STAND. COM. REP. NO. 772

Honolulu, Hawaii

FEB 17 , 2023

RE: H.B. No. 748
      H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

    Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 748, 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, beginning December 31,
2026, prohibit the manufacture, sale, offer for sale, distribution
for sale, and distribution for use of any food packaging, food
service ware, cosmetic, or personal care product that contains
perfluoroalkyl and polyfluoroalkyl substances, with certain
exceptions.

    Your Committee received testimony in support of this measure
from the Department of Health, Our Revolution Hawaii, Climate
Protectors Hawai'i, Hawaii Reef & Ocean Coalition, and six
individuals. Your Committee received testimony in opposition to
this measure from the Personal Care Products Council, Chamber of
Sustainable Commerce, and American Chemistry Council. Your
Committee received comments on this measure from the Maui Chamber
of Commerce.

    Your Committee finds that the Legislature enacted Act 152,
Session Laws of Hawaii 2022, to prohibit, beginning July 1, 2024,
the manufacture, sale, and distribution of food packaging and
class B firefighting foam containing intentionally introduced

2023-1853 HB748 HD2 HSCR HMSO-1

perfluoroalkyl and polyfluoroalkyl substances, also known as PFAS or forever chemicals. However, in light of the November 2022 spill of approximately one thousand one hundred gallons of firefighting foam containing PFAS at the Red Hill Bulk Fuel Storage Facility, your Committee believes that further action is needed to prevent future releases of these substances into the environment and drinking water sources. This measure will further protect residents against toxic chemicals by expanding the range of PFAS-containing consumer products subject to the prohibition.

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

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. 748, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 748, H.D. 2.

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

MARK M. NAKASHIMA, Chair

2023-1853 HB748 HD2 HSCR HMSO-1

State of Hawaii
House of Representatives
The Thirty-second Legislature

HSCR 772

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 748 HD1	Committee Referral: EEP, CPC, FIN	Date: 02-16-23

☐ 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. NAKASHIMA, Mark M. (C)	—			
2. SAYAMA, Jackson D. (VC)	—			
3. AMATO, Terez	—			
4. BELATTI, Della Au	—			
5. HASHEM, Mark J.	—			
6. HUSSEY-BURDICK, Natalia	—			
7. GATES, Cedric Asuega	—			
8. LOWEN, Nicole E.	—			
9. ONISHI, Richard H.K.	—			
10. TAM, Adrian K.	—			
11. PIERICK, Elijah	—			
TOTAL (11)	11			

The recommendation is: ☑ Adopted ☐ Not Adopted

If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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