



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in OPPOSITION to H.B. 1507 HD1
RELATING TO ENVIRONMENTAL PROTECTION

REPRESENTATIVE ANGUS L.K. McKELVEY, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Hearing Date: January 25, 2016

Room Number: 325

1 **Fiscal Implications:** Administrative time and cost of coordinating activities of the proposed
2 working group.

3 **Department Testimony:** The Department of Health respectfully opposes this measure and
4 offers the following comments.

5 This bill mandates the Department to establish a working group to study methods to reduce the
6 use of all disposable bags.

7 Many of the issues surrounding bag bans have been discussed extensively over the past several
8 legislative sessions. Many have testified on the environmental and resource conservation issues
9 which support bans; and representatives of the business community have also given detailed
10 testimony on the impacts of various ban proposals. Given this extended discussion in addition to
11 all four counties having existing bag bans, the Department feels that this measure is redundant.

12 If the desire is to address the uneven prohibition and loopholes of the existing bans, it seems that
13 a complete ban on plastic and paper bags at retail points of sale is the most effective approach.

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



HB1507 HD1
RELATING TO ENVIRONMENTAL PROTECTION
House Committee on Consumer Protection & Commerce

January 25, 2016

2:00 p.m.

Conference Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB1507 HD1, which seeks to mitigate the impacts of plastic bags on our natural and cultural resources, as well as on our municipal waste stream.

Plastic debris, including plastic bags, substantially impact natural and cultural resources of particular significance in Hawaiian culture and tradition. For example, the ingestion of plastic debris by seabirds, such as mōlī, as well as by endangered honu, is a well-documented phenomenon that may have highly injurious or even fatal consequences.¹ Such species hold special significance in Hawaiian culture and traditions: the cultural importance of seabirds includes their role in navigation, meteorology, craftwork, and in their spiritual and symbolic significance.² Likewise, honu, or sea turtles, are also featured in numerous mo‘olelo, hula, ki‘i pōhaku, and other artforms, and were traditionally raised and harvested for food, medicinal, and other purposes.³

¹ See, e.g., JOHN KLAVITTER, UNITED STATES FISH & WILDLIFE SERVICE, DISCARDED PLASTICS DISTRESS ALBATROSS CHICKS (2012) available at <http://www.fws.gov/news/blog/index.cfm/2012/10/24/Discarded-plastics-distress-albatross-chicks> (“Over 90 percent of the approximately 320,000 Layson albatross chicks that hatch each year . . . contain plastic in the proventriculus and gizzard portions of their stomachs. . . . Chicks that perish on average contain twice the amount of plastic as the successful fledgling”); U.S. ENVIRONMENTAL PROTECTION AGENCY, MARINE DEBRIS IN THE NORTH PACIFIC: A SUMMARY OF EXISTING INFORMATION AND IDENTIFICATION OF DATA GAPS 12 (2011) available at <http://www.epa.gov/region9/marine-debris/pdf/MarineDebris-NPacFinalAprvd.pdf> (“Sea turtles do not appear to distinguish between floating debris and floating prey, resulting in ingestion of plastic bags”); see also *id.* at 10 (“Problems associated with the ingestion of plastics include development of internal and external wounds, impairment of feeding capacity due to the buildup or blockage of the digestive system, decreased mobility and predatory avoidance, and toxicity (reviewed by Gregory 2010). Ingestion of plastics by seabirds has been shown to reduce body weight (Spear et al. 1995), inhibit fat deposition (Connors and Smith 1982), and reduce reproductive capacity (Azzarello and Van Vleet 1987). Additionally, the deaths of sea turtles, whales, manatees, and dolphins have been attributed to gastrointestinal blockages by plastics (reviewed by Derraik 2002, Gregory 2010)”).

² See, e.g., Daniel Harrington, *Seabirds of the Hawaiian Islands*, in HAWAIIAN ENCYCLOPEDIA: A COMPREHENSIVE GUIDE TO THE HAWAIIAN ISLANDS HISTORY, CULTURE, NATIVE SPECIES, SCIENCE <http://www.hawaiianencyclopedia.com/seabirds-of-the-hawaiian-islan.asp> (last accessed February 6, 2015); see also CRAIG HARRISON, SEABIRDS OF HAWAII: NATURAL HISTORY AND CONSERVATION (1990).

