

HB 2483, HD1, SD1



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

Testimony in SUPPORT of HB 2483 HD1 Proposed SD1  
Relating to Environment

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Mike Gabbard, Chair  
Senator J. Kalani English, Vice Chair  
And  
SENATE COMMITTEE ON WAYS AND MEANS  
Senator David Y. Ige, Chair  
Senator Michelle N. Kidani, Vice Chair

April 3, 2012  
2:45 pm, Room 225

Chair Gabbard, Chair Ige, Vice Chair English, Vice Chair Kidani, and members of the committees, thank you for hearing House Bill 2483, House Draft 1, Proposed Senate Draft 1, Relating to Environment. Thank you for the opportunity to testify in strong support of the Proposed Draft.

I support the collection of a fee on single-use checkout bags as a way to reduce the number of disposable bags used in the State of Hawaii. This will not only immediately reduce the impact they have upon our environment after they are discarded but will positively impact our landfills and natural resources that are consumed and affected by the production of these bags.

Another critical aspect of this Proposed Draft 1 is the investment of the fees collected into the Natural Area Reserve Fund in the Department of Land and Natural Resources. This Fund has been spread increasingly thin over recent years to the point where our watershed protection has been compromised. To protect our lands and all that depend on it, the Department of Land and Natural Resources has developed an action plan to double the amount of protected priority watershed areas in the next 10 years. This plan, called *The Rain Follows the Forest*, will help stabilize our water source in Hawaii by providing for the necessary stewardship of our islands.

As an island state, it is critical that we take reasonable steps to reduce the damage to our environment as well as invest in the natural resources that make Hawaii famous. The Proposed Senate Draft 1 accomplishes both of these goals.

Again, mahalo for the opportunity to testify.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
WILLIAM J. AILA, JR.  
Chairperson**

**Before the Senate Committees on  
ENERGY AND ENVIRONMENT  
and  
WAYS AND MEANS**

**Tuesday, April 3, 2012  
2:45 PM**

**State Capitol, Conference Room 225**

**In consideration of  
HOUSE BILL 2483, HOUSE DRAFT 1, PROPOSED SENATE DRAFT 1  
RELATING TO ENVIRONMENTAL PROTECTION**

House Bill 2483, House Draft 1, Proposed Senate Draft 1 proposes to require the collection of a 10 cent fee on single-use checkout bags. Among other recipients, portions of the revenues generated would be deposited into the Natural Area Reserve Fund for watershed protection. The Department of Land and Natural Resources (Department) supports this measure.

Fortunately there are cost-effective and long-term solutions to reverse the trend of forest degradation. The Department's Watershed Program supports public-private partnerships to leverage state funds and provide a diverse range of local jobs. However, funding for these efforts is not sufficient and forest losses continue. In 2000, the State legislature directed the Department to identify additional funding sources to protect Hawaii's watershed forests. But a decade later, the only dedicated funding source for watershed partnerships is the Natural Area Reserve Fund (NAR Fund), which receives a percentage of the State Conveyance Tax from the sale of real property. With recent cuts to the State general funds, a variety of natural resource programs have increasingly relied on the NAR Fund. This has significantly compromised the funds allocated to watershed protection. In Fiscal Year 2011, 11 partnerships split \$1.25 million, and the five island-based committees that control invasive species and contribute to watershed protection have no authorized dedicated funding whatsoever. Their general fund allocation was eliminated, and they now receive annual legislative allocations from the NAR Fund. In recent years, the NAR Fund has become the funding source for a variety of worthy natural resource programs. But its capacity is stretched to the limit as it is carved up into smaller and smaller shares. While watershed partnerships have typically been able to leverage dedicated state funds with at least 1:1 matching funds, declining state revenues have reduced their ability to find matching contributions. This significantly compromises their ability to protect and maintain priority watershed areas into the future.

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

An October 2011 statewide poll demonstrated Hawaii's residents' willingness to support increased funding of watershed protection. In addition to a high rating of urgency to protect upland forests for water supplies, 78% of respondents were supportive of increasing funding of watershed protection from \$1 million to \$11 million. When respondents were presented with various means by which the increased funds could be raised, a majority supported the use of environment-related taxes (7.4 out of 10, with 10 indicating "Strong Support"). While the proposed bag fee is not a tax, these results suggest that the public recognizes the immediate need to significantly increase investments in watershed protection.

This measure reduces and mitigates damage from single-use checkout bags while providing wide-ranging benefits to Hawaii's environmental and economic health for current and future generations. Funds deposited in the natural area reserve fund would implement the Department's *The Rain Follows the Forest* plan (available online at <http://Hawaii.gov/dlnr/rain>) to protect Hawaii's sources of water, which are threatened from hotter and drier conditions from climate change, as well as loss of watershed forests.

The actions proposed in the plan protect the natural resources threatened by the consumption of single-use checkout bags from deforestation, fossil fuel use, and marine debris pollution. In addition to increasing fresh water supplies, forests prevent erosion that muddies beaches, coral reefs, and fisheries. Forests reduce Hawaii's greenhouse gas emissions, and mitigate many damaging impacts from climate change. Protection sustains the native wildlife and plants unique to our islands and sacred to the Hawaiian culture. The Department's goal is to double the level of forest protection in the next ten years, requiring approximately \$11 million per year. This initiative will create over 150 local jobs. Projects are ready in each county to begin reaching job creation and accomplishment targets. Funds would be allocated in a statewide competitive process to maximize effectiveness and accountability.

Forests are enormous economic assets in Hawaii. In addition to protecting the coral reefs, beaches, and wildlife that make Hawaii a desirable visitor destination, forests are essential to provide water at affordable rates. Hawaii's native forests absorb moisture from rainfall and passing clouds that condense on the thick vegetation and can increase groundwater supply by up to 50%. However, over half of forests have already been lost to invasive species, causing extensive water loss across landscapes. Even a small percentage reduction in groundwater recharge can cost millions per year in increased pumping to transport water for human use. When groundwater levels decline to a point that they cannot be pumped, expensive alternative water sources are needed - long transport pipes, new wells, and even desalination plants. With forest degradation ongoing and accelerating, the longer Hawai'i waits to take significant action to halt this destruction, the higher the costs will be to reverse the damage and ensure Hawaii's water supply and natural beauty for current and future generations.

House Bill 2483, House Draft, Proposed Senate Draft 1 is a responsible measure that would both reduce damage from bag consumption while providing dedicated funding for essential environmental programs.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

SENATE COMMITTEE ON WAYS AND MEANS

H.B. 2483, H.D. 1, S.D. 1 Proposed, RELATING TO ENVIRONMENT

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Director of Health

April 3, 2012  
2:45 p.m.

1 **Department's Position:** The department supports the single-use checkout bag measure but  
2 respectfully opposes the dietary exemption language as written and offers amendments.

3 **Fiscal Implications:** PART I: This measure tasks the department with substantial administrative duties  
4 to implement the checkout bag fee program. The annual added cost to the department is estimated to be  
5 up to \$1,400,000. Businesses retain up to twenty percent of collections subject to both income and  
6 excise tax. The first \$800,000 annually goes to the department for the second year of implementation  
7 and thereafter. The remainder of fees, less an 80 percent allocation for the natural area reserve fund go  
8 to the environmental response revolving fund. PART II: This measure will likely increase revenue by  
9 an unknown amount.

10 **Purpose and Justification:** PART I: SINGLE-USE CHECKOUT BAG FEE. This measure requires  
11 all businesses in the state to charge a 10-cent fee for each single-use checkout bag provided to their  
12 customers. The fee may increase to 25 cents in 2017 if a single-use checkout bag reduction goal is not  
13 met. Exemptions remain for bags used for food items, bulk food purchases, fresh produce, prepared  
14 food for take-out, live animals, newspapers, and laundry/dry cleaning uses.

*Promoting Lifelong Health & Wellness*

1           The department supports the reduction of solid waste, litter, and the use of petroleum resources.  
2           We believe that a fee of 10 or 25 cents will provide an effective disincentive and reduce plastic bag  
3           waste. Further, as the agency of the state responsible to maintain pristine water quality standards in our  
4           streams and ocean, we believe it is appropriate that revenues from this fee on a pollutant be invested not  
5           only in pollution prevention programs but to also protect and enhance the source of our island's drinking  
6           water. The health of our people will be enhanced by improving and maintaining the health of our  
7           watersheds.

8           The department will also require startup funds for the first year of implementation to educate and  
9           conduct initial outreach to several thousand retailer locations and the general public, hopefully before  
10          actual collections start on January 1, 2013. So we propose an amendment that already exists in another  
11          version, SB2511 SD2 HD2.

12          PART II: DEPOSIT BEVERAGE CONTAINER PROGRAM. The department respectfully  
13          opposes the changes proposed in Part II of the bill. The proposed language is confusing and will  
14          significantly complicate administration of dietary supplements under the Deposit Beverage Container  
15          (DBC) Program. We however support the language proposed in the department's administration bill  
16          regarding dietary supplements, SB 2824. The proposed language in SB 2824 will eliminate the existing  
17          dietary supplement exemption entirely as it is ambiguous and creates difficulties for both the DBC  
18          program and beverage distributors.

19          Should the committee consider adopting the language proposed in SB 2824, we also offer an  
20          additional amendment that provides for an orderly transition of dietary supplements into the program.

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

22

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Proposed Amendments

HB 2483, HD1, SD1, Proposed

PART I: SINGLE-USE CHECKOUT BAG FEE

SECTION \_\_. There is appropriated out of the general fund the sum of \$ \_\_\_\_\_ or so much thereof as may be necessary for fiscal year 2012-2013 for the purpose of initiating and administering all components of the single-use checkout bag fee program.

The sum appropriated shall be expended by the department of health for the purposes of this Act.

PART II: DEPOSIT BEVERAGE CONTAINER PROGRAM

SECTION \_\_. The department of health shall phase-in all requirements affecting dietary supplement deposit beverage containers, beginning December 1, 2012, as follows; provided that the phase-in shall be completed by March 1, 2013:

- (1) From December 1, 2012, distributors of deposit beverage containers may begin marking dietary supplements deposit beverage containers as required under section 342-112(a), Hawaii Revised Statutes;
- (2) From December 1, 2012, until March 1, 2013, dietary supplements deposit beverage containers may be redeemed under the deposit beverage container program, without regard to whether the container bears the refund value of the container and the word "Hawaii" or the letter "HI", required by section 342G-112(a), Hawaii Revised Statutes;
- (3) Beginning March 1, 2013, every deposit beverage container sold in the state shall be marked as required under section 342G-112(a), Hawaii Revised Statutes; and
- (4) Beginning March 1, 2013, only deposit beverage containers meeting the requirements of section 342G-112(a), Hawaii Revised Statutes, shall be eligible for redemption.

