

Honolulu, Hawaii

Feb 5, 2010

RE: H.B. No. 2125

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which
was referred H.B. No. 2125 entitled:

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

begs leave to report as follows:

The purpose of this measure is to reduce the amount of
plastic waste entering the State's landfills and ocean waters by
encouraging the use of reusable checkout bags in retail
transactions. Specifically, beginning January 1, 2011, this
measure:

- (1) Requires businesses in the State to charge and collect
an offset fee of 20 cents for each plastic disposable
checkout bag that is distributed to customers, subject
to exceptions;
- (2) Requires businesses to remit offset fees collected to
the Department of Health each month; and
- (3) Provides for the deposit of offset fees into the general
fund.

Testimony in support of this measure was received from the
University of Hawaii Environmental Center, Hawaii Chapter of the
Sierra Club, Conservation Council for Hawaii, Hawaii Audubon
Society, Surfrider Foundation, and a number of concerned
individuals. Testimony in opposition to this measure was received



from the Department of Health, American Chemistry Council, Hawaii Restaurant Association, Retail Merchants of Hawaii, and two concerned individuals. Comments were received from the Hawaii Food Industry Association.

Your Committee finds that non-recyclable plastic waste poses a significant threat to Hawaii's natural environment and marine life. Non-recyclable plastic waste also contributes to the rapid overfilling of the State's landfills. Disposable checkout bags are a significant portion of the non-recyclable plastic waste that ends up as landfill waste or litter on Hawaii's land or in the ocean. Your Committee finds that a fee on the distribution of disposable checkout bags would discourage their use, while also encouraging greater use of reusable, environmentally-friendly alternatives.

Your Committee has amended this measure by:

- (1) Adding a purpose clause to clarify the intent of this measure;
- (2) Including paper bags in the definition of "disposable checkout bag";
- (3) Decreasing the amount of the offset fee to 10 cents per disposable checkout bag; and
- (4) Allowing businesses that offer their customers a credit for providing their own checkout bags to retain an unspecified percentage of the offset fees collected by the business.

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. 2125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2125, H.D. 1, and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.



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

Hermina Morita

HERMINA MORITA, Chair



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HSCR 1577-10

State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 2125	Committee Referral: EEP, EBM, FIN	Date: 2-4-2010 <i>DE</i> 2-2-10
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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)

EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. COFFMAN, Denny (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.				✓
5. CHONG, Pono				✓
6. HAR, Sharon E.				✓
7. HERKES, Robert N.	✓			
8. ITO, Ken	✓			
9. LEE, Chris	✓			
10. LUKE, Sylvia				✓
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.		✓		
13. THIELEN, Cynthia		✓		
TOTAL (13)	6	2	0	5

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: *Denny Coffman*

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