

Honolulu, Hawaii
, 2024

FEB 07
RE: H.B. No. 2536
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. 2536 entitled:

"A BILL FOR AN ACT RELATING TO SINGLE-USE PLASTICS,"

begs leave to report as follows:

The purpose of this measure is to prohibit:

- (1) State and county agencies and businesses where food and beverages are sold from purchasing, using, selling, or distributing certain disposable or single-use plastic food ware and beverage service items after January 1, 2025; and
- (2) Individuals and other businesses from distributing, selling, or otherwise providing certain disposable or single-use food ware and beverage service items after January 1, 2026.

Your Committee received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission; PlanIt Branding; Hawaii Young Republicans; Sierra Club National Marine Team; Chamber of Sustainable Commerce; CARES; and three individuals. Your Committee received testimony in opposition to this measure from the American Chemistry Council; Retail Merchants of Hawaii; Foodservice Packaging Institute;



Island Plastic Bags; Biodegradable Products Institute; Plastics Industry Association; and three individuals. Your Committee received comments on this measure from the Department of Health; Hawai'i Restaurant Association; and Hawaii Food Industry Association.

Your Committee finds that the impact of the increasing waste stream is detrimental to the future of Hawaii's economy and environmental integrity. Your Committee further finds that the State has a responsibility to reduce the use of plastic and non-compostable food ware and beverage containers in order to reduce pollution. Your Committee believes that this measure addresses this need by phasing out the prohibition of the use and provision of certain single-use plastic food ware and beverage containers.

Your Committee has amended this measure by:

- (1) Removing the definition of and all references to "nature biodegradable bioplastic" and replacing them with the term "compostable plastics";
- (2) Deleting the prohibitions that would have applied to state and county agencies, individuals, and certain businesses;
- (3) Deleting unnecessary exemptions to the prohibitions;
- (4) Adding a definition of "compostable plastics";
- (5) Clarifying the definition of "plastic";
- (6) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes concerns raised during the hearing regarding the potential impact of this measure on existing county ordinances and regulations and believes that this issue merits further consideration as this measure moves through the legislative process.



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. 2536, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2536, 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