NEIL ABERCROMBIE  
GOVERNOR

BRIAN SCHATZ  
LT. GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF TAXATION**

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FREDERICK D. PABLO  
DIRECTOR OF TAXATION

RANDOLF L. M. BALDEMOR  
DEPUTY DIRECTOR

To: The Honorable Mike Gabbard, chair  
and Members of the Senate Committee on Energy and Environment

Date: Tuesday, April 3, 2012  
Time: 2:45 P.M.  
Place: Conference Room 225, State Capitol

From: Frederick D. Pablo, Director  
Department of Taxation

Re: H. B. 2483 HD 1 Proposed SD 1, Relating to Environment

The Department of Taxation (Department) appreciates the intent of H. B. 2483 HD 1 Proposed SD 1 and offers the following information and comments for your consideration.

H. B. 2483 HD 1 Proposed SD 1 establishes a fee to be charged by businesses for providing single-use checkout bags to customers, with fees to be remitted to the Department of Health. Businesses charging the fee are allowed to retain a portion of fees collected. H. B. 2483 HD 1 Proposed SD 1 also amends Section 342G-101 of the Hawaii Revised Statutes, pertaining to the Deposit Beverage Container Program.

Regarding the Single-Use Checkout bag fee established by this measure, the department notes that all fees retained by businesses under this section are subject to tax under Chapters 235 and 237 of the Hawaii Revised Statutes, and that the measure prohibits taxes imposed on fees retained from being charged to any customer.

The Department supports inclusion of language specifically stating that the proceeds are subject to taxation, however notes that the language stating the taxes may not be "charged to any customer" is somewhat confusing; general excise tax liability applies to the business, not the customer. If the intent is to prohibit a business from passing on the general excise tax to the customer, the language should be clarified to state such to avoid confusion.

Thank you for the opportunity to provide comments.



# TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, Single-use checkout bag fee

BILL NUMBER: HB 2483, Proposed SD-1

INTRODUCED BY: Senate Committees on Energy and Environment and Ways and Means

**BRIEF SUMMARY:** Adds a new part to HRS chapter 342H to establish a single-use checkout bag fee. On January 1, 2013 requires all businesses in the state to charge and collect a fee of 10 cents for each single-use checkout bag that is provided to customers. After July 1, 2016 if the department of health determines that the statewide distribution of single-use checkout bags has not decreased by at least 25% from the effective date of this act, then the fee shall increase to 25 cents on January 1, 2017. Each customer transaction receipt shall show the number of single-use checkout bags provided and the amount of the fee charged.

Allows a business to retain: (1) up to 20% of the bag fees collected between 1/1/13 and 12/31/13; and (2) up to 10% of the bag fees collected from 1/1/14 and thereafter. All fees retained shall be subject to HRS chapters 235 and 237 provided that any taxes imposed on the fees retained shall not be charged to the customer. Requires businesses subject to the single-use checkout bag fee requirements to conduct educational outreach to their customers regarding the single-use checkout bag fee program.

No later than the last day of each month, businesses subject to the single-use checkout bag fee are to remit to the department the fees collected by the last day of each month, less the allowable amount retained, during the immediately preceding month; provided that a small business may remit the fees on a quarterly basis on the last day of the month following the end of a quarter. Businesses shall be subject to penalties and interest for late or underpaid fees. Fees collected shall be deposited into a special account of the environmental management special fund provided: (1) the first \$800,000 of the fees collected annually shall be expended by the department of health for administrative, education, audit, compliance, and enforcement activities associated with collection of the single-use checkout bag fee; (2) of the remaining balance: (a) 20% shall be deposited into the environmental response revolving fund; and (b) 80% shall be deposited into the natural area reserve fund to be expended by the department of land and natural resources for watershed protection, restoration, and acquisition.

Violations of the single-use checkout bag fee program shall be subject to a fine of no less than \$1,000 for each violation. Further establishes provisions relating to injunctive and other relief, interaction with any county ordinances, and business reporting of the number of single-use checkout bags provided to customers and the number of reusable bags provided to customers.

Requires the department of health to submit to the legislature an annual report, no later than twenty days prior to the convening of each regular session, delineating the department's efforts to effectuate the single-use checkout bag fee program, the number of single-use checkout bags distributed, the statewide reduction rate in the amount of single-use checkout bags distributed, and any recommended policy changes needed to better effectuate the single-use checkout bag fee program.

HB 2483, Proposed SD-1 - Continued

No later than 3/31/13, each business that is required to charge and collect the single-use checkout bag fee shall submit to the department of health a one-time report listing the number of single-use checkout bags and reusable bags provided to customers by that business for the 2012 calendar year.

Defines "single-use checkout bag," as: (1) a bag made of plastic that is less than 2.25 mils thick, or a paper package or sack, whether recyclable or non-recyclable, that is provided by a business to a customer, and is designed for one-time use to contain and transport merchandise. A single-use checkout bag does not include: (1) bags used by customers inside a business to package loose items, such as fruits, vegetables, nuts, grains, or candies, or small hardware items; (2) bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, or other items to contain dampness; (3) bags used to protect or transport prepared foods or bakery goods; (4) bags provided by pharmacists to contain prescription medications; (5) newspaper bags for home newspaper delivery; (6) door-hanger bags; (7) laundry, dry cleaning, or garment bags, including bags provided by hotels to guests to contain wet or dirty clothing; (8) bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags; (9) bags used to contain live animals, such as fish or insects sold in pet stores; or (10) bags used to transport chemical pesticides, drain-cleaning chemicals, or other caustic chemicals sold at the retail level; provided that this exemption shall be limited to one bag per customer. Defines "reusable bag" as a bag with handles that is specifically designed and manufactured for multiple reuse and is made of: (1) cloth or other machine-washable fabric; or (2) durable material suitable for reuse, including plastic that is at least 2.25 mils thick.

Makes nontax amendments to HRS section 342B-101 to include energy beverage containers in the deposit beverage container program effective January 1, 2013.

EFFECTIVE DATE: July 1, 2012

STAFF COMMENTS: While the legislature has acknowledged that the excessive use of single-use checkout bags is a hazard to the environment, rather than a ban or limitation on the use of such checkout bags, this measure proposes a single-use checkout bag fee on each single-use checkout bag that is provided to customers with the revenues derived from the fee deposited into the environmental response revolving fund and the natural area reserve fund for watershed protection, restoration, and acquisition. While each single-use checkout bag provided to customers may cost customers 10 cents per bag, it is questionable whether: (1) the fee imposed would encourage customers to use reusable bags; or (2) the amount derived from this program is sufficient to address the requirements of the stated program areas.

That said, lawmakers and taxpayers should recognize this proposal for what it is, that is, it is nothing more than another way to raise more money to fund questionable state programs. While proponents may argue that such a fee will discourage consumers from using single-use checkout bags, the real reason for this measure is merely to raise more money to fund government programs. As such, the department of health should be ashamed for having introduced this measure initially as it expands government at a time when everyone realizes that state government has grown beyond what taxpayers are able to support. It attempts to hide behind the environmental argument that single-use checkout plastic bags litter the state's environment. Since the Neighbor Island counties have already moved to ban the use of these bags, this measure really will apply only to Honolulu.

Taxpayers need only to recall the fiasco of the "bottle tax" on beverage containers. Instead of providing a financial incentive to consumers to recycle their beverage containers, the bottle tax merely created a

surplus of funds because beverage containers were not being returned for the nickel deposit fee and for those that were returned and redeemed, the bulk are probably returned by school groups, nonprofits and the homeless who scavenge the parks and streets to provide a source of income. Despite the return of some of these containers, the balance in the beverage container fund has soared to over \$30 million.

And while lawmakers may think that this is a penalty on those consumers who chose not to return their beverage containers, note well that this is more than \$30 million that is not circulating in the state's economy, creating the jobs that Hawaii's people so desperately need.

Under the proposed measure, a fee is imposed for each bag provided to the consumer. A business would have to bag a customer's purchases, then complete the transaction after counting the number of single-use checkout bags it provided to the customer. Although the proposal would allow the business to retain a portion of the fees collected, the actual amount will depend on the number of bags "sold" to customers and, therefore, it is impossible to determine whether or not the fee amount retained will be sufficient or insufficient to cover the cost of compliance with the program. Note well that the amount of the retained fee will be subject to the state's general excise and income taxes. Thus, as drafted, this fee merely adds to the cost of doing business in Hawaii. So much for lawmakers' lofty promise not to affect the state's fragile economy.

Taxpayers should also be wary of the fact that supporters of this measure are the beneficiaries of the proceeds, the environmental response revolving fund and the natural area reserve fund, the later of which is already the recipient of part of the conveyance tax. However, unlike the conveyance tax which will constantly be paid as real property changes hands, should this fee be successful in discouraging the use of these bags and the funds dry up, what then will they do to keep the program funded? The only alternative to severely cutting back a bloated program is to raise taxes. Thus, adoption of this fee now will surely promise an increase of general taxes in the future. Not only that, but the Honolulu City Council is already considering a ban on such bags. What, then, is the use for this legislation?

If the intent of this proposal is truly to protect the environment from the misuse and abuse of single-use checkout bags, then just ban the use of such bags as the three Neighbor Islands have already done. This disingenuous attempt by lawmakers is so transparent in its attempt to raise new revenues that it is an insult to taxpayers who are already overburdened and who have had to endure the addition of more and more taxes in recent years as lawmakers try to close the budget gap. Retailers might just welcome such a ban as it would reduce their costs since they would not have to provide bags as a courtesy. Ah, but that would mean that there would not be another source of money for lawmakers to spend.

It should be noted that in an effort to reduce the use of single-use checkout bags, several businesses have their own programs to encourage consumers to utilize reusable bags and such programs have been successful in reducing the number of plastic or paper bags provided to customers. Others, like the big box stores, do not provide their customer any type of bags to take away their purchases and that system seems to work just as well.

Some advocate this measure because it will produce much needed funds to address Hawaii's watershed issues. Obviously the dilemma of Hawaii's watersheds is not of a high priority to the point where lawmakers have been willing to appropriate general funds for that program. Thus, this measure represents nothing more than an expansion of government by raising new revenues, revenues that will no longer be available in the economy to be spent on goods and services that drive the creation of jobs. To

a large degree, this measure is another step in creating a dysfunctional government and stunts the economic growth of the community. If the watershed issue is so critical, then lawmakers need to re-prioritize the spending of the precious tax dollars that they already have. It is certainly an indictment that lawmakers do not know how to do their jobs of allocating the resources they already have.

To reiterate, this proposal is nothing more than a grab for money. It is one more measure that will increase the cost of living and doing business in Hawaii while truly not accomplishing the goal of "cleaning up the environment" that it seems to hide behind. Lawmakers may have been successful in tricking taxpayers once with the "bottle bill," but a second time is truly reprehensible.

Digested 4/2/12



# Sierra Club Hawai'i Chapter

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## SENATE COMMITTEE ON ENERGY AND ENVIRONMENT SENATE COMMITTEE ON WAYS AND MEANS

April 3, 2012, 2:45 P.M.  
(Testimony is 3 pages long)

### TESTIMONY IN STRONG SUPPORT OF HB 2483 (Proposed SD1)

Aloha Chair Gabbard, Chair Ige, and Committee(s) Members -

The Sierra Club, Hawai'i Chapter, with 10,000 dues-paying members and supporters, **strongly supports** the proposed SD1 for HB 2483. This measure creates an offset fee for most single-use bags (whether paper or plastic) and incentivizes retail stores to encourage the use of less-harmful bags. An offset fee smartly places a fee on one of our environmental problems to fund clean water for our keiki.

#### **I. Reducing Our Opala Problem.**

Single use bags simply are not in our sustainable future and strong efforts should be made to discourage their continued use.

Hawai'i is faced with a solid waste crisis. The proliferation of single use bags directly contributes to this problem. They tax our economy and environment when they are littered or placed in our overflowing landfills. For example, a recent study conducted in Seattle concluded -- even with a high 13% recycling rate (greater than the national average of 3-5%) -- approximately 1,650 tons of plastic bags were put into the landfill annually.<sup>1</sup> The net cost to Seattle and ratepayers of collecting, transferring and disposing of waste was calculated to be approximately \$121 per ton or approximately \$200,000 for plastic grocery bags.

Even if these bags are burned at H-POWER (only on O'ahu), they are essentially converted to greenhouse gasses, further hastening global climate change, and ultimately not addressing the root of the problem. Similarly, with nearly 40% of the State's solid waste-stream able to be

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<sup>1</sup> See Alternatives to Disposable Shopping Bags and Food Service Items, available at <http://www.ci.seattle.wa.us/util/Services/Recycling/Reduce, Reuse & Exchange/ProposedGreenFee/index.htm>

diverted from disposal at the landfill, plastic bags pose the single-most significant challenge to composting facilities, contaminating the compost, getting wrapped in the splines of processing equipment, and reducing the value of the compost product.

## II. Consumers Already Indirectly Pay for Single Use Bags.

“Free” single use bags are an expense that is typically not directly visible by customers. Retailers spend hundreds of millions of dollars annually to provide single-use bags to customers. For example, supermarkets can spend up to \$1,500 to \$6,000 a month just to provide single-use bags to their customers at the check-out.<sup>2</sup> Even major retailers such as Target and CVS are realizing this significant cost burden and are offering discount incentives to customers who bring their own bags.<sup>3</sup>

The cost of purchasing tens of millions of bags in Hawai`i annually is most certainly passed on to local consumers, but it is not a visible cost and, thus, normal market controls do not take place. As with anything “free,” we tend to take advantage of the ready supply plastic bags without considering the indirect costs.

It should be noted that two highly successful businesses in Hawai`i -- Costco and Wholefoods -- do not offer its customers plastic bags. These businesses are flourishing. The switch by Wholefoods alone kept 100 million plastic bags out of the environment between April 22, 2008 and the end of 2008.

## III. Single Use Bags Tax Our Environment.

Single use bags contribute to litter and pose a threat to avian and marine life in Hawai`i. As noted by NOAA,<sup>4</sup> plastic photo-degrades -- breaking down into smaller and smaller pieces due to exposure to solar UV radiation. However, when in water plastic does not get direct sunlight exposure, therefore breakdown happens much more slowly in the aquatic environment. So far as we know, plastics do not ever fully “go away,” but rather break down into smaller and smaller pieces, sometimes referred to as microplastics.

Plastics also have the potential to adsorb contaminants from the marine environment and carry these contaminants through the food chain. Plastic debris attracts and accumulates hydrophobic organic toxins such as PCBs (polychlorinated biphenyls) up to 100,000-1,000,000 times ambient

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<sup>2</sup> Downing, J. “Free Grocery Bags Targeted for Extinction in California,” *Sacramento Bee*, Aug. 25, 2008. Estimates from bag manufacturers and the Food Marketing Institute. Available at [http://www.roplast.com/documents/Free\\_grocery\\_bags\\_targeted\\_for\\_extinction\\_in\\_California\\_-\\_Sacramento\\_Politics\\_-\\_California\\_Politics\\_Sacramento\\_Bee.pdf](http://www.roplast.com/documents/Free_grocery_bags_targeted_for_extinction_in_California_-_Sacramento_Politics_-_California_Politics_Sacramento_Bee.pdf).

<sup>3</sup> Horovitz, B. “Target, CVS Put Plastic Bags in the Bull's-Eye, Pay for Reusables,” *USA Today*, Oct. 19, 2009.

<sup>4</sup> See <http://marinedebris.noaa.gov/info/plastic.html>



seawater concentrations. These toxins can then bioaccumulate up the food chain, where they directly impact human health.

#### **IV. The Importance of Protecting Hawai'i's Water Resources**

Regardless of what happens on the international front, we know that climate change is going to impact in Hawai'i in significant and detrimental ways. This is the new reality of today and tomorrow. We have to foresee these changes and adapt to a changing world.

The funding provided by this bill could provide a significant, long-lasting, and vital contribution to addressing one of the critical impacts of climate change and ensure Hawai'i has water for future generations.

Further, enhancing efforts to protect Hawai'i's watersheds would have the additional benefit of protecting Hawai'i's cultural legacy from the destruction of invasive species. Hawai'i is home to more threatened and endangered species than anywhere in the country. In order to ensure future generations will have the opportunity to appreciate the diversity of Hawai'i, increased protections and funding are needed today.

We hope you will move this measure forward. Mahalo for the opportunity to testify.



# MISC

**MAUI INVASIVE SPECIES COMMITTEE**

Testimony of the Maui Invasive Species Committee  
House Bill 2483 HD1 SD1  
Relating to Environment  
Before the Senate Committee on Ways and Means  
Senate Committee on Water, Land, and Housing  
Senate Committee on Energy and Environment  
Conference Room 225

April 3, 2012, 2:45PM

The Maui Invasive Species Committee (MISC) supports H.B. 2483 HD1 SD1, which will impose a fee on single-use bags, with revenue generated by the fee to support protection of our forested watersheds. Our native forests provide life-giving waters for human consumption and are home to plant and animal species found nowhere else in the world. Healthy forests also mean healthy reefs.

Hundreds of studies have documented the damage caused by invasive plants and animals. Resources to protect our forested watersheds have never been adequate. This bill will provide needed revenue, at least in the short run, to support watershed protection while simultaneously helping to limit the proliferation of plastic bags and reduce waste.

Please support this important initiative.

Thank you for your consideration and for your kōkua.

Teya M. Penniman  
Manager





## CONSERVATION COUNCIL FOR HAWAI'I

Testimony Submitted to the Senate Committee on Energy and Environment  
and Senate Committee on Ways and Means  
Hearing: Tuesday, April 3, 2012 2:45 p.m..  
Conference Room 225

Support for HB 2483 HD 1 Proposed SD 1 Relating to Environmental Protection

Aloha. The Conservation Council for Hawai'i supports HB 2483 HD 1 Proposed SD 1, which establishes a fee for single-use checkout bags provided to customers. The bill will encourage people to use reusable bags when shopping. It will reduce solid waste in our landfills as well as litter on the land and in the ocean. The bill is also consistent with local policies to reduce single-use disposal bags in Kaua'i and Maui counties.

CCH is dedicated to protecting native Hawaiian plants, animals, and ecosystems for future generations, and we are very concerned about the harm to seabirds, sea turtles, monk seals, dolphins, and whales, caused by plastic bags and other marine debris. We also appreciate the energy savings that would be realized by reducing the number of single-use checkout bags manufactured for, and shipped to Hawai'i.

We support the allocation of funds for watershed protection, restoration, and acquisition.

Please invest in Hawai'i's natural environment, its people, and our future by supporting HB 2483 HD 1 Proposed SD 1.

Mahalo for the opportunity to testify.

Sincerely,

Marjorie Ziegler  
Executive Director



**Hawai'i's Voice for Wildlife – *Ko Leo Hawai'i no na holoholona lohiu***

Telephone/Fax 808.593.0255 • email: [info@conservehi.org](mailto:info@conservehi.org) • web: [www.conservehi.org](http://www.conservehi.org)  
P.O. Box 2923 • Honolulu, HI 96802 • Office: 250 Ward Ave., Suite 220 • Honolulu, HI 96814

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Directors: Lida Pigott Burney \* Koalani Kaulukukui \* Robin Kaye  
Executive Director: Marjorie Ziegler



Testimony of C. Mike Kido  
External Affairs  
The Pacific Resource Partnership

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Mike Gabbard, Chair  
Senator J. Kalani English, Vice Chair

COMMITTEE ON WAYS AND MEANS  
Senator David Y. Ige, Chair  
Senator Michelle N. Kidani, Vice Chair

HB 2483, HD1, Proposed SD1 – Relating to the Environment  
Tuesday, April 3, 2012  
2:45 P.M.  
Conference Room 225

Aloha Chair Gabbard, Chair Ige, Vice Chair English, Vice Chair Kidani, and Members of the Committees:

My name is C. Mike Kido, External Affairs of the Pacific Resource Partnership (PRP), a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters (formerly the Hawaii Carpenters Union).

**PRP supports** HB 2483, HD1, Proposed SD1 – Relating to the Environment which requires businesses in the State to collect a fee for single-use checkout bags provided to a customer.

The measure intends to reduce the adverse impact of single-use checkout bag waste on our natural environment by establishing an offset fee for the distribution of single-use checkout bags and then directing the fee revenues to help mitigate the damaging effects of single-use checkout bags. The fee would also help consumers reduce the use of single-use checkout bags and thereby reduce waste and unnecessary hazard to the natural environment.

Thank you for the opportunity to share our views with you and we respectfully ask for your support on HB 2483, HD1, Proposed SD1.



