

STAND. COM. REP. NO.

2175

Honolulu, Hawaii

FEB 11 2010

RE: S.B. No. 2559
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred S.B. No. 2559 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require retailers in the State to distribute only recyclable, reusable, or biodegradable checkout bags.

Testimony in support of this measure was submitted by two organizations and forty-seven individuals. Two organizations and three individuals support the intent. One organization submitted comments. Testimony in opposition was submitted by one state agency, three organizations, and one individual. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Worldwide production of single use plastic grocery bags is estimated to be over five hundred billion each year. Most end up in landfills where they can last for a thousand years. Except for those bags that are recycled and the approximately five per cent that are burned in garbage-to-energy plants each year, the remaining plastic bags that have ever been made are still in the environment. Plastic bags kill an estimated one hundred thousand marine animals each year. Your Committee finds that taxpayers spend as much as seventeen cents per plastic bag to subsidize the recycling, collection, and disposal of plastic bags. Reducing the number of plastic bags produced and used annually will protect



marine and animal species, reduce costs related to waste disposal, reduce fossil fuel consumption for their production, and reduce the non-biodegradable litter cluttering our oceans and beaches.

Your Committee has amended this measure by:

- (1) Amending the definition of "single-use plastic checkout bag" to mean a carryout bag that is provided by a store to a customer at the point of sale, which:
 - (A) Does not satisfy the definition for a "reusable bag," regardless of how many times it can be used; and
 - (B) Is not made of biodegradable plastic;
- (2) Taking into consideration the recommendations of the Surfrider Foundation and the Hawaii Restaurant Association to also exempt stores and restaurants that sell food sold in bulk, prepared foods, and baked goods sold without packaging; and
- (3) Making technical, nonsubstantive changes for the purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2559, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,




MIKE GABBARD, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 2559	Committee Referral: ENE, JGO	Date: 2/4/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
ENGLISH, J. Kalani (VC)				✓
GREEN, M.D., Josh	✓			
HOOSER, Gary L.	✓			
IHARA, Jr., Les				✓
KOKUBUN, Russell S.				✓
HEMMINGS, Fred			✓	
TOTAL	3	0	1	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes