



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony COMMENTING on HB1924
RELATING TO RECYCLING

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Hearing Date, Time, and Room Number: 02/03/2026, 09:30 am, 325

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department's) appropriations and
3 personnel priorities.

4 **Department Position:** The Department offers comments.

5 **Department Testimony:** The Environmental Management Division, Solid and Hazardous Waste
6 Branch (EMD-SHWB) provides the following testimony on behalf of the Department.

7 This measure proposes to establish a mattress stewardship program. The new statute
8 would require producers selling mattresses, box springs, and mattress foundations in the State
9 to have a mattress stewardship plan that ensures free and convenient collection opportunities
10 for consumers statewide. Retailers delivering new mattresses, box springs, and mattress
11 foundations would be required to offer to remove consumers' discarded products at no cost.
12 Retailers would be required to collect a mattress stewardship fee at the time of sale, which
13 would be used to implement producers' mattress stewardship plans and reimburse retailers for
14 collecting and transporting exchanged products.

15 The Department supports measures that reduce waste contributed to Hawai'i's landfills.
16 We respectfully request clarification on the stewardship program's financing and the take-back

1 requirement. Regarding program financing, §342G-C of the bill requires stewardship plans to
2 “include processes to ensure statewide, convenient collection opportunities for covered
3 products, provided free to consumers.” However, §342G-D of the bill requires a minimum \$16
4 stewardship fee to be collected by retailers, presumably from consumers, to pay stewardship
5 organizations to implement their stewardship plans and reimburse retailers for collecting and
6 transporting take-back products. Thus, clarity is needed on whether the producers, consumers,
7 or both are directly financing the program. Being that producers are responsible for designating
8 stewardship organizations under §342G-C of the bill, the Department recommends that
9 producers directly finance the stewardship program. This will avoid the costs of retailers
10 collecting fees and the Department collecting, managing, and distributing the funds, as well as
11 conducting audits on the financial aspects of the program.

12 The Department also requests clarification on the retailer take-back requirement. The
13 new statute would require retailers to offer to remove discarded mattresses and box springs
14 only. However, the definition of “covered products” includes mattress foundations. Is it
15 intentional that mattress foundations are not included in the take-back requirement?
16 Additionally, the take-back requirement only applies to the “retailer delivering” the new
17 product. Is the intent that retailers that do not deliver products – for example, online retailers
18 that ship directly to consumers via USPS, or big box retailers who do not deliver – are not
19 required to offer take-back?

20 In addition, to assist the Department in identifying producers in the state and prepare
21 for the implementation of the program, we recommend a provision that requires producers to
22 first register with the Department and identify their stewardship organization before
23 submitting a plan for approval.

24 Based on the current draft of the bill, the Department will require additional resources
25 and funding to implement this program. It is anticipated that three full-time equivalent
26 (3.0 FTE) positions are needed to review the stewardship plans, receive payments, manage the

1 funds, draft and execute contracts to allow for the payment of funds to retailers and
2 stewardship organizations, conduct audits, respond to complaints and conduct inspections of
3 producers, retailers and collection sites, and pursue enforcement actions as necessary.

4 Lastly, a reasonable timeline is needed to ensure sufficient time to develop rules if
5 needed, identify the producers, develop plans, review and approve plans, and implement the
6 program.

7 **Offered Amendments:** None

8 Thank you for the opportunity to testify on this measure.

HB-1924

Submitted on: 2/1/2026 9:00:41 PM

Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Hawaii Reef and Ocean Coalition and Climate Protectors Hawaii	Support	Written Testimony Only

Comments:

Dumping mattresses in landfills is a waste of limited landfill space and adds to greenhouse gas emissions. It would be much better to recycle the materials as this bill proposes. Please pass.

February 3, 2026

The Hon. Nicole Lowen
Chair, House Energy and Environmental Protection
Conference Room 325
State Capitol
415 South Beretania Street

RE: Opposition to HB 2476 Relating to Recycling

Dear Chairperson Lowen and Committee Members:

The International Sleep Products Association (ISPA) represents mattress manufacturers and suppliers of components, retailers and service providers to the mattress industry. We appreciate this opportunity to provide testimony on HB 2476, which would create a product stewardship program for mattresses. ISPA supports mattress recycling and has a decade of successfully operating programs in the U.S. through its Mattress Recycling Council (MRC); however, we cannot support HB 2476 in its current form. Without legislation that provides an effective, consistent framework to operate a successful statewide collection and recycling program, Hawaii will end up with a one-off ill-fated scheme, costing manufacturers, retailers, the Department of Health (DOH), and ultimately the consumer unnecessarily.

The mattress industry is a \$10 Billion industry that employs over 25,000 people throughout the United States. As the primary association representing the mattress industry in the U.S., ISPA assists our members in improving the environmental sustainability of their operations and products. To further this goal, ISPA created the MRC to operate programs in states that adopt mattress recycling laws. MRC, the only product stewardship organization (PRO) for mattresses in North America, currently operates programs in California, Oregon, Rhode Island and Connecticut. In its 10 years of operation, MRC has successfully recycled over 17 million mattresses and boxsprings and now processes over 2 million mattresses annually.

