

Honolulu, Hawaii
FEB 16 , 2024

RE: H.B. No. 1688
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1688 entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

begs leave to report as follows:

The purpose of this measure is to require and appropriate funds for the Department of Health to conduct a statewide needs assessment, with stakeholder input, to determine what would be needed to transition to a waste management system with less waste generation, more reuse, and improved collection and processing of materials through an extended producer responsibility program for packaging materials and paper products.

Your Committee received testimony in support of this measure from the Department of Health; Hawai'i Climate Change Mitigation and Adaption Commission; Environmental Management Commission of the County of Hawai'i; Department of Public Works of the County of Kaua'i; Product Stewardship Institute; Hawaii Environmental Change Agents Solid Waste Task Force; American Cleaning Institute; Hawai'i Reef and Ocean Coalition; Climate Protectors Hawaii; Retail Merchants of Hawaii; Volcano Precious Plastic; and numerous individuals. Your Committee received testimony in opposition to this measure from the Flexible Packaging Association; Recycle Hawaii; HULI PAC; Aloha Lokahi Association; and three individuals. Your Committee received comments on this measure from the



Foodservice Packaging Institute; Consumer Technology Association; Consumer Brands Association; and AMERIPEN.

Your Committee finds that solid waste may soon exceed the State's landfill capacity in all of the counties. This measure would establish and appropriate funds for a statewide needs assessment to determine and propose recommendations for the transition to a more circular waste management system with less waste generation, more reuse, and increased producer responsibility.

Your Committee has amended this measure by:

- (1) Clarifying that the producer responsibility organizations being consulted for the needs assessment will be global and national organizations actively working on reusable packaging systems;
- (2) Inserting additional stakeholders to be consulted for the needs assessment;
- (3) Adding language to require the Department of health to convene an advisory council to review the draft needs assessment and propose recommendations throughout the assessment process;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the operative definition of "producer" in this measure should be amended but is not recommending any such amendment at this time due to a lack of consensus among stakeholders of a more suitable definition. Your Committee further finds that if this measure is adopted, an appropriate definition can be determined through the needs assessment process.

Your Committee respectfully requests your Committee on Finance, should it choose to deliberate on this measure, to consider an appropriation amount of \$1,000,000, as requested by



the Department of Health, to conduct the statewide needs assessment.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1688, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1688, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



NICOLE E. LOWEN, Chair