# THREE MOUNTAIN ALLIANCE

**Members**  
 Hawai'i Dept. of Public Safety  
 Hawai'i Dept. of Land & Natural Resources  
 Kamehameha Schools  
 National Park Service  
 The Nature Conservancy  
 US Fish & Wildlife Service  
 USDA Forest Service  
 US Geological Survey  
 Natural Resources Conservation Service

PO Box 52 · Hawai'i National Park, HI · 96718 · Ph 808.985.6197 · FX 808.985.6029

Testimony of the Three Mountain Alliance  
**Supporting H.B. 2483 Proposed SD1** Relating to Environment  
 Senate Committee on Energy and Environment  
 Senate Committee on Ways and Means  
 Tuesday, April 3, 2012, 2:45PM, Room 225

The Three Mountain Alliance (TMA) Watershed Partnership **supports** the Department of Land and Natural Resources' "Rain Follows the Forest" watershed protection initiative. We hope you will too.

The largest Watershed Partnership in the state, the Three Mountain Alliance (TMA) was formed in 2007 and covers 1,116,300 acres on the Island of Hawaii. With 9 partners, the overall goal of the Three Mountain Alliance is to sustain the multiple ecosystem services of the three mountains of Kīlauea, Mauna Loa, and Hualālai by collaborating to manage its watershed areas, native habitats and species, historical, cultural, and socio-economic resources for the benefit of all.

Approximately 85% of the total TMA land area is comprised of native ecosystems. The TMA contains some of the largest expanses of intact native forest remaining in the Hawaiian Islands (approximately 50% of the State's remaining native forests). Currently, partners (private, federal, and state) maintain over 84,000 acres of protected areas committing well over \$1M each in invasive species control, fence maintenance, and restoration activities annually. In addition, there are 11 watershed protection projects within the TMA area that are "Shovel Ready"\* and will protect over 42,000 acres of additional forested watershed. As demonstrated in the table below, the state funds currently committed to these projects are leveraged over 10:1. Additional funds will ensure their completion and expedite the needed protection of these critical resources. These projects are dispersed over a vast region of the Island of Hawaii and will include the additional benefit of providing employment opportunities.

THREE MOUNTAIN ALLIANCE	Shovel Ready Watershed Protection Units Summary							
	Land Owner	Acres Protected	Non-State Funds	State Funds	Total Committed Funds	Estimated Total Project Cost	Balance Needed to Complete	
Private Land	11275	\$2,248,000	\$232,000	\$2,480,000	\$4,000,000	\$1,520,000		
Public-Federal	25600	\$3,916,400	\$0	\$3,916,400	\$5,565,000	\$1,648,600		
Public-State	5400	\$587,500	\$350,000	\$937,500	\$2,258,000	\$1,320,500		
<b>TOTALS</b>	<b>42275</b>	<b>\$6,751,900</b>	<b>\$582,000</b>	<b>\$7,333,900</b>	<b>\$11,823,000</b>	<b>\$4,489,100</b>		

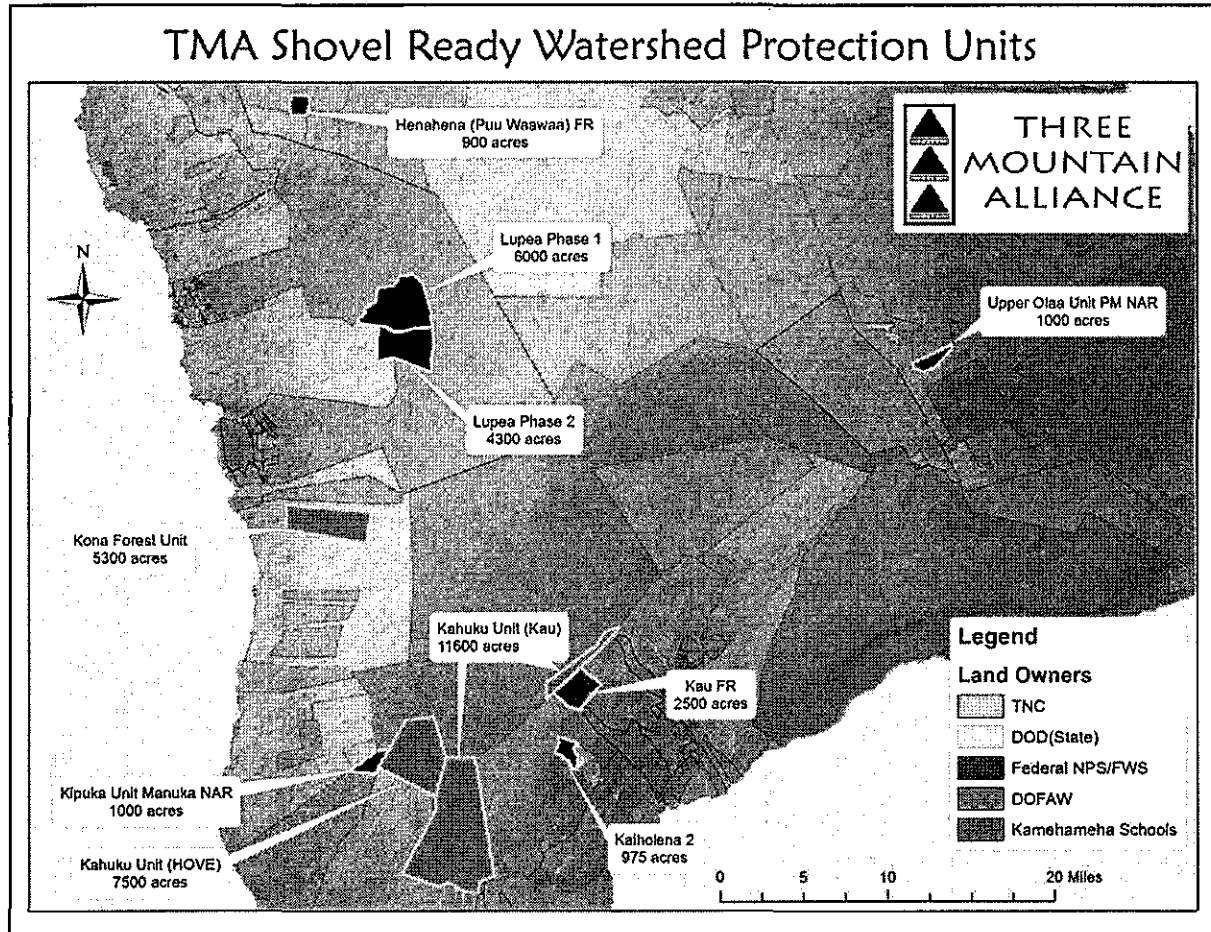
\*Shovel Ready: Projects that have had their planning, environmental compliance, and permitting completed, or will be completed in the next six months. Implementation has already commenced on some of these projects.

Healthy Hawaiian forests that are not overrun by invasive species act like a sponge, collecting rain and moisture from passing clouds, slowly delivering fresh water into streams and

aquifers, absorbing greenhouse gases, and reducing runoff and siltation into near shore waters during storm events. The DLNR's watershed initiative proposes a sound investment in our forests, which are the source of nearly all the islands' supply of fresh water. The watershed protection and invasive species programs supported with state funds and leveraged several times over with matching funds from county, federal and private sources help to ensure success in protecting our watershed resources for current and future generations.

Thank you for taking our testimony in to consideration.

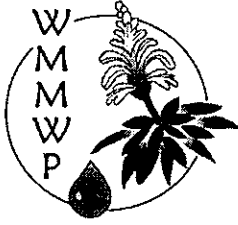
The TMA Executive Committee



**THREE MOUNTAIN ALLIANCE**

**Shovel Ready Watershed Protection Units**

Project Name	Land Owner	Acres Protected	Non-State Funds	State Funds	Total Committed Funds	Estimated Total Project Cost	Balance Needed to Complete
Lupea Phase 1	KS	6000	\$1,715,000	\$165,000	\$1,880,000	\$2,000,000	\$120,000
Lupea Phase 2	KS	4300	\$500,000	\$0	\$500,000	\$1,500,000	\$1,000,000
Kaiholena 2	TNC	975	\$33,000	\$67,000	\$100,000	\$500,000	\$400,000
Kona Forest Unit	USFWS-Refuges	5300	\$1,400,000	\$0	\$1,400,000	\$1,800,000	\$400,000
Oiaa Unit	NPS	1200	\$579,000	\$0	\$579,000	\$965,000	\$386,000
Kahuku Unit (HOVE)	NPS	7500	\$530,000	\$0	\$530,000	\$530,000	\$0
Kahuku Unit (Kau)	NPS	11600	\$1,407,400	\$0	\$1,407,400	\$2,270,000	\$862,600
Henahena (Puu Waawaa) FR	State DOFAW	900		\$150,000	\$150,000	\$600,000	\$450,000
Kau FR	State DOFAW	2500	\$437,500	\$0	\$437,500	\$1,000,000	\$562,500
Kipuka Unit Manuka NAR	State DOFAW	1000	\$75,000	\$100,000	\$175,000	\$300,000	\$125,000
Upper Oiaa Unit PM NAR	State DOFAW	1000	\$75,000	\$100,000	\$175,000	\$358,000	\$183,000
<b>TOTALS</b>		<b>42275</b>	<b>\$6,751,900</b>	<b>\$582,000</b>	<b>\$7,333,900</b>	<b>\$11,823,000</b>	<b>\$4,489,100</b>
Private Land							
Public-Federal							
Public-State							



## *West Maui Mountains Watershed Partnership*

April 2, 2012

### **Supporting S.B. 2483** Relating to Environmental Protection

West Maui Mountains  
Watershed Partnership  
P.O. Box 13240  
Lahaina, Hawai'i  
96761  
Phone (808) 661-6600  
Fax: (808) 661-6604

#### **Watershed Partners**

County of Maui  
  
Dept. of Land &  
Natural Resources  
  
Ka'anapali Land  
Company, LLC  
  
Kahoma Land, LLC  
  
Kamehameha Schools  
  
Makila Land Co., LLC  
  
Maui County  
Department of Water  
Supply  
  
Maui Land &  
Pineapple  
Company Inc  
  
Wailuku Water Co.  
LLC  
  
The Nature  
Conservancy

Aloha Legislators,

The West Maui Mountains Watershed Partnership Supports SB 2483 to provide funding to the Department of Land and Natural Resources for watershed protection programs through the checkout bag fee. Identifying funding sources for the DLNR's "Rain Follows the Forest" watershed protection initiative is a highly worthy cause.

The proposed bill would allow for resource management to be increased, reverse the degradation of additional forests resources, and further secure the water resources that our state depends on for residential, agricultural and commercial use. Funding will also be leveraged with federal, county, or private grant sources to further stimulate local economies, **bring in millions of outside dollars and provide more jobs.**

As a partnership and as individual entities, we understand that the roots of our success has been built upon the waters which flow from our forests. Without the forest we cannot depend on the water which nourishes our personal and economic interests and understand the necessity of natural resource stewardship even during challenging financial times. Our forefathers recognized this need and we need to echo that wisdom now that the demand for water resources is increasing and supply is decreasing.