Unfortunately, HB 2476 differs significantly from the legislation that allows MRC to operate its existing programs efficiently and effectively. In addition, the bill seems to be missing several key elements, including definitions for common mattress recycling bill terminology, such as: mattress, brand, foundation, program mattress, recycle, renovate, stewardship assessment and more; no anti-trust protection for producers and retailers; and no sustainable financing

mechanism, with the stewardship fee at one point in the legislation going to the PRO, but in another, going to the Department and nonetheless capped at \$16 without any analysis of the actual costs of the program and no budget included in the program plan. In addition, the timelines, some of which are already out of date, need to be revisited with input from DOH. The legislation does not appear to capture on-line or direct-to-consumer sales and mandates costly retailer take-back, which, without enforcement authority that does not appear to be addressed, will unduly burden domestic and brick and mortar retailers.

ISPA and MRC appreciate the interest in establishing a mattress recycling program in Hawaii, however, given the significant issues with HB 2476, that create uncertainty for the mattress industry, hinder the PRO's ability to implement an efficient mattress recycling program in the state, and ultimately will cost consumers, without translating into more mattresses recycled at the end-of-life, we cannot support it. ISPA stands ready to discuss what a successful mattress recycling program, and thus, enabling legislation, in Hawaii would be, particularly considering the island nation's unique geography. Unfortunately, HB 2476 currently lacks the sound legislative framework necessary to do so.

As such, we urge the Committee to not advance the bill and direct a stakeholder group to engage and collaborate to develop legislation that is fair, reasonable, and reflects MRC's decade of experience operating successful mattress recycling programs.

Sincerely,



Alison Keane, Esq., CAE, IOM
President



TESTIMONY OF DAVE ERDMAN, PRESIDENT & CEO
RETAIL MERCHANTS OF HAWAII
FEBRUARY 2, 2026
COMMENTS FOR HB 1924 – RELATING TO RECYCLING

Aloha Chair Lowen, Vice Chair Peeruso, and Members of the Committee:

My name is Dave Erdman, and I am the Interim President and CEO of Retail Merchants of Hawai'i (RMH), a statewide nonprofit trade association representing retailers, shopping centers, and allied businesses across the islands.

Retail Merchants of Hawai'i supports responsible recycling and waste-reduction efforts and appreciates the Legislature's intent to reduce landfill use and illegal dumping through HB 1924. We offer the following comments to help ensure the bill can be implemented in a way that is workable for retailers and maintains consumer access.

RMH acknowledges several constructive elements of the bill. The producer definition is relatively narrow and avoids overextending compliance obligations. The bill also authorizes a visible point-of-sale mattress stewardship fee and establishes a dedicated special fund to support recycling activities. Creating a non-general fund and recognizing the need to reimburse retailers for certain costs is preferable to an unfunded mandate and reflects thoughtful policy design.

However, RMH remains concerned that the retailer take-back requirement tied to delivery creates significant operational challenges that are not resolved by the existence of the special fund. As drafted, the bill requires a retailer delivering a new mattress to remove the consumer's used mattress at no additional cost. Many retailers, particularly those selling online or using third-party or common-carrier delivery services, do not control the delivery process and lack the ability to safely, legally, or practically collect used mattresses.

While the special fund provides for reimbursement of collection and transportation costs, reimbursement alone does not make this requirement feasible. In many cases, retailers are unable to perform the collection function at all, regardless of cost recovery. In addition, the bill does not define reimbursement rates, timelines, or guarantees, leaving retailers exposed to uncertainty and potential compliance risk.

If enacted as written, this requirement would likely force retailers to stop offering mattress delivery in Hawai'i, limiting sales to in-store pickup only. This would reduce consumer choice, disproportionately impact neighbor island residents and kupuna, and create barriers to e-commerce.

The delivery-based take-back mandate is also uncommon nationally. Only one state has a similar requirement, while other states with mattress stewardship programs, do not impose this obligation on retailers. Experience in other jurisdictions suggests that delivery-linked take-back requirements can restrict sales rather than expand recycling access.

RMH respectfully urges the Legislature to amend HB 1924 to provide workable alternatives, such as shifting collection responsibility to producer-run or recycler-managed programs, allowing consumer drop-off or voucher options, or providing clear exemptions for online sales and third-party delivery services. These approaches would support the bill's environmental goals while preserving retail operations and consumer access.

Retail Merchants of Hawai'i and members stand ready to work with the Legislature, state agencies, and other stakeholders to help craft a mattress recycling program that is effective, equitable, and operationally feasible.

Thank you for the opportunity to provide comments on HB 1924.

Respectfully submitted,
Dave Erdman
Interim President and CEO
Retail Merchants of Hawai'i

HB-1924

Submitted on: 1/31/2026 6:33:01 PM

Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelsey Amos	Individual	Support	Written Testimony Only

Comments:

This bill moves us toward a more circular economy which is important for sustainability in an island. I support it.