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# A BILL FOR AN ACT

RELATING TO PLASTIC.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

PART I

1  
2 SECTION 1. The legislature finds that the local and global  
3 impact of the world's increasing waste stream is unsustainable  
4 and detrimental to the future of Hawaii's economy and people.  
5 There has been an exponential rise in single-use foodware items  
6 over the past few decades globally, with particularly high  
7 increases in plastics derived from fossil fuels. Single-use  
8 disposable foodware and packaging - including plastic bottles,  
9 caps, lids, straws, cups, and polystyrene and plastic containers  
10 - are major contributors to street and beach litter, ocean  
11 pollution, marine and other wildlife harm, and greenhouse gas  
12 emissions.

13 According to the United Nations, since the 1950s, the  
14 production of plastic has outpaced that of almost every other  
15 material. Much of the plastic produced is designed to be thrown  
16 away after being used only once. As a result, plastic packaging  
17 accounts for about half of the plastic waste in the world. Most



1 of this waste is generated in Asia, while America, Japan, and  
2 the European Union are the world's largest producers of plastic  
3 packaging waste per capita. The world's ability to cope with  
4 plastic waste is already overwhelmed as seen by the closing of  
5 recycling markets in China and Thailand. Even when recycling  
6 markets were open, only nine per cent of the 9,000,000,000 tons  
7 of plastic produced has been recycled. Most plastic ends up in  
8 landfills, dumps, incinerators, or in the environment. If the  
9 growth in plastic production continues at its current rate, then  
10 by 2050, the plastics industry will likely account for twenty  
11 per cent of the world's total oil consumption.

12 Hawaii has a goal of carbon neutrality by 2045 and embraces  
13 the United Nations sustainable development goals, including  
14 achieving sustainable management and the efficient use of  
15 natural resources, sound waste management, encouraging corporate  
16 sustainability practices, strengthening the State's resilience  
17 and adaptive capacity to climate-related hazards and natural  
18 disasters, sustainably managing and protecting our marine and  
19 coastal ecosystems, and reducing pollution. Decreasing the  
20 import and use of fossil fuel-based products like single-use  
21 plastics should become part of a movement toward reaching those



1 goals. For every one ton of waste seen at the end of life,  
2 seventy tons were created upstream in the extraction,  
3 production, and transportation sectors. Alternatives to  
4 plastics already exist for many take-out items and an industry  
5 of innovative change for packaging is advancing globally. Zero  
6 waste plastic reduction plans are moving forward all over the  
7 world, including within the European Union, Ethiopia, Costa  
8 Rica, and municipalities across the United States. The  
9 legislature finds that given the current trend, if Hawaii  
10 businesses are at the forefront of this movement, they will be  
11 less burdened by change.

12 Locally, plastic litter and debris can be increasingly  
13 found on every island and in every watershed and protected area  
14 from the remote Kalalau valley on Kauai to Kilauea caldera on  
15 Hawaii island. Hawaii's forests, streams, and beaches are  
16 strewn with plastic debris, including micro plastic debris  
17 smaller than grains of sand, which are consumed by the smallest  
18 of endangered birds to the humpback whale. Among other hazards,  
19 plastic debris attracts and concentrates ambient pollutants in  
20 seawater and freshwater, which can transfer to fish, other  
21 seafood, and salt that is eventually sold for human consumption.



1 Globally, ninety-five per cent of plastic packaging is discarded  
2 after a single use, at a cost of \$80,000,000,000 to  
3 \$120,000,000,000.

4 The legislature further finds that cleaning up plastic is a  
5 significant cost to Hawaii taxpayers. The cost of increasing  
6 cleanups by government agencies, businesses, and the general  
7 public is rising to account for expensive best management  
8 practices and mitigation. A study of over ninety counties in  
9 California recently concluded that taxpayers are paying  
10 \$428,000,000 per year to clean up plastic through storm drain  
11 management, street sweeping, and marine cleanups. San Diego  
12 county, which has an equivalent population to Hawaii at  
13 1,300,000 people, spends \$14,000,000 annually cleaning up  
14 plastic. In January 2019, San Diego county passed legislation  
15 to phase out polystyrene foam and other single-use plastics.  
16 The Hawaii department of transportation has produced a trash  
17 management plan that shows that polystyrene foam and plastic  
18 bags are the top two contributors to the waste stream and must  
19 be regularly removed from storm drains at a cost to the  
20 department.



1 Major news and research publications like *National*  
2 *Geographic* and *60 Minutes* are reporting on plastic pollution as  
3 one of the pressing environmental issues currently facing the  
4 world. Minimizing packaging and utilizing alternatives derived  
5 from compostable materials, which are now widely available, can  
6 benefit the State's economy as it shifts toward a system of  
7 responsible reuse, which is a foundational principle of Native  
8 Hawaiian culture. Additionally, the State's economy can become  
9 a leader in reducing waste by collaboratively working with  
10 businesses, as well as researching and implementing innovative  
11 solutions for all packaging coming into the State of Hawaii.

12 PART II

13 SECTION 2. (a) There is established within the department  
14 of health for administrative purposes a plastic source reduction  
15 working group.