The DLNR's watershed initiative proposes a sound investment in our forests. We hope that you can join us in lending your support for watershed protection.

By unanimous consent and on behalf of our partners,

Mahalo nui loa,

Christopher N. Brosius  
Watershed Coordinator

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225

Testifier position: Support

Testifier will be present: No

Submitted by: kahi pacarro

Organization: sustainable coastlines

E-mail: [kahi@sustainablecoastlineshawaii.org](mailto:kahi@sustainablecoastlineshawaii.org)

Submitted on: 4/2/2012

Comments:

This past Saturday we picked up 128 plastic bags from Kewalo Basin alone. This is a rampant problem that needs to be addressed. I am perplexed by the rejecting to be heard by the Finance Committee and the need to take the measure by renaming it HB2483. This bill needs to pass. Its a win win for both our coastlines and our watershed.



The Senate  
Committee on Energy and Environment  
Committee on Ways and Means  
Tuesday, April 3, 2012  
2:45 p.m., Conference Room 225  
State Capitol

**Testimony in Support of HB 2483 HD1 (and Proposed SD1)**

Aloha Chairs Gabbard and Ige, and Members of the Committees,

The Coordinating Group on Alien Pest Species (CGAPS) **supports HB 2483 HD1 (and the proposed SD1)**, *Relating to Environment*, which would require businesses to collect a fee for single-use bags at checkout. Part of the fee would provide critical funding for the Natural Area Reserves Fund (NARF) for watershed protection, which has been chronically-underfunded for decades.

CGAPS takes **no position on Part II of the proposed SD1**, relating to beverage containers.

CGAPS appreciates this initiative as a source of funds for watershed protection, restoration, and acquisition, and we encourage DLNR to take a landscape view of priority actions that benefit watersheds. Mahalo for your consideration.

Aloha,

Christy Martin  
Coordinating Group on Alien Pest Species (CGAPS)  
Ph: (808) 722-0995

# THE TRUST *for* PUBLIC LAND

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C O N S E R V I N G   L A N D   F O R   P E O P L E

**THE TRUST FOR PUBLIC LAND'S TESTIMONY  
IN SUPPORT OF HB 2483 SD 1  
RELATING TO ENVIRONMENT**

**Senate Committees on Energy & Environment and Ways & Means  
Tuesday, April 3, 2012, 2:25 p.m., Room 225**

The Trust for Public Land's Hawaiian Islands Program supports HB 2483 SD 1 relating to the environment, which charges a fee for single use plastic bags and allocates revenues from such fees to the Natural Area Reserve fund and watershed protection which could support the Department of Land and Natural Resources' "Hahai No Ka Ua i Ka Ulula'au" - "The Rain Follows the Forest" watershed protection initiative.

Watershed conservation has proved to be a cost-effective alternative to expensive water-treatment technology in keeping drinking water clean. Natural hydrological systems recharge and cleanse the watershed. Native forests increase the availability of water by absorbing it, storing it, and releasing it slowly during times of scarcity.

In 2001, the Trust for Public Land and the American Water Works Association conducted a study of 27 water suppliers and discovered that the more forest cover a watershed has, the fewer dollars water suppliers (e.g., county boards of water supply) must spend on treatment costs. According to the study, for every 10 percent increase in the source area's forest cover, treatment and chemical costs decreased approximately 20 percent, up to about 60 percent forest cover. For example, when 60 percent of the watershed is forested, average annual treatment costs are \$297,110. When only 10 percent is forested, average annual costs rise to \$923,450.

One of the clearest demonstrations of the economic value of watershed conservation came in 1989, after the Environmental Protection Agency (EPA) ordered New York City to build a \$6 billion to \$8 billion water-filtration plant that would cost \$300 million a year to operate. Instead, the city got EPA's permission to spend \$1.2 billion over the first ten years to restore and protect its watersheds, letting a 2,000 square-mile forest do the work of the water filtration plant. Similarly, the city of Auburn, Maine, saved \$30 million in capital costs and an additional \$750,00 in annual operating costs by spending \$570,000 to acquire and protect land in its watershed.

Offsetting the negative environmental impacts of single use plastic bags by investing in the health of our native forest watersheds is a wise one. It will pay off in avoided treatment costs, and clean drinking water for future generations.

Mahalo for this opportunity to testify -



Lea Hong  
Hawaiian Islands Program Director  
1136 Union Mall, Suite 202  
524-8563 (office), 783-3653 (cell)



Testimony of The Nature Conservancy of Hawai'i  
Supporting H.B. 2483 Proposed SD1 Relating to Environment  
Senate Committee on Energy and Environment  
Senate Committee on Ways and Means  
Tuesday, April 3, 2012, 2:45PM, Room 225

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*The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawaii's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 10 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.*

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The Nature Conservancy supports the proposed SD1 to H.B. 2483, and the offset fee on single-use check out bags. In addition, we support retaining the original provisions of the bill amending the Hawai'i State Planning Act to include guiding policies for adapting to the effects of climate change.

Climate change is an imminent and unprecedented threat to natural systems (*e.g.*, forests, coastlines, coral reefs, wetlands) and to every person in Hawai'i that—whether they know it or not—depends on services from the natural environment for their livelihoods, health and welfare. Even if we drastically reduce CO2 emissions now, we will still feel the effects of climate change. In Hawai'i, science indicates that this may include:

- More frequent and more severe storms, and increased runoff and siltation;
- Overall, less rainfall and therefore less fresh water;
- Higher temperatures that may affect the health of forested watersheds;
- Climatic conditions even more conducive to invasive plants, insects and diseases;
- Sea level rise and high wave events that will harm coastal areas and groundwater systems; and
- Ocean acidification that will inhibit the growth of protective coral reefs.

We must plan and implement mitigative and adaptive measures to ensure the resilience of our natural and human systems. One of the most effective tools we have to help address the effects of climate change in Hawai'i is to protect our forests. Healthy Hawaiian forests that are not overrun by invasive species act like a sponge, collecting rain and moisture from passing clouds, slowly delivering fresh water into streams and aquifers, absorbing greenhouse gases, and reducing runoff and siltation into near shore waters during storm events.

For these reasons, we support this measure and particularly favor the allocation of a portion of the bag fee revenue to protect Hawaii's forested watersheds. We also support the allocation of revenue for program management by the State and affected businesses, and we believe it is good policy to incorporate guidance for adapting to the effects of climate change into the Hawai'i State Planning Act.

BOARD OF TRUSTEES

S. Haunani Apoliona Christopher J. Benjamin Anne S. Carter Richard A. Cooke III Peter H. Ehrman Kenton T. Eldridge  
Thomas M. Gottlieb James J.C. Haynes III J. Douglas Ing Mark L. Johnson Dr. Kenneth Y. Kaneshiro Bert A. Kobayashi, Jr.  
Eiichiro Kuwana Duncan MacNaughton Bonnie P. McCloskey Bill D. Mills Wayne K. Minami Michael T. Pfeffer James C. Polk  
H. Monty Richards Chet A. Richardson Jean E. Rolles Scott C. Rolles Crystal K. Rose Dustin M. Shindo Nathan E. Smith Eric K. Yeaman

*Chair:* Kenton T. Eldridge *Chair Emeriti:* Samuel A. Cooke (co-founder; chair 1980-1991), Herbert C. Cornuelle (co-founder), Bill D. Mills (1991-1995), Jeffrey N. Watanabe (1995-2004), David C. Cole (2004-2008), Duncan MacNaughton (2008-2011)



Testimony of the Hawaii Foodbank  
**Requesting an Amendment**

Before the Committee on Energy and Environment  
and the Committee on Ways and Means

The Senate, State of Hawaii  
Tuesday, April 3, 2012

HB 2483, Relating to Environment

Chair Gabbard, Chair Ige and Members of the Committee, my name is Linda Chu Takayama and I am the Chair of the Hawaii Foodbank. We are requesting an amendment to the proposed H.B. 2483, H.D. 1.

We are the largest nonprofit 501(c)3 agency in the state of Hawaii that collects, warehouses and distributes mass quantities of both perishable and non-perishable food to more than 183,000 individuals through 250 member agencies as well as food banks on the Big Island, Maui and Kauai – more than 12 million pounds last year.

The Hawaii Foodbank and many of its corporate donors are included in the definition of "business" in this bill. Our "customers" could be construed to be the social service agencies and individuals who receive the food we provide. Conversely, we could be viewed as the "customers" of our donors who contribute food to us regularly through corporate food drives and long-term collection programs.

Both the Foodbank and our beneficiaries would be adversely impacted by a fee on the plastic bags (usually recycled) that are often used for the donated food. This is of particular concern when food is distributed to individuals who have very limited, if any, ability to pay the fee, and the bill prohibits us from reimbursing them.

If it is not the intent of the Legislature to impose such a consequence, we respectfully request that a clarifying exemption be included in the list under the definition of "single-use checkout bag."

Your assistance in adopting such an amendment is appreciated. Thank you for the opportunity to testify.



## HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)

1050 Bishop St. Box 235

Honolulu, HI 96813

Fax : 808-791-0702

Telephone : 808-533-1292

TO: COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator J. Kalani English, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator David Y. Ige, Chair

Senator Michelle N. Kidani, Vice Chair

DATE: Tuesday, April 3, 2012

TIME: 2:45 p.m.

PLACE: Conference Room 225

FROM: Hawaii Food Industry Association - Lauren Zirbel, Executive Director

RE: HB 2483, HD1, Proposed SD1 RELATING TO ENVIRONMENT.

Chairs & Committee Members:

This testimony is only in regard to the part of the bill that pertains to a fee for single use bags.

**HFIA supports the part of this measure that pertains to a fee for single use bags, as a means of encouraging consumers to reduce the use of both paper and plastic single use bags. This bill ensures that our environmental protection bills relating to single use plastic bags are consistent and effective.**

**Our stores are on track to spend \$30K-\$60K more per store annually on bag costs in counties where plastic is banned. In order to cover these costs retailers need part of the fee to go back to the retailer. Otherwise retailers will still be losing money due to the cost of paper and ultimately be forced to pass that cost on to the price of food.**

Without a fee on paper, our current plastic bag ban bills will simply result in a shift to paper bags. **Paper bags are less environmentally friendly than**

**plastic bags and cost as much as 10 times more than plastic bags. We appreciate that this bill allows the fee to be implemented on all islands, which ensures that all islands will see a reduction in the use of single use bags.** If we want to encourage reusable bag use, a fee is a good way to do so. A plastic bag ban does not accomplish this goal.

Thank you for the opportunity to provide this testimony.



Senator Mike Gabbard, Chair  
Senator J. Kalani English, Vice Chair  
Committee on Energy & Environment

Senator David Ige, Chair  
Senator Michelle Kidani, Vice Chair  
Committee on Ways & Means

HEARING        Tuesday, April 03, 2012  
                  2:45 pm  
                  Conference Room 225  
                  State Capitol, Honolulu, HI 96813

**RE:    HB 2483, HD1, Proposed SD1 Relating to Environmental**

Chairs Gabbard and Ige, Vice Chairs English and Kidani, and Members of the Committees:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii. In 2011, retail generated \$27.8 billion in sales and paid over \$1 billion in GET. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

**RMH supports Parts I and III of HB 2483, HD1, Proposed SD1**, which requires businesses in the State to collect a fee for single-use checkout bags provided to a customer; allows businesses to keep twenty per cent of the fees for the first year of the program and ten per cent of the fees thereafter, subject to income and general excises taxes; requires fees to be collected on single-use checkout bags not prohibited by county ordinance; deposits all fees into a special account in the environmental management special fund; requires first \$800,000 of all fees collected to be expended by DOH for costs relating to administrative, education, audit, compliance, and enforcement activities associated with the fee; requires any remaining fees collected to be deposited in the environmental response revolving fund and the natural area reserve fund; requires reports to the legislature. **We have no position on Part II.**

This measure is a practical and manageable option to an outright ban on plastic bags and places the responsibility for the careless discard and misuse, or the wise re-use and management, of these items on the consumer. Hawaii's retailers unquestionably support the broadest use of reusable tote bags as the ultimate solution for the environment. However, we do know that consumers' acceptance and use of reusable bags will not be universal, affordable or practical at all times. This measure allows us to provide options as demanded by our customers.

HB 2483, HD1, Proposed SD1 (Parts I and III) represents an understanding of and consideration for the concerns and issues proffered by all the stakeholders over the past two years. We urge its passage. Thank you for the opportunity to testify.

Carol Pregill, President



GLOBAL  
ISLAND  
PARTNERSHIP

**Testimony of The Hawai'i Green Growth Initiative  
Supporting H.B. 2483 Proposed SD1 Relating to Environment**

**Senate Committee on Energy and Environment  
Senate Committee on Ways and Means**

House Committee on Economic Revitalization & Business  
Public Hearing on 3 April 2012, 2:45pm  
Conference Room 225

Audrey Newman  
Hawaii Green Growth Initiative  
P.O. Box 535  
Hoolehua, Hawai'i 96729

Aloha Chair Gabbard, Chair Ige, and Members of the Committee:

I am writing on behalf of the Hawaii Green Growth Initiative (HGG) in support of the proposed SD1 to H.B. 2483. HGG brings leaders from the energy, food and environmental sectors together to achieve Hawaii's sustainability goals and to be a model for building a green economy. Our members and advisors include more than 50 leaders from government, private, and non-profit organizations in Hawai'i.

HGG asks you to support the proposed SD1 H.B. 2483 because it creates an innovative funding source to expand protection of Hawaii's watersheds and water supply while also reducing the use of plastic bags statewide. In particular, we ask you to support:

1. A 10 cent fee to be required for single-use checkout bags, which drain energy and environmental resources and cause significant damage to marine and terrestrial environments;
2. Allocating a majority of these funds into the Natural Areas Reserve Fund to implement the Department of Land and Natural Resources' *The Rain Follows the Forest Plan* to expand protection of Hawaii's priority Watersheds.
3. Allocating the first \$800,000 of all fees collected to be expended by Department of Health for costs relating to administrative, education, audit, compliance, and enforcement activities associated with the fee;
4. Depositing any remaining fees collected in the Environmental Response Revolving Fund and the Natural Area Reserve Fund; and
5. Automatically increasing the fee to 25 cents on 1 January 2017 if the department determines that the statewide distribution of single-use checkout bags has not decreased by at least seventy-five per cent from the effective date of this Act.

We ask for your strong support of H.B. 2483. Implementation of H.B. 2483 is an investment in Hawaii's future. Protecting Hawaii's watersheds is the most cost-effective way to protect Hawaii's fresh water supply - this water is essential for Hawaii's inhabitants, agriculture, environment, and energy (with the emerging potential for investment in biofuels). H.B. 2483 will also help decrease our carbon footprint and marine debris threats to our ocean and lands.

Mahalo nui for your time and consideration,

A handwritten signature in black ink that reads "Audrey Newman". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Audrey Newman  
Senior Advisor,  
Global Island Partnership (GLISPA)

Promoting action for island conservation and sustainable livelihoods.  
[www.glispa.org](http://www.glispa.org)

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Lisa Kreitzer  
Organization: Ocean Devotion Hawaii  
E-mail: [oceandevotionhawaii@gmail.com](mailto:oceandevotionhawaii@gmail.com)  
Submitted on: 4/2/2012

Comments:

Aloha,

I am writing to comment in support of HB2483. Regulating single-use plastic bags will help make Hawaii a model state for sustainable change.

I have personally picked up hundreds of single-use plastic bags off of our beaches on the Windward side of Oahu. These bags can be seen caught in trees, up against fences and in our canals. Single-use plastic bags are especially dangerous once they land in our ocean. They pose a danger to the wildlife that we have present off our shores. I have collected many single-use plastic bags in the ocean off of Kailua, Waimanalo and Lanikai. There is simply no need for this type of pollution in our environment. I believe that this bill is an important first step in curbing this issue.

It is my understanding that there is a great deal of support for a bag bill on our island. This is such a small first step in truly addressing the issue of single use plastic bags in our environment. Living on an island creates additional responsibility and need for stewardship. It is our job to help protect the precious resources we have and not take them for granted.

The biggest opposition I have heard to a bag bill is from people that re-use the plastic bags for pet waste. We used to do this as well. We are now more careful to recycle all of the plastic bags that come through our home. We have realized that we have enough plastic bags just from our frozen foods, crackers, chips, bread and other packaged foods to pick up pet waste.

I am very hopeful that HB 2483 will be passed this session.

Mahalo for the opportunity to testify on this matter.  
Lisa Kreitzer  
Ocean Devotion Hawai'i





April 2, 2012

Committee Chairs & Members of ENE & WAM

**RE: Strong Support for House Bill 2483 HD1 – Relating to Environmental Protection**

**Hearing on Tue., 4/3, State Capitol, Conf. Rm. 225, 2:45pm.**

Dear Chairs Gabbard & Kim, Vice Chairs English & Kouchi and Committee Members,

My name is Stuart Coleman, and I'm the Hawaii Coordinator of the Surfrider Foundation. With more than 5000 supporters and members across the state, the Surfrider Foundation strongly supports passage of HB2483 (formerly SB2511), a bill designed to address the harms of single-use plastic and paper check out bags that are degrading the environment, harming marine life and overflowing our landfills. Surfrider is part of a broad coalition of groups that support this statewide fee bill on all throwaway bags in conjunction with the plastic bag bans on Maui, Kauai and now on the Big Island. Although we are frustrated by certain House leader's efforts to stall this popular bill, we are thankful that Senators have stepped up to support it.

According to the EPA, over a million sea birds, marine mammals and sea turtles die each year due to ingestion and entanglement in plastics. This bill would help people make the switch to reusable tote bags and help protect these sea creatures. If this many pets were killed each year by plastics, can you imagine the public uproar?! Yet each year, an estimated 40,000 Laysan albatross chicks die just on Midway alone, but we rarely hear about them. Because many of these creatures are endangered, we have a legal and moral obligation to protect them.

On Feb. 6, the Reserve Advisory Council (RAC) of NOAA's Office of National Marine Sanctuaries passed a resolution stating, "The Council believes a fee on single-use plastic and paper bags would reduce marine plastic pollution and litter throughout the islands and encourage the use of reusable bags." Approximately, 500 million single-use bags are used in Hawaii each year, and far too many end up polluting our streets, streams, coastlines and oceans. This bill will protect marine life, improve our natural environment and enhance the beauty of Hawaii for locals and visitors alike.

Governments across the world have successfully reduced plastic bag use, either through plastic bag bans, or through fees or taxes. Washington, DC passed a similar Bag Fee Bill in 2010, and consumption of plastic bags decreased 80% in the first year and raised funds for a program to clean up the Anacostia River in our nation's capitol. Similarly, HB2483 has provisions that will dramatically reduce the proliferation of plastic and paper bags, while also helping fund an important DLNR program to protect Hawaii's watersheds and sources of water. This offset fee is not a tax because it can be avoided when consumers bring reusable bags instead of wasting single-use plastic and paper bags, which is the whole purpose of the bill.

The following countries have all taken measures to reduce their plastic bag usage in an effort to protect their precious natural resources and valuable coastlines: Ireland, China, Tanzania, Taiwan, Australia, Italy, and South Africa. And many cities and counties have followed their lead. Eventually, all state governments will realize how economically wasteful and environmentally damaging single-use plastics are. Will our state be a leader or a latecomer in this zero-waste movement? Hawai'i will only benefit by reducing our waste stream.

SURFRIDER FOUNDATION • HAWAII CHAPTERS  
2121 ALGARоба ST., #1107 • HONOLU, HI 96826  
(808) 942-3841 • [www.surfrider.org/oahu](http://www.surfrider.org/oahu) • [scoleman@surfrider.org](mailto:scoleman@surfrider.org)

The Surfrider Foundation is supporting HB2483 because our mission is to preserve the health of our oceans and the quality of our beaches. Plastic bags that end up in the ocean or on our coastlines look like jellyfish and are often ingested by sea turtles, seabirds, and marine mammals, and they also adversely affect the entire marine food web. Because plastic does not biodegrade, it only breaks down into smaller and smaller pieces called “micro-plastics,” which are often consumed by fish and filter feeders that mistake them for food. In the ocean, these micro-plastics attract toxic chemicals and persistent organic pollutants like PCB’s, which accumulate and magnify as they make their way up the food chain and into our seafood. So this is a human health issue as well as an environmental hazard.

Single-use plastic bags are also a threat to our wallets, and everyone bears the cost of these so-called “free” bags. One California study showed that taxpayers spend as much as \$0.17 on each “free” plastic bag because they subsidize the recycling, collection, and disposal of these toxic tumbleweeds. Retailers have to pay for each bag (a price which is incorporated into the price of food and goods, then passed on to consumers) when they provide a consumer with a so-called “free” plastic bag. By reducing the amount of disposable plastic and paper bags in the environment and our landfills, the counties will save money from having to clean them up.

