

STAND. COM. REP. NO.

1144

Honolulu, Hawaii

March 17, 2017

RE: S.B. No. 1150
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 1150, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PRESERVING CORAL REEFS,"

begs leave to report as follows:

The purpose of this measure is to prohibit the use or application of sunscreen, sunblock, or cosmetic containing oxybenzone while on a beach or in the ocean unless the sunscreen, sunblock, or cosmetic is a prescription drug.

The Office of Hawaiian Affairs, Conservation Council for Hawaii, EcoTipping Points Projects, Hawaii Alliance for Progressive Action, Democratic Party of Hawaii, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, The Nature Conservancy of Hawaii, Dolphin Quest, Humane Society of the United States, Sea Life Trust, Hawaiian Paddle Sports, Maui Kayak Adventures, Maui Stand Up Paddle Boarding, Valley Isle Excursions, Sierra Club of Hawaii, Friends of Hanauma Bay, For the Fishes, Napili Bay and Beach Foundation, Surfrider Foundation, and numerous individuals supported this measure. The Surfrider Foundation Oahu Chapter supported the intent of this measure. The Personal Care Products Council and Consumer Healthcare Products Association opposed this measure. The Department of Land and Natural Resources, Department of Health, Office of the Mayor of the County of Hawaii, Hawaii

SB1150 HD1 HSCR EEP HMS 2017-3058-1



Food Industry Association, Haereticus Environmental Laboratory, Hawaii Mermaid Adventures, Maui Marketing, Maui Surf Lessons, Goddess Garden Organics, Maui Chamber of Commerce, All Good Products, and many individuals provided comments.

Your Committee has amended this measure by:

- (1) Limiting the prohibition of the use or application of sunscreen, sunblock, or cosmetic containing oxybenzone to within marine life conservation districts;
- (2) Prohibiting chemicals deemed harmful to coral reefs by the Department of Land and Natural Resources (Department) from being used or applied within marine life conservation districts;
- (3) Requiring all commercial use permittees operating in marine life conservation districts to inform their customers that the use or application of sunscreen, sunblock, or cosmetic containing oxybenzone or other chemicals deemed harmful to coral reefs by the Department is prohibited in marine life conservation districts;
- (4) Requiring counties that issue commercial scuba and snorkeling permits or control public access to nature preserves and marine life conservation districts used for scuba diving or snorkeling to prohibit the commercial sale of sunscreen, sunblock, or cosmetic containing oxybenzone or other chemicals deemed harmful to coral reefs by the Department in concessions that serve nature preserves and marine life conservation districts; and
- (5) Allowing the Department to propose rules pertaining to Chapter 190, Hawaii Revised Statutes, that prohibit the use of sunscreen, sunblock, or cosmetic containing oxybenzone or other chemicals deemed harmful to coral reefs by the department in any area as needed to conserve state marine resources.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and



purpose of S.B. No. 1150, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1150, S.D. 2, H.D. 1, and be referred to your Committee on Ocean, Marine Resources, & Hawaiian Affairs.

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



CHRIS LEE, Chair