³ See, e.g., National Park Service, E Mālama i Nā Honu, <http://www.nps.gov/kaho/naturescience/upload/honu.pdf> (last accessed February 6, 2015); National Oceanic and Atmospheric Administration, Protected Resource Division: Green Sea Turtle, http://www.fpir.noaa.gov/PRD/prd_green_sea_turtle.html (last accessed February 6, 2015).

By exploring further how we may reduce our use of disposable and plastic bags, this measure could help to decrease the significant impact that plastic debris has on our threatened and endangered natural and cultural resources. In addition, any such reduction in disposable bag use may mitigate their impacts on our municipal waste stream.

Accordingly, OHA urges the Committee to **PASS** HB1507 HD1. Mahalo for the opportunity to testify on this measure.



Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the House Committee on Consumer Protection & Commerce
Monday, January 25, 2016 at 2:00 P.M.
Conference Room 325, State Capitol**

RE: HOUSE BILL 1507 HD1 RELATING TO ENVIRONMENTAL PROTECTION

Chair McKelvey, Vice Chair Woodson, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports with amendments** HB 1507 HD 1, which establishes a working group to study methods to reduce the use of all disposable bags.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

We are concerned with preserving Hawaii's environment and supporting policies that are beneficial to consumers and businesses. The Chamber supports the creation of a working group to effectively study and establish real solutions to reduce the use of disposable bags. However, we ask this measure be amended to include the Chamber of Commerce Hawaii as a member of the working group.

Thank you for the opportunity to testify.



Executive Officers:

Derek Kurisu, KTA Superstores - Chairperson
John Erickson, Young's Market Company – Vice Chair
Bob Stout, Times Supermarkets – Secretary/Treasurer
Lauren Zirbel, Executive Director

1050 Bishop St. PMB 235
Honolulu, HI 96813
Fax : 808-791-0702
Telephone : 808-533-1292

TO:
COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Angus L.K. McKelvey, Chair
Rep. Justin H. Woodson, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: Monday, January 25, 2016
TIME: 2:00 p.m.
PLACE: Conference Room 325

RE: HB 1507, HD 1

Position: Support with Amendments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

We ask that this measure be amended to include the Hawaii Food Industry Association as a member of the working group. We also think it would be appropriate for the working group to have more mandatory openings for businesses that would be impacted by this legislation.

Hawaii Food Industry Association actively supports placing a fee on all single use bags, which are subject to a plastic bag ban.

We would only support new bag legislation if the fee is allowed to be charged and maintained by the retailer. We would appreciate it if the scope of the working group specifies that the aim of the working group is to reduce the use of single use bags currently covered by existing county plastic bag ban legislation. This will address home rule concerns.

Page 12 of the linked document below shows that average paper bag costs in LA County are between 5 and 15 cents. As ten cents is right in the middle of the average cost of a paper bag which retailers are now mandated to supply, a ten cent fee is necessary to help cover retailer costs. Goods generally cost more in Hawaii due to many factors; therefore, paper bag costs are likely at the higher end of the range in Hawaii.

https://dpw.lacounty.gov/epd/aboutthebag/PDF/SocioEconomicImpactStudy_final.pdf

This fee will also help offset the cost to businesses of implementing bag ban ordinances, which manifests itself in increased labor times.

By attaching the fee to the bags themselves it helps stores avoid having to raise prices in order to recuperate the cost of more expensive bag options, such as paper.

Mandating a fee for single use bags is an incentive for consumers to get in the habit of using reusable bags, which are the most environmentally friendly option. This type of legislation has been very successful at reducing single use bags in California and Washington, DC.

Thank you for the opportunity to provide testimony.



3375 Koapaka Street, D-108
Honolulu, HI 96819

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

Monday, January 25, 2016

Committee on Consumer Protection & Commerce

RE: House Bill 1507 Relating to Environmental Protection

Dear Chair McKelvey, Vice Chair Woodson and members of the Committee:

We appreciate the opportunity to testify on HB1507, and respectfully submit the following written testimony in **SUPPORT** to the bill. Times Supermarket is based on Oahu and operates 26 stores with locations in Maui, Kauai and Oahu.

HB1507 establishes a working group to study methods to reduce the use of all disposable bags.

We believe that establishing a working group is a good first step toward addressing some of the unintended consequences that resulted from a county by county ban of certain single use bags.

We ask that you support this bill.

Thank you for the opportunity to testify.

Respectfully,

Bob Gutierrez
Director of Government Affairs
Times Supermarket