STAND. COM. REP. NO. 777 -18

Honolulu, Hawaii

, 2018

MAR 23

RE: S.B. No. 2571

S.D. 2 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 2571, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to preserve marine ecosystems, including coral reefs, by banning the sale, offer for sale, and distribution in Hawaii of sun protection factor sunscreen protection personal care products containing oxybenzone and octinoxate without a prescription issued by a licensed healthcare provider.

The Office of Hawaiian Affairs, Council Member representing District 4 of the County of Hawaii, Hawaii Kai Neighborhood Board, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Hawaiian Civic Club of Honolulu, LOST FISH Coalition, Aloha Boardshop, Hawaii Fishing & Boating Association, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, Napili Bay and Beach Foundation, Inc., Wipeout Crew, Little Hands Hawaii, Student Ohana for Sustainability, The Humane Society of the United States, Humane Society International, Friends of Hanauma Bay, Sierra Club of Hawaii, The Garden Club of Honolulu, Hawaii Farmers Union United Kona Chapter, We Are One, Inc., Keiko Conservation, Haereticus Environmental Laboratory, Hawaii Wildlife Fund, For the

Fishes, Eyes of the Reef Network, Surfrider Foundation, Surfrider Foundation's O'ahu Chapter, OceanCare, Animal Welfare Institute, Hawai'i Reef and Ocean Coalition, and numerous individuals supported this measure. Bayer, Hawaii Food Industry Association, American Chemistry Council, Personal Care Products Council, and Retail Merchants of Hawaii opposed this measure. The Department of Land and Natural Resources, Department of Health, Hawaii Dermatological Association, Pegasus Foundation, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Replacing the phrase "SPF sunscreen protection personal care product" with the word "sunscreen";
- (2) Requiring that the ban on the sale, offer of sale, or distribution of sunscreen in the State shall begin on July 1, 2021; and
- (3) Prohibiting the counties from further banning or otherwise regulating sunscreens containing oxybenzone or octinoxate, or both, or other ingredients approved by the United States Food and Drug Administration.

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. 2571, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2571, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

CHRIS LEE, Chair

SB2571 HD1 HSCR EEP HMS 2018-3040

State of Hawaii House of Representatives The Twenty-ninth Legislature

Record of Votes of the Committee on Energy & Environmental Protection

| Bill/Resolution No.: SB 2571, SD2 | Committee Referral: EEP, FIN | Date: | 3-15 | -18 |
|---|-------------------------------|-----------|------|---------|
| ☐ The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| EEP Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. LEE, Chris (C) | | | | |
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| 2. LOWEN, Nicole E. (VC) | | | | |
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| 3. CULLEN, Ty J.K. | | | | |
| 4. KONG, Sam Satoru | | | | |
| | | | | |
| 5. McKELVEY, Angus L.K. | | | | |
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| 6. TODD, Chris | | | | |
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| 7. YAMANE, Ryan I. | | | | |
| 8. MCDERMOTT, Bob | | | | |
| 8. MCDERMOTT, Bob | | | | |
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| TOTAL (8) | 5 | | | 3 |
| The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: Muole E. Lower | | | | |
| Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO | | | | |