

STAND. COM. REP. NO.

531

Honolulu, Hawaii

February 20, 2015

RE: H.B. No. 620

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which  
was referred H.B. No. 620 entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect the environment by:

- (1) Prohibiting plastic products from being labeled as "biodegradable", "degradable", "decomposable", or "compostable", unless they meet ASTM D6400 specifications;
- (2) Prohibiting plastic products from being labeled in any way to imply that they will biodegrade, decompose, break down, or fragment in a landfill or other environment, unless they meet ASTM D6400 specifications;
- (3) Allowing plastic products that have been certified by the Biodegradable Products Institute to be labeled using the Biodegradable Products Institute's logo;
- (4) Establishing penalties for violations of labeling provisions; and
- (5) Requiring the Department of Health to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, to implement these provisions.



The Surfrider Foundation, Surfrider Foundation Oahu Chapter, Conservation Council for Hawaii, Beach Environmental Awareness Campaign Hawaii, Rise Above Plastics Coalition, and several concerned individuals supported the measure. The Department of Health and Island Plastic Bags, Inc., testified in opposition. Styrophobia and a concerned individual submitted comments.

Your Committee has amended this measure by:

- (1) Limiting the labeling prohibition provision to prohibit a plastic product from being labeled as "compostable", unless it meets ASTM D6400 specifications;
- (2) Prohibiting labeling that implies that a plastic product will biodegrade, decompose, break down, or fragment in a landfill or other environment, unless the product is certified by independent scientific laboratory testing to break down in a manner that is not harmful to the environment;
- (3) Deleting the requirement that the Department of Health adopt rules pursuant to Chapter 91, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 620, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 620, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



CHRIS LEE, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HSCR 531

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: <b>HB 620</b>	Committee Referral: <b>EEP, CPL</b>	Date: <b>2/10/15</b>		
<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. LEE, Chris (C)	✓			
2. LOWEN, Nicole E. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. EVANS, Cindy	✓			
5. ING, Kaniela	✓			
6. NISHIMOTO, Scott Y.	✓			
7. SAY, Calvin K.Y.	✓			
8. YAMANE, Ryan I.	✓			
9. POUHA, Feki	✓			
10. THIELEN, Cynthia	✓			
TOTAL (10)	10	0	0	0
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>Nicole E. Lowen</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				