

STAND. COM. REP. NO. 1082

Honolulu, Hawaii

MAR 27 2015

RE: H.B. No. 620
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Energy and Environment and Commerce and Consumer Protection, to which was referred H.B. No. 620, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit a plastic product from being labeled as "compostable" or in any other way to imply that a plastic product will biodegrade, decompose, break down, or fragment in a landfill or other environment, unless it meets ASTM D6400 specifications;
- (2) Authorize a plastic product to be labeled with the Biodegradable Products Institute's logo if the plastic product has been certified by the Biodegradable Products Institute; and
- (3) Establish fines for violators.

Your Committees received testimony in support of this measure from the Surfrider Foundation Hawaii Chapters, Beach Environmental Awareness Campaign Hawaii, Rise Above the Plastics, Surfrider Foundation Oahu Chapter, and six individuals. Your Committees received testimony in opposition to this measure from Island



Plastic Bags, Inc; and ECM Biofilms. Your Committees received comments on this measure from the Department of Health.

Your Committees find that people often use biodegradable items in their efforts to eliminate the wide use of plastics that present environmental and health hazards. However, biodegradable plastics are actually more damaging to the environment than regular plastics. Biodegradable food service items contain plastic and are designed to break down into microplastics, which create a great threat to marine life. The marketing of products as "biodegradable", "degradable", and "decomposable" misleads the public and is dangerous to the environment. Implementation of this measure will reduce the consumption of single use plastic products and move the State toward a more sustainable future.

Your Committees have amended this measure by:

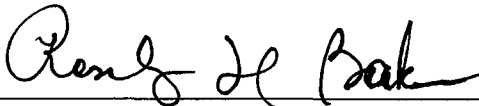
- (1) Moving the contents of this measure from part II to part III of chapter 342H, Hawaii Revised Statutes;
- (2) Inserting a definition of "biodegradable" to mean a plastic product that has been labeled as biodegradable pursuant to the ASTM D5511 standard test method for determining anaerobic biodegradation of plastic materials under high-solids anaerobic-digestions conditions;
- (3) Authorizing a plastic product to be labeled as "biodegradable" pursuant to the ASTM D5511 standard test method for determining anaerobic biodegradation of plastic materials under high-solids anaerobic-digestions conditions, rather than be labeled with the Biodegradable Products Institute's logo if the plastic product has been certified by the Biodegradable Products Institute; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 620, H.D. 2, as amended herein, and recommend that it pass Second Reading in the

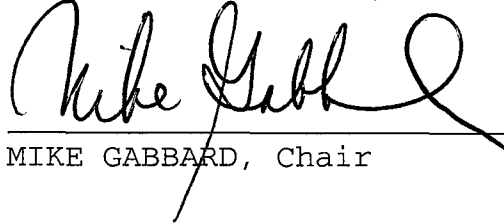


form attached hereto as H.B. No. 620, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Energy and Environment and Commerce and Consumer Protection,



ROSALYN H. BAKER, Chair

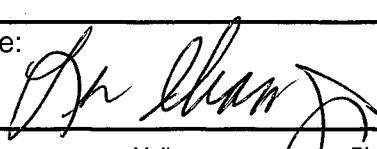


MIKE GABBARD, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

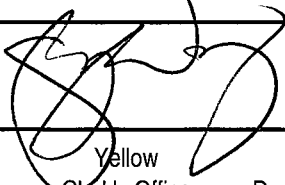
Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 620, HD 2	ENE/epN, WAM	3/24/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
GREEN, Josh (VC)				✓
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB620 HD2	ENE/CPN, WAM	3/24/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			✓
KAHELE, Gilbert	✓			
KIDANI, Michelle N.	✓			✓
NISHIHARA, Clarence K.	✓			
WAKAI, Glenn	✓			
SLOM, Sam				✓
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes