

Honolulu, Hawaii
FEB 8, 2008

RE: H.B. No. 2434
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2434 entitled:

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

begs leave to report as follows:

The purpose of this bill is to reduce waste and protect Hawaii's environment by requiring certain businesses to provide to customers upon checkout only recyclable paper bags, compostable plastic bags, or reusable bags.

The Windward Ahupua'a Alliance, Hawaii's Thousand Friends, and Beach Environmental Awareness Campaign testified in support of this bill. The Hawaii Food Industry Association and Retail Merchants of Hawaii opposed this measure. The Department of Health (DOH) provided comments.

Your Committee notes that there is a need to reduce the importation of plastic bags into the state, increase recycling of plastic bags, and decrease litter. After further consideration, your Committee has amended this bill by replacing its contents with provisions that, among other things:

- (1) Establish the Plastic Carryout Bag Recycling Program (Program);
- (2) Limit the Program to stores:



- (A) With over 10,000 square feet of retail space and a pharmacy; or
 - (B) That are full-line, self-service retail stores with gross annual sales of \$2,000,000 or more which sell lines of dry groceries, canned goods, nonfood items, and perishable goods;
- (3) Require qualifying stores to establish an at-store recycling program for customers to return clean plastic carryout bags and purchase reusable bags; and
- (4) Require DOH to provide a report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2010.

Additionally, the effective date of this measure was amended to July 1, 2009.

As amended, this measure is intended to provide businesses an opportunity to solve this problem by developing a program with minimal government intervention. However, if the problem is not resolved in a timely manner, other solutions may need to be explored such as a complete ban of plastic bags or a surcharge for the use of plastic bags.

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. 2434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2434, H.D. 1, and be referred to the Committee on Economic Development & Business Concerns.

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

Hermina Morita

HERMINA MORITA, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

253-08

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 2434	Committee Referral: EEP, EDB, FIN	Date: 2-7-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. CARROLL, Mele (VC)				✓
3. ITO, Ken	✓			
4. KARAMATSU, Jon Riki	✓			
5. MAGAOAY, Michael Y.	✓			
6. SAGUM, Roland D., III	✓			
7. SAIKI, Scott K.	✓			
8. THIELEN, Cynthia	✓			
TOTAL (8)	7	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Scott K. Sam</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				