

Honolulu, Hawaii March 6, 2015 RE: H.B. No. 620 H.D. 2

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

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 620, H.D. 1, 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:

- Prohibiting the labeling of a plastic product 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) Permitting the labeling of plastic products that have been certified by the Biodegradeable Products Institute using the Biodegradeable Products Institute's logo; and
- (4) Establishing penalties for violations of labeling provisions.



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A member of the Kauai County Council, Beach Environmental Awareness Campaign Hawaii, and several individuals testified in support of this measure. The Hawaii Food Industry Association testified in support of the intent of this measure. The Department of Health provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that no plastic product shall be labeled in any way to imply that it is compostable or will otherwise biodegrade, decompose, break down, or fragment in a landfill or other environment, unless it meets ASTM D6400 specifications as certified by an approving authority;
- (2) Clarifying that the penalties for labeling violations apply to a manufacturer of plastics or wholesale distributor; and
- (3) Changing its effective date to January 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 620, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 620, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ANGUS L.K. MCKELVEY, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 620, HD 1	Committee Referral: EEP, CPC		Date: 03/04/15	
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)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)				
2. WOODSON, Justin H. (VC)	1			
3. BELATTI, Della Au				
4. BROWER, Tom	۲.			
5. CREAGAN, Richard P.				×.
6. HAR, Sharon E.				<u> </u>
7. HASHEM, Mark J.	1			•
8. KAWAKAMI, Derek S.K.	1			
9. LEE, Chris				
10. NAKASHIMA, Mark M.				1
11. OSHIRO, Marcus R.				<u> </u>
12. SAN BUENAVENTURA, Joy A.				
13. TAKAYAMA, Gregg				
14. YAMANE, Ryan I.				
15. FUKUMOTO CHANG, Beth				
16. MCDERMOTT, Bob	· ·			
TOTAL (16)				5
The recommendation is: Adopted If joint referral, Month Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				