

STAND. COM. REP. NO. 392-24

Honolulu, Hawaii

FEB 14 , 2024

RE: H.B. No. 1896
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. 1896 entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Your Committee received testimony in support of this measure from the Department of Health; Board of Water Supply of the City and County of Honolulu; PlanIt Branding; Hawai'i Restaurant Association; Sierra Club of Hawai'i; Hawaii Reef and Ocean Coalition; Hawai'i Food+ Policy; Hawaii Environmental Change Agents Solid Waste Task Force; and seven individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and one individual. Your Committee received comments on this measure from the Consumer Brands Association and Beautycounter.

Your Committee finds that PFAS are toxic substances that do not naturally break down and pollute the environment for thousands of years once introduced. Your Committee further finds that

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existing state laws prohibit the use of PFAS in certain types of food packaging and firefighting foam. This measure targets other products that commonly contain PFAS by prohibiting the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packing, food service ware, cosmetic, or personal care product that contains intentionally added PFAS.

Your Committee has amended this measure by:

- (1) Deleting the definition of "ingredient", as it is unnecessary;
- (2) Clarifying the definition of "manufacturer";
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that further discussion with stakeholders is needed to develop a more appropriate definition for "intentionally added PFAS."

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. 1896, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1896, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



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



NICOLE E. LOWEN, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 1896	Committee Referral: EEP, CPC	Date: 2/8/24
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. COCHRAN, Elle (VC)	✓			
3. GATES, Cedric Asuega	✓			
4. KAHALOA, Kirstin	✓			
5. PERRUSO, Amy A.				✓
6. WOODSON, Justin H.	✓			
7. WARD, Gene	✓			
TOTAL (7)	4			1

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: Elle Cochran