

Honolulu, Hawaii

Feb 16, 2006

RE: H.B. No. 2819
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which
was referred H.B. No. 2819 entitled:

"A BILL FOR AN ACT RELATING TO DECABROMODIPHENYLETHER,"

begs leave to report as follows:

The purpose of this bill is to protect the public health by
banning the manufacture, sale, and distribution of a chemical
flame retardant, known as decabromodiphenylether.

More specifically, this bill:

- (1) Prohibits the manufacture, sale, and distribution of
televisions, computers, upholstered indoor furniture,
mattresses, and mattress pads containing commercial
decabromodiphenylether;
- (2) Authorizes the Department of Health to grant certain
product exemptions if the Department finds that a safer,
technically feasible alternative to commercial
decabromodiphenylether is not available;
- (3) Requires the Department of Health to submit its findings
and recommendations to the 2007 Regular Session of the
Legislature on the availability of safer alternatives
for the products prohibited from sale by this bill,
including any additional evidence of potential harm
posed by commercial decabromodiphenylether.



The Environmental Health Fund, Clean Production Action, and the Environmental Working Group testified in strong support of this bill. The Department of Health supports the bill with amendments. The Bromine Science and Environmental Forum testified in opposition.

Your Committee has amended this measure by:

- (1) Deleting the legislative findings in section 1, to leave only the purpose clause; and
- (2) Changing the statutory effective date of the prohibition on manufacture and distribution from July 1, 2007, to July 1, 2008.

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. 2819, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.B. No. 2819, H.D. 1.

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


HERMINA MORITA, Chair

State of Hawaii
House of Representatives
The Twenty-third Legislature

HSOR 432-06

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: <i>HB 2819</i>		Date: <i>2-14-06</i>		
Committee Referral: <i>HLT, EEP, FAA ^{CPC}</i>		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to:				
<input type="checkbox"/> Pass, unamended		<input checked="" type="checkbox"/> Pass, with amendments		
<input type="checkbox"/> Hold		<input type="checkbox"/> Recommit		
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. EVANS, Cindy (VC)	✓			
3. BERG, Lyla B., Ph.D.	✓			
4. CARROLL, Mele				✓
5. HARBIN, Bev				✓
6. KANOHO, Ezra R.				✓
7. SCHATZ, Brian	✓			
8. WATERS, Tommy	✓			
9. PINE, Kymberly	✓			
10. THIELEN, Cynthia	✓			
TOTAL	<i>7</i>			<i>3</i>
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:				
<i>Rep Cindy Evans</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				