjo's; Nabeya Maida; Chamber of Commerce Hawaii; Retail Merchants of Hawaii; KYD, Inc. dba K. Yamada Distributors; and two individuals. Your Committees received comments on this measure from the Department of Health and Department of Environmental Services of the City and County of Honolulu.

Your Committees find that plastic straws, polystyrene foam, and plastic bags are seemingly everywhere, often ending up as marine trash, littering beaches, or unknowingly consumed by sea life. Other jurisdictions have taken steps to prohibit the sale and distribution of such products. Hawaii, as a leader in advancing protections of marine life and the marine environment, should ban these unnecessary, single-use objects that are contributing to the world's plastic problem.

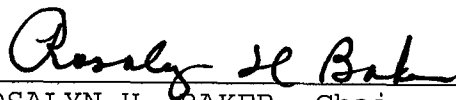
Your Committees have amended this measure by:

- (1) Removing language that would have provided an undue hardship exemption for stores and food service businesses;
- (2) Delaying its effective date to July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

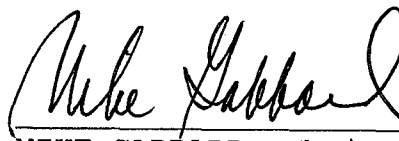
As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 367, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 367, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Commerce,
Consumer Protection, and
Health,



ROSALYN H. BAKER, Chair



MIKE GABBARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i


Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 367	Committee Referral: AEN/CPH, JOC/WAM	Date: 2-6-2019		
<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)	X			
RUDERMAN, Russell E. (VC)	X			
RHOADS, Karl	X			
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; margin-top: 10px;"> </div>				
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
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 367	AEN/CPH, JDC/WAM	2/6/19		
<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
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOOLE, Jarrett	✓			
NISHIHARA, Clarence K.				✓
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
FEVELLA, Kurt				✓
TOTAL	5			2
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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