

Honolulu, Hawaii

MAR 15 , 2019

RE: S.B. No. 522  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and  
Economic Development & Business, to which was referred S.B. No.  
522, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PLASTIC,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit the purchase, use, sale, or distribution of plastic beverage bottles, utensils, stirring sticks, polystyrene foam containers, and straws by state and county agencies after July 1, 2021, and by businesses selling food and beverages after July 1, 2022;
- (2) Ban the distribution or sale of plastic bags after July 1, 2023; and
- (3) Create the Plastic Source Reduction Working Group (Working Group) to make recommendations for eliminating single-use plastic packaging.

The Councilmember representing District 7 of the Hawaii County Council, Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu, Kona Brewing



Company, Kalapawai Market & Cafes, Cheeseburger Restaurants Inc., Friends of Hanauma Bay, Dolphin Quest, Ocean Friendly Restaurants HI, Surfrider Foundation O'ahu Chapter, Kihei Community Association, 831 Inc., Kōkua Hawai'i Foundation, Hawai'i Reef and Ocean Coalition, Clean Reefs, Zero Waste O'ahu, Holo Holo Charters, Sustainable Coastlines Hawaii, Nalu Health Bar & Café, Aloha Beer Co., Sierra Club of Hawai'i, Kula Shave Ice, Surfrider Foundation, No Single-Use Hawaii, Energy Management Consulting & Construction Hawaii, and many individuals supported this measure. The Department of Land and Natural Resources supported the intent of this measure. The Hawai'i Restaurant Association, LoCo MoCo Drive Inn-Ewa Beach, Wiki Wiki Drive Inn-Waterfront Plaza, Jets Fast Food, Papa's Café, HNA Food Service LLC dba Tsukenjo's, Nabeya Maido, International Bottled Water Association, Queen Street Café & Grill, Hawaii Food Industry Association, Retail Merchants of Hawaii, Stadium Pho, Waiahole Poi Factory, Reynolds Recycling, Cooke Street Diner, Pho Tri Restaurant, Shiro's Saimin Haven, Hibachi Kailua, Island Plastic Bags Inc., The Chamber of Commerce Hawaii, ITO EN (Hawaii) LLC, American Beverage Association, ABC Stores, American Chemistry Council, and numerous individuals opposed this measure. The Department of Health, Chair of the Maui County Council, Healthcare Association of Hawaii, Tekni-Plex, Inc., and The Queen's Health Systems provided comments.

Your Committees have amended this measure by:

- (1) Establishing a new part titled "Solid Waste Prevention" within chapter 342G, Hawaii Revised Statutes, and moving the language which prohibits single-use plastic food items under this part;
- (2) Deleting provisions which require the phasing out of single-use plastic beverage bottles, utensils, stirring sticks, polystyrene foam containers, or straws after July 1, 2022, and plastic bags after July 1, 2023;
- (3) Requiring that no state or county agency, restaurant, standard bar, or any other business or individual shall purchase, use, sell, or distribute single-use plastic beverage bottles, utensils, stirring sticks, polystyrene foam containers, plastic bags, or straws after an unspecified date;
- (4) Clarifying the duties of the Working Group by:



- (A) Deleting the requirement that the working group shall study and develop a systematic plan to phase out the use of single-use plastic beverage containers;
  - (B) Requiring the Working Group to consult with counties that have enacted ordinances related to single-use plastics and develop recommendations for the implementation of a uniform, statewide policy for single-use plastics; and
  - (C) Consult with stakeholders to develop appropriate exemptions to address concerns of health and safety, or lack of suitable alternative products on the market;
- (5) Including the State Sustainability Coordinator as a member of the Working Group;
  - (6) Amending the uses for which the Deposit Beverage Container Deposit Special Fund shall be used for to include assisting in efforts for plastic source reduction and solid waste prevention;
  - (7) Changing the source of funding for the Working Group from the general revenues of the State to the Deposit Beverage Container Deposit Special Fund; and
  - (8) Establishing the Solid Waste Prevention Coordinator, to be funded through the Deposit Beverage Container Deposit Special Fund.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Economic Development & Business that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 522, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 522, S.D. 2, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committees on Energy &  
Environmental Protection and  
Economic Development &  
Business,



ANGUS L.K. MCKELVEY, Chair



NICOLE E. LOWEN, Chair