Over the last four years, I have spoken to scores of citizen groups and thousands of students across Hawaii about marine plastic pollution, the North Pacific Garbage Patch and the other four Gyres just like it in world’s oceans. When I tell them about our legislative efforts to reduce single-use bags, the support for this kind of bag bill has been overwhelming. We have been working with a diverse and growing coalition of educational institutions, environmental groups, local businesses and grocery stores, government agencies like DLNR and DOH—more than 50 organizations and thousands of citizens. All of us are committed to passing this bill because we believe it’s a win-win-win situation for the environment, the economy and the health of our people and our oceans.

Just as many countries in Europe, Asia, Africa and around the world have introduced legislation to reduce the proliferation of single-use grocery bags, I hope you all help us become one of the leaders in the country on this issue. Just as Hawaii led the way in many health care and environmental reforms in the past, we are now poised again to be one of the first states in the country to pass statewide legislation to reduce the pollution and waste from plastic and paper bags. The people of Hawaii have been waiting for this kind of popular, common sense bill, and we are watching to see what you will do. Come election time, your efforts will be remembered. Mahalo for your time and consideration and please feel free to contact me if you have any questions or suggestions.

Sincerely,

Stuart H. Coleman  
Hawaii Coordinator  
Surfrider Foundation  
808-942-3841



3375 Koapaka Street, D-108  
Honolulu, HI 96819

Phone: (808) 831-0811  
Fax: (808) 831-0833

April 3, 2012

Senate Committee on Energy and Environment and Senate Committee on Ways and Means

Re: HB2483 HD1 Proposed SD; Relating to Environmental

Dear Chairs Gabbard and Ige, Vice Chairs English and Kidani, and Members of the Committees,

We appreciate the opportunity to submit our testimony and express our support for HB2483 HD1 Proposed SD1. As you may know Times Supermarket in based on Oahu and operates 26 stores with locations in Maui, Kauai and Oahu.

As an island based company, we understand the constraints of limited space and the preservation of the unique landscape of Hawaii. It is for this reason that we support your efforts in mitigating challenging issues such as single use bags, and the disposal of bags in landfills.

Currently two island counties have implemented bag policies where we operate stores, and while we support the attempt to change consumer behavior, we believe that that best method for doing so is by implementing a fee. There are various models throughout the United States that address the use of single use bags, and while some are similar throughout states such as California, they lack a uniformed approach. Hawaii would be the first state in the union to implement a statewide policy that holds all jurisdictions to the same standard.

In Maui, Kauai, and Hawaii Island we don't have the ability to charge a fee to help consumers adapt to the ordinances currently in place. Tourists have shifted to paper which is considerably more expensive and environmentally damaging to produce than plastic. The statewide adoption of HB2483 HD1 Proposed SD1 would provide the ability for Times Supermarket to better manage a bag policy and continue to promote higher environmental consciences to our consumers.

Having a fee for both plastic and paper given the model that is before us in HB2483 HD1 Proposed SD1, with a few additions should provide a more affective policy that creates a win for the state, consumers and retailers. Such additions would include providing a waiver of the fee to consumers that participate in low income programs such as WIC, EBT and other federal programs as well as the ability to create a uniformed approach for all retailers, large and small, throughout the state.

By providing a preemption of all currently implemented policies, the state of Hawaii would be able to ensure better enforcement of the law and create additional revenue in jurisdictions that currently would be exempt from HB2483 HD1 Proposed SD1. The idea is to maximize the revenues generated by the law to better address the purposes of this bill and educate consumers on conservation and re-useable product practices. We do have concerns about the reduction in fee allocation as currently worded, but look forward to continuing the positive dialog about this bill.

Please feel free to contact me should you have any questions regarding this matter at (209) 957-2555, ext 153 or Bob Stout, President of Time Supermarket at (808) 831-0811. We thank you in advance for your consideration and we look forward to continuing the dialogue.

Respectfully,

Bob Gutierrez  
Director of Government Affairs, Times Supermarket



April 2, 2012

To: Chair Gabbard and Vice Chair English, Senate Committee on Energy and Environment; Chair Ige and Vice Chair Kidani, Senate Committee on Ways and Means

From: Susan Houghton, Director of Public Affairs and Government Relations

**Re: Safeway Support for HB2483 HD1 ProposedSD1: Relating to Environmental**

I am writing to lend Safeway support for HB 2483 HD1 Proposed SD1. Our company operates 19 stores in Hawaii – of which 13 are on the island of Oahu.

We applaud your desire to tackle this important issue. We believe it is extremely important to encourage all consumers to reduce the use of both paper and plastic bags. Both have significant effects on the environment.

We are aware that Hawaii Island, Maui and Kauai have already adopted strict plastic bag bans; however, we believe a fee-based system on both plastic and paper is the preferred route. The city of San Francisco completely banned plastic bags several years ago – but did not address the issue of paper bag use. As a retailer with 15 stores in that city, we saw our costs for paper bags increase substantially – by more than \$1 million a year. This figure is in addition to the costs we were already absorbing to provide paper bags to our customers.

We believe consumers need a strong disincentive to truly change their behavior. By placing a fee on both plastic and paper, you are encouraging all consumers to think "reusable." Safeway provides a number of low-cost reusable bag options and we would be happy to participate in an initial reusable bag-giveaway program to promote this important concept. We would also be happy to provide free paper or plastic bags to any customer on such federally approved low-income programs as WIC or Food Stamps.

The key to HB2483 HD1 Proposed SD1 is also retailer uniformity. In order to ensure there is no competitive advantage, the legislation must apply to all retailers - regardless of size or origin. While we would prefer a preemption clause that creates geographic uniformity as well, we also understand the need for local control and county-specific ordinances. We are concerned with the reduced allocation for businesses that collect the fee after the initial phase-in of the measure, but look forward to continued positive dialog with you about this measure.

Thank you for the opportunity to share our views on this important legislation. Should you have additional questions, please do not hesitate to contact me at (925) 467-2212 or George Glukfeld, our Hawaii district manager at (808) 524-4554.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan M. Houghton", with a long, sweeping underline.

Susan M. Houghton, Director of Public Affairs and Government Relations

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225

Testifier position: Support

Testifier will be present: No

Submitted by: Joseph Ferraro

Organization: FerraroChoi And Assoc. Ltd.

E-mail: [joef@ferrarochoi.com](mailto:joef@ferrarochoi.com)

Submitted on: 4/2/2012

Comments:

I am wholly in favor of the bill. Our oceans are being inundated with plastics. I have seen first hand by working on NOAA projects in the Pacific how these articles kill marine life. Also they break up, are ingested by marine life and become part of our foodstuff.

For those who favor plastic bags for secondary use such as garbage, rethink and use paper which decomposes.

Thank you

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Javier Mendez-Alvarez  
Organization: Individual  
E-mail: [mendezj@hawaii.edu](mailto:mendezj@hawaii.edu)  
Submitted on: 3/30/2012

Comments:

TO: Members of the Committees on Energy & Environment and Ways & Means

FROM: Natalie Iwasa, CPA  
Honolulu, HI 96825  
808-395-3233

HEARING: 2:45 p.m. Tuesday, April 3, 2012

SUBJECT: HB 2483, HD1, Proposed SD1 Fees on Single-Use Bags - **OPPOSED**

Aloha Chairs and Committee Members,

Thank you for allowing me to provide testimony in opposition to the proposed SD1 for HB 2483, HD1, which would impose fees on checkout bags, require reporting and revise the bottle tax law.

**Has anyone thought about the small businesses and nonprofit organizations that will be impacted by this law?** The big retailers, e.g., Safeway and Times, support the fees because they will make money. They have accounting departments that can push the change in their accounting software to all of their applicable stores, and they have the volume to offset the costs with the "incentive," i.e., retained fees, given to them. Small businesses do not have this ability. The following businesses will likely be adversely impacted:

- My dentist – They provide samples in small paper bags;
- Craft vendors – They provide customers with bags to carry merchandise; however, unlike big grocers, they do not have big accounting departments working for them who can revise accounting systems and regularly file required reports to the state;
- My firm – I re-use plastic bags and given them to clients to carry their documents or tax returns in, especially when it is raining;
- Nonprofit organizations sponsoring special events – will they also be required to charge a fee when they hand out merchandise and information?
- Other businesses?

**This bill also requires more funds to "administer" the fee. Rather than imposing new taxes or fees, government should operate more efficiently. I urge you to vote "no" on this bill.**



Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225

Testifier position: Support

Testifier will be present: No

Submitted by: NADINE FERRARO

Organization: Individual

E-mail: [nadineferraro@mac.com](mailto:nadineferraro@mac.com)

Submitted on: 4/2/2012

Comments:

I am in favor of this bill, HB 2483. Our family has been using cloth bags from our home for years and find it to be easy to do (I keep two in my car.) There is too much litter along our highways and at our once beautiful beaches. We go to Ala Moana Beach Park at least once a week to swim and I usually find plastic bags blowing out to the reef, or half-buried in the sand along with plastic cups, straws, cigarettes, and even unmentionables.

Please pass HB 2483. Thank you.

SENATE COMMITTEE ON WATER, LAND, AND HOUSING  
AND  
SENATE COMMITTEE ON ENERGY AND ENVIRONMENT  
AND  
SENATE COMMITTEE ON ECONOMIC DEVELOPMENT AND  
TECHNOLOGY

TESTIMONY FOR SENATE BILL N.O. 2511

From: Dorothy Clegg  
Support: YES!!!  
February 28, 2012

I believe that this committee has the obligation to the citizens of the State of Hawai'i to approve SB 2511. By passing this bill it will make Hawai'i one-step closer to becoming the first ***plastic bag free state*** in the U.S. It will prove our commitment to sustainability and to the Clean Energy Initiative 2030. It will also demonstrate to the nation that Hawai'i continues to be a forerunner in becoming a sustainable state.

The implementation of this SB 2511 it will still give consumers a choice. They can either pay \$0.10 for a paper/plastic bag or bring their own reusable one. Even though this is not the answer to becoming fully sustainable, it's a start. With this bill we can begin to make an effective contribution to a sustainable future.

However, to actually become a sustainable state we must BAN single-use plastic bags in every county of Hawai'i. Consider these facts on single-use plastic bags when contemplating your vote on HB 2260.

Most people are not aware that a plastic bag is only utilized for an average of 15 minutes, but takes an estimate 1000 years to biodegrade. Most Americans will accrue between 300-400 plastic bags a year, and only 8% of those are recycled. Think of how many bags in Hawai'i are used yearly, not just by the residents but include the 7.3 million yearly visitors.

