

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

WRITTEN  
TESTIMONY ONLY

**Testimony COMMENTING on HB0762 HD 1**  
**RELATING TO SINGLE-USE PLASTIC STRAWS**

REPRESENTATIVE CHRIS LEE, CHAIR  
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 19, 2019

Room Number: 325

1 **Fiscal Implications:** Unknown

2 **Department Testimony:** The purpose of the measure is to prohibit a full-service restaurant  
3 from providing a single-use plastic straw to a consumer unless requested by the consumer.

4 The Department of Health (Department) offers the following comments. The Department  
5 has not actively enforced state litter laws under Hawