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Honolulu, Hawaii

MAR 10 2011

RE: S.C.R. No. 13
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Energy and Environment, to which was referred S.C.R. No. 13 entitled:

"SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO MODERNIZE THE TOXIC SUBSTANCES CONTROL ACT OF 1976 TO STRENGTHEN CHEMICALS MANAGEMENT THROUGH POLICY REFORMS, "

begs leave to report as follows:

The purpose and intent of this measure is to urge the United States Congress to enact federal legislation to amend the Toxic Substances Control Act of 1976 in order to strengthen chemicals management.

Your Committee received testimony in support of this measure from Loretta Fuddy, Department of Health; and Arvid Youngquist, The Mestizo Association. Your Committee received testimony in opposition to this measure from the American Chemistry Council.

Your Committee finds that the Toxic Substances Control Act of 1976 was intended to authorize the United States Environmental Protection Agency to protect public health and the environment from toxic chemicals. However, in the thirty-five years since the enactment of that Act, the federal Environmental Protection Agency has required chemical companies to test only about two hundred of those chemicals for health hazards, has issued partial restrictions on only five chemicals, and has been unable to complete assessments for chemicals of the highest concern. Your Committee further finds that the Act has been widely recognized as

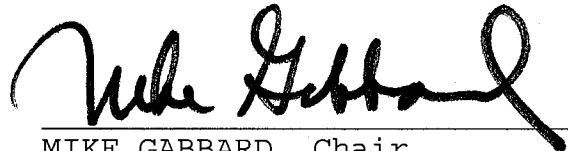


being ineffective and obsolete due to legal and procedural hurdles that prevent the Environmental Protection Agency from taking quick and effective regulatory action to protect the public against well-known chemical threats. This measure aims to move the United States Congress to take action to remedy the ineffectiveness of this Act, which has fallen far short of its original intent of protecting the health and safety of many.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 13, as amended herein, and recommends that it be referred to the Committee on Public Safety, Government Operations, and Military Affairs, in the form attached hereto as S.C.R. No. 13, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,

A handwritten signature in black ink, appearing to read "Mike Gabbard", written over a horizontal line.

MIKE GABBARD, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SCR 13</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">ENE, PGM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/22/11</div>										
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____												
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>												
Members	Aye	Aye (WR)	Nay	Excused								
GABBARD, Mike (C)	✓											
ENGLISH, J. Kalani (VC)				✓								
GREEN, M.D., Josh	✓											
IHARA, Jr., Les	✓											
SLOM, Sam			✓									
TOTAL	3	0	1	1								
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>												
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">Josh M</div>												
<table style="width: 100%; font-size: 0.8em;"> <tr> <td style="width: 25%;">Distribution:</td> <td style="width: 25%;">Original</td> <td style="width: 25%;">Yellow</td> <td style="width: 25%;">Pink</td> </tr> <tr> <td></td> <td>File with Committee Report</td> <td>Clerk's Office</td> <td>Drafting Agency</td> </tr> </table> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> Goldenrod Committee File Copy </div>					Distribution:	Original	Yellow	Pink		File with Committee Report	Clerk's Office	Drafting Agency
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*Only one measure per Record of Votes