

Honolulu, Hawaii

Feb 7 , 2012

RE: H.B. No. 2260

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2260 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 number of single-use checkout bags by requiring businesses in the State to collect fees for single-use checkout bags provided to customers.

The Department of Land and Natural Resources; the Hawaii Food Industry Association; Retail Merchants of Hawaii; The Nature Conservancy; the Sierra Club, Hawaii Chapter; Times Supermarkets; Safeway; the Hawaii Restaurant Association; the Conservation Council for Hawaii; the Surfrider Foundation; and seven individuals provided testimony in support of this measure. The Department of Health provided testimony in support of the intent of this measure. The Department of Taxation, the Department of Budget and Finance, and the Tax Foundation of Hawaii provided comments on this measure.

Your Committee amended this measure by:

- (1) Allowing businesses to provide single-use checkout bags free of charge to customers participating in federally approved nutrition assistance programs, including the Supplemental Nutrition Assistance Program and the



Supplemental Nutrition Program for Women, Infants, and Children;

- (2) Deleting the provision that \$800,000 of the fees collected annually be deposited into the general fund;
- (3) Specifying that sixty per cent of the fee revenues collected from January 1, 2012, through December 31, 2013, and seventy percent of the fee revenues collected thereafter, rather than a flat dollar amount of those fee revenues, be deposited into the Natural Area Reserve fund established under section 195-9, Hawaii Revised Statutes for the Department of Land and Natural Resources to expend on watershed protection, restoration, and acquisition;
- (4) Requiring the Department of Health to request funding to administer the single-use checkout bag fee program in its annual budget request;
- (5) Adding an appropriation for fiscal year 2012-2013 to the Department of Health to initiate and administer the components of the single-use checkout bag fee; and
- (6) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2260, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2260, H.D. 1, and be referred to the Committee on Economic Revitalization & Business.

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

Denny Coffman

DENNY COFFMAN, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 171-12

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 2260	Committee Referral: EEP, ERB, FIN	Date: 2-2-2012		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. COFFMAN, Denny (C)	✓			
2. KAWAKAMI, Derek S.K. (VC)		✓		
3. CABANILLA, Rida T.R.				✓
4. CARROLL, Mele		✓		
5. CHANG, Jerry L.	✓	✓		
6. HAR, Sharon E.		✓	✓	
7. HERKES, Robert N.		✓		
8. ITO, Ken		✓		✓
9. NAKASHIMA, Mark M.	✓	✓		
10. RIVIERE, Gil		✓		
11. THIELEN, Cynthia	✓			
TOTAL (11)	4	5	0	2
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: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				