Our definition of recycling plastic bags in Hawai'i is to ship them to either California or Asia. We ship these bags to our islands to be used for 15 minutes, only to ship 8% of them back to be recycled. However, this is merely 8% of all the bags that we consume. Where does the other 92% go? Into our over crowded landfills? Into our ocean? Do they actually make it to H-Power? In 2007 the EPA acknowledged that despite recent tightening of emission standards for waste incineration power plants, the waste-to-energy process still "create significant emissions, including trace amounts of hazardous air pollutants."

Once a plastic bag enters our landfill it photo-degrades into smaller particles, then finds its way into our water. Our fish ingests these smaller particles that are known as "plastic dust". Plastic dust is ingested by filter feeding marine animals. The dust and the bio-toxins, such as polychlorinated biphenyls (PCBs) that the plastic dust accumulates, are passed up the food chain to fish and humans. We are eating toxins when we consume fish from our ocean. How do these toxins affect our keiki, their bodies are not as strong or developed as adults to handle these poisons.

What happens if the plastic bags do not make it to our landfill but goes straight into our ocean? The study by C.J. Moore, "A Comparison of Plastic and Plankton in the Pacific Central Gyre." Concludes that the most identifiable plastics found in the Pacific Gyre were thin films, otherwise known as plastic bags." What are we doing to our ocean and its inhabitants?

It has been proven that implementing a tax on single use bags creates revenue. The "Plas Tax" implemented in Ireland during 2002, raised approximate revenue of \$9.6 million in the first 12 months, and slashed consumption by over 94%. The first year that Washington DC implemented its \$0.05 tax, they raised 2 million in tax revenue and dropped consumption by at least 80%.

Testimony has overwhelmingly shown that our community and businesses support HB 2260, with only a small minority objecting. Hawai'i, Maui and Kauai Counties have passed bills to **BAN plastic bags.**

Our tourists come from areas that have similar progressive legislation in effect: China, Philippines, Samoa, selective states in Australia, South Korea, most of the E.U. and selective cities on the continental US. Many people around this planet carry their own bags now; it has become a habit and a trend.

It is time for us, the people of Hawai'i to become responsible stewards of these islands we call home and the ocean that surrounds us. Let us pass on to our keiki a better Hawai'i, a sustainable Hawai'i.

By passing SB 2511 today, you as our leaders will be taking the first step in establishing a legacy of transformation to create a more sustainable Hawai'i. With this bill you will implement methods that do not harm the environment but improve it.

I urge you to pass SB 2511, making Hawai'i one-step closer to becoming the first state to be **plastic bag free.** This committee has the power to make this historic change.

Approve SB 2511

Thank you,

Dorothy M. Clegg

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: AUBREY HAWK  
Organization: Individual  
E-mail: [AUBREY@AUBREYHAWKPR.COM](mailto:AUBREY@AUBREYHAWKPR.COM)  
Submitted on: 4/2/2012

Comments:

Dear Senators Ige and Gabbard,  
I support HB2483. Plastic bags have become the bane of our beautiful island. I believe any measure that will encourage people to bring reusable bags or to think twice before automatically having their purchases placed in plastic is worthwhile. Please pass this bill.  
Respectfully,  
Aubrey Hawk

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Ken Sentner  
Organization: Individual  
E-mail: [kenzen808@gmail.com](mailto:kenzen808@gmail.com)  
Submitted on: 4/2/2012

Comments:

Please show your support for our precious environment by passing this bill!

Dear Representatives,

Please, please pass HB 2483 out of committee and, hopefully, into law. This is one of the most important bills for our state and will greatly reduce marine pollution while helping to fund watershed management.

The average Hawaii citizen uses over 400 bags a year. These bags end up clogging our landfills and drifting out into the ocean, killing our wildlife. We can directly put a stop to this. You have the power to directly put a stop to this.

This is the first bill I've ever seen where it seems like everyone is on board: grocery stores, environmentalists, businesses, DLNR, etc. How often does that happen?

Please, please pass this important bill out of committee and into law.

Sincerely,

Charlie Taylor  
1936 S. King St.  
Honolulu, HI 96826

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Jenny Cheu  
Organization: Individual  
E-mail: [jencheu@gmail.com](mailto:jencheu@gmail.com)  
Submitted on: 4/2/2012

Comments:

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: ROXANNE RIVERO  
Organization: Individual  
E-mail: [surfergirl808@msn.com](mailto:surfergirl808@msn.com)  
Submitted on: 4/2/2012

Comments:

Please uphold this bag bill, the ban or charge for single use plastic or paper bags, i fully support and as a permanent resident of Hawaii, homeowner and environmentally concerned citizen of Hawaii I feel the plethora of bags in the ocean and aina is dangerous to our sealife, and over taxing our environment..and not even making it to the rubbish bins, too many times i've seen bags in a tree in the ocean or blowing around in a street.. please take this measure to make our island safer and cleaner for all.. mahalo

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Janice Marsters  
Organization: Individual  
E-mail: [janicem@lava.net](mailto:janicem@lava.net)  
Submitted on: 4/2/2012

Comments:

I strongly support the SD1 to this bill, which would require businesses in the State to collect a fee for single-use checkout bags provided to a customer, and widen the types of beverages subject to the deposit beverage container program. These measures will greatly enhance the environment of our State. Thank you.

Joy Leilei Shih, M.A.S.  
3267 Mokihana Street  
Honolulu, HI 96816  
(650) 380-5482  
joyshih@hawaii.edu

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT  
SENATE COMMITTEE ON WAYS AND MEANS

Apr 3, 2012, 2:45 pm  
(Testimony is 1 page long)  
TESTIMONY IN STRONG FAVOR OF HB 2483

Aloha Chair Gabbard, Chair Ige and Members of the Committees:

Mahalo nui for hearing this environmentally significant bill. Your support for this legislation is GREATLY APPRECIATED. I am in STRONG SUPPORT of HB 2483 as proposed.

Your consideration of this bill, which would decrease the amount of plastics and other disposable materials entering the environment, and would fund important watershed initiatives, could not come at a more crucial time. The Governor, the people, organizations, and businesses alike are ready to protect Hawaii's most important environmental and natural resources- the oceans, the native forests, and our future water supply. HB 2483 (proposed SD1) would also improve upon the highly successful deposit beverage container program by adding beverages that are currently utilizing a loophole and avoiding this recycling incentive.

Thank you again for hearing this bill. I am available to help refine such a policy that would be most beneficial to the State of Hawai'i. Please do not hesitate to draw upon my time, effort, and knowledge in this opportunity to move forward.

I respectfully ask that this committee advance this measure.

Mahalo for the opportunity to testify.

Joy Leilei Shih



Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Cory Harden  
Organization: Individual  
E-mail: [mh@interpac.net](mailto:mh@interpac.net)  
Submitted on: 4/3/2012

Comments:

Save the bag bill! The last thing the environment needs is more bags! Mahalo.

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Marvin Heskett  
Organization: Individual  
E-mail: [mhesketts@mac.com](mailto:mhesketts@mac.com)  
Submitted on: 4/2/2012

Comments:

Aloha,

I strongly support HB2483. This bill's time has come. Please join in with the support of our local community, a majority of your fellow legislators and grocery chains in helping to overcome the plastic plague affecting our Ocean. Enough of the back room and last minute deals, likely being sponsored by the plastics industry. Time to stop listening to them and start voting with your conscious and representing your electorate. Now's your chance to make a real positive change for your community. A yes vote for this bill will help renew our faith in this system. A no vote or procedural maneuver to kill the bill is a confirmation that politics have been bought by corporate America again.

Thank You,  
Marvin Heskett

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Deborah Ward  
Organization: Individual  
E-mail: [dward@hawaii.edu](mailto:dward@hawaii.edu)  
Submitted on: 4/2/2012

Comments:

Aloha,

I am strong supporter of the bag bill--I am a vendor at the farmers market, and I have long encouraged by customers to bring their own sacks. I have given them bags made of old t-shirts, and I have woven coconut baskets to make the point. They no longer ask for bags!

Sealife worldwide is seriously threatened by plastic bags. How many birds have to die because their stomachs are filled with plastic? I volunteer twice a week to clean highways, and I can attest to the huge number of bags I pick up. Please help curb this wasteful and damaging use of plastic!  
Mahalo!

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: melanie abecassis  
Organization: Individual  
E-mail: [melanie.abecassis@wanadoo.fr](mailto:melanie.abecassis@wanadoo.fr)  
Submitted on: 4/2/2012

Comments:

Please help reduce the use of plastic bags in the state.  
Thank you

Testimony for ENE/WAM 4/3/2012 2:45:00 PM HB2483

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: elizabeth martin ishimoto  
Organization: Individual  
E-mail: [lizcmartin@yahoo.com](mailto:lizcmartin@yahoo.com)  
Submitted on: 4/2/2012

Comments:

I am in support of HB 2483 Relating to Environment.

April 2, 2012

Senate Committee on Ways and Means  
Senate Committee on Energy and Environment

**Public Hearing: April 3, 2012, 2:45pm, Room 225**

**Re: HB 2483, Relating to Environmental Protection/single-use bag waste reduction**

Dear Chair Ige and Vice Chair Kidani, Chair Gabbard and Vice Chair English

I am writing in strong support of House Bill 2483 that will impose a fee on single use paper and plastic bags.

I am an avid nature enthusiast and have coordinated several beach cleanups over the past four years witnessing first-hand some of the problems single-use plastics cause to our environment and the image it sends to our nearly 7 million visitors each year.

This Bill does not require much reinforcement on the benefits it will have on our environment from the reduction of use of single-use plastic and paper bags and the complimentary benefits the revenue will provide to watershed protection and education.

This Bill is a great balance between the objectives of the State and the single-use bag problem. A ban only on plastic bags has caused an increase in the use of paper bags in other places such as Maui and San Francisco, which also have a negative environmental impact. A ban on both plastic and paper bags may be ideal to the environment, but does not allow for consumers the choice to use them if they are willing to pay a small fee for the waste it creates; instead this Bill provides a disincentive and supports our watersheds.

This Bill will raise money for watershed conservation and if citizens are going to pay in to environment related funds, it should be paid directly by those who consume things that create some of the waste instead of everyone paying through other tax measures.

When Alice Ferguson Foundation completed a survey for the results in D.C., it was found that 78% of businesses experienced a zero or positive impact on business and D.C. experienced an 80% reduction in 2010. In order for Hawaii to have the same success, I strongly support passing SB 2511 into law now.

Thank you for considering my comments in support of this Bill,

Steven Mazur  
(808) 469-5022  
[steven.mazur@gmail.com](mailto:steven.mazur@gmail.com)  
3258 Catherine St.,  
Honolulu, HI 96815