16 (b) The working group shall:

- 17 (1) Formulate a plan for eliminating single-use plastic  
18 packaging from the Hawaii waste stream;
- 19 (2) Develop strategies to encourage reuse in the food  
20 service industry, such as reusable container incentive  
21 programs for customers;



1           (3) Provide recommendations for composting plastics in  
2           Hawaii to encourage reuse of waste and create value  
3           added products to be used in regenerating Hawaii's  
4           agricultural potential;

5           (4) Consult with each county that has already enacted  
6           ordinances related to single-use plastics such as  
7           plastic bags and polystyrene foam containers and  
8           develop recommendations for the implementation of a  
9           uniform, statewide policy for these items that can  
10          replace existing county ordinances and provide  
11          businesses with laws that are consistent throughout  
12          the State; and

13          (5) Consult with stakeholders to develop appropriate  
14          exemptions to address concerns of health and safety,  
15          or lack of suitable alternative products on the  
16          market.

17          (c) The membership of the working group shall be as  
18 follows:

19           (1) The director of health or the director's designee;

20           (2) The chairperson of the board of land and natural  
21          resources or the chairperson's designee;



1 (3) Four members, one to be appointed by each of the  
2 respective mayors of the city and county of Honolulu  
3 and the counties of Hawaii, Kauai, and Maui;

4 (4) The state sustainability coordinator;

5 (5) A representative of the Surfrider Foundation;

6 (6) A representative of Zero Waste Oahu;

7 (7) A representative of the Hawaii Food Industry  
8 Association;

9 (8) A representative of the Hawaii Restaurant Association;

10 (9) A representative of the Chamber of Commerce Hawaii;  
11 and

12 (10) A representative of the Hawaii Tourism Association.

13 The representatives in paragraphs (5) through (10) shall be  
14 selected by the director of health.

15 (d) The members of the working group shall serve without  
16 compensation but shall be reimbursed for reasonable expenses,  
17 including travel expenses, consulting fees, and administrative  
18 expenses such as photocopying, postage, stationery, and office  
19 supplies incidental to the performance of their duties.

20 (e) The working group shall work with the department of  
21 health, the carbon sequestration task force, private



1 stakeholders, public stakeholders, or any other group or  
2 individuals the working group deems necessary.

3 (f) The working group shall submit a report of its  
4 findings and recommendations, including recommendations for  
5 pilot projects for Hawaii businesses to phase out single-use  
6 plastic packaging, promote reuse, and find sustainable  
7 alternatives for packaging, as well as any proposed legislation,  
8 to the legislature no later than twenty days prior to the  
9 convening of the regular session of 2021.

10 SECTION 3. The working group shall cease to exist on June  
11 30, 2022.

12 SECTION 4. There is appropriated out of the deposit  
13 beverage container deposit special fund of the State of Hawaii  
14 the sum of \$25,000 or so much thereof as may be necessary for  
15 fiscal year 2019-2020 and the same sum or so much thereof as may  
16 be necessary for fiscal year 2020-2021 for expenses arising out  
17 of the activities of the plastic source reduction working group  
18 established pursuant to section 2 of this Act.

19 The sums appropriated shall be expended by the department  
20 of health for the purposes of this part.





PART III

SECTION 5. Chapter 342G, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§342G- Solid waste prevention coordinator; established.

(a) There is established within the department the position of solid waste prevention coordinator. The solid waste prevention coordinator shall:

(1) Serve as administrative support to the plastic source reduction working group established pursuant to Act \_\_\_\_\_, Session Laws of Hawaii 2019;

(2) Develop policy recommendations for solid waste source reduction, waste reuse and composting, and recycling;

(3) Develop and support programs with the goals of solid waste prevention; and

(4) Work with the sustainability coordinator to develop recommendations for the development of a circular economy.

(b) The solid waste prevention coordinator shall be funded through the deposit beverage container deposit special fund established pursuant to section 342G-104."



1 SECTION 6. Section 342G-104, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) Moneys in the deposit beverage container deposit  
4 special fund shall be used to reimburse refund values and pay  
5 handling fees to redemption centers[-] and assist in efforts for  
6 plastic source reduction and solid waste prevention. The  
7 department may also use the money to:

- 8 (1) Fund administrative, audit, and compliance activities  
9 associated with collection and payment of the deposits  
10 and handling fees of the deposit beverage container  
11 program;
- 12 (2) Conduct recycling education and demonstration  
13 projects;
- 14 (3) Promote recyclable market development activities;
- 15 (4) Support the handling and transportation of the deposit  
16 beverage containers to end-markets;
- 17 (5) Hire personnel to oversee the implementation of the  
18 deposit beverage container program, including  
19 permitting and enforcement activities; and
- 20 (6) Fund associated office expenses."



1 SECTION 7. There is appropriated out of the deposit  
2 beverage container deposit special fund the sum of \$ or  
3 so much thereof as may be necessary for fiscal year 2019-2020  
4 and the same sum or so much thereof as may be necessary for  
5 fiscal year 2020-2021 to establish the position of solid waste  
6 prevention coordinator.

7 The sums appropriated shall be expended by the department  
8 of health for the purposes of this part.

9 PART IV

10 SECTION 8. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 9. This Act shall take effect on March 15, 2050.



**Report Title:**

Solid Waste Prevention Coordinator; Plastic Source Reduction Working Group; Appropriation

**Description:**

Creates the plastic source reduction working group to make recommendations for eliminating single-use plastic packaging. Establishes the Solid Waste Prevention Coordinator in DOH. Appropriates funds. (SB522 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

