
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that polystyrene foam
2 represents one of the most common forms of litter pollution in
3 Hawaii. The consumption of polystyrene foam containers in
4 Hawaii, none of which are recycled, is the highest per capita in
5 the United States. Polystyrene foam is ultra-light, which
6 allows it to easily escape collection systems and accumulate on
7 land and in waterways where it quickly aggregates and fragments
8 to form a highly visible and toxic litter stream. Polystyrene
9 foam fragments leach styrene, a known carcinogen, and other
10 toxins that then poison the local food chain. This poisoned
11 food chain impacts all species including birds, whales, turtles,
12 seals, and the fish that form the foundation of the local
13 fishing industry. Polystyrene foam pollution also defaces
14 Hawaii's iconic landscapes, which serve as the basis for the
15 tourism industry.

16 The legislature further finds that the cost to the State
17 and counties to clean polystyrene foam and other plastics from



1 storm drains, waterways, marine ecosystems, and other
2 aggregation points is well documented and increasingly
3 burdensome. A study by the Natural Resources Defense Council
4 showed that California taxpayers are shouldering a cost of
5 \$428,000,000 per year to prevent litter, including plastics like
6 polystyrene foam, from becoming harmful pollution. For a city
7 in California with a population size comparable to that of
8 Hawaii's, such as San Diego, the cost is over \$14,000,000 per
9 year in taxpayer money. In 2016, following the continued
10 flooding due to litter in Hawaii's storm drains, the department
11 of transportation released a trash plan indicating that a
12 prohibition on the sale of polystyrene foam service ware and
13 packaging would result in a ten per cent reduction of the total
14 cleanup costs of litter in the State for the department of
15 transportation's highway division alone. This translates into
16 millions of dollars in savings to the Hawaii taxpayer.

17 The legislature further finds that certain counties across
18 the State have begun to prohibit polystyrene, reducing costs to
19 taxpayers in those counties. However, residents in those
20 counties still pay state taxes to executive branch departments
21 and agencies tasked with cleaning up polystyrene pollution in



1 other counties which have not meaningfully prohibited its
2 proliferation.

3 The purpose of this Act is to protect:

4 (1) Residents of counties which have prohibited the sale
5 of polystyrene from paying additional taxes to clean
6 up polystyrene litter in other counties in which it
7 has not been prohibited;

8 (2) Hawaii taxpayers from paying additional cleanup costs;
9 and

10 (3) Hawaii's environment,

11 by authorizing state executive branch departments and agencies
12 to collect information regarding the amount of moneys expended
13 by each department or agency per county for the disposal of
14 polystyrene and then collect reimbursement from counties for
15 such expenditures.

16 SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended
17 by adding a new part to be appropriately designated and to read
18 as follows:

19 "PART . POLYSTYRENE CLEANUP

20 §27-A Definitions. As used in this part, unless the
21 context otherwise requires:



1 "County" means the counties of Hawaii, Kauai, Maui, and the
2 city and county of Honolulu.

3 "Department or agency" means a state executive branch
4 department or agency, or the judiciary.

5 "Polystyrene" means a thermoplastic petrochemical material
6 utilizing a styrene monomer, including all polystyrene, meaning
7 any styrene or vinyl chloride polymer that is blown into a foam-
8 like material. Polystyrene includes materials created from
9 techniques including the fusion of polymer spheres (expandable
10 bead polystyrene), injection molding, foam molding, and
11 extrusion-blow molding (extruded foam polystyrene).

12 "Polystyrene product" means a product that is made using
13 polystyrene material.

14 **§27-B Polystyrene clean up.** (a) The department of
15 accounting and general services shall maintain a database
16 detailing the amount of moneys expended, as reported under
17 subsection (b), by state departments and agencies for the
18 collection or disposal of polystyrene products in each county
19 which has not meaningfully prohibited the use and disposal of
20 polystyrene products.



1 (b) Beginning on January 1, 2021, each department or
2 agency that incurs costs for collecting or disposing of
3 polystyrene products in each county which has not meaningfully
4 prohibited the use and disposal of polystyrene products may
5 submit an application, using a form to be prepared by the
6 department of accounting and general services, to the department
7 of accounting and general services to collect reimbursement from
8 the applicable counties for expenditures made within the county
9 to collect and dispose of polystyrene products. The
10 reimbursement amount shall be determined using the data
11 collected pursuant to subsection (a). The department shall
12 notify each county of the total amount owed to reimburse all
13 departments and agencies for the collection and disposal of
14 polystyrene products by the departments and agencies. The
15 respective sums shall be deducted from each counties' respective
16 annual transient accommodations tax revenues.

17 (c) The department of accounting and general services
18 shall submit a report of the data and reimbursements collected
19 pursuant to this section to the legislature no later than twenty
20 days prior to the convening of each regular session."



1 SECTION 3. In codifying the new sections added by section
2 2 of this Act, the revisor of statutes shall substitute
3 appropriate section numbers for the letters used in designating
4 the new sections in this Act.

5 SECTION 4. This Act shall take effect upon its approval.

6

INTRODUCED BY: 

JAN 18 2019



H.B. NO. 719

Report Title:

Polystyrene Products; Collection and Disposal; Counties

Description:

Requires the Department of Accounting and General Services to track the cost to state departments and agencies of collecting and disposing of polystyrene products in each county. Beginning in 2021, requires each county to reimburse the general fund for costs to the State of collecting and disposing of polystyrene products in the county.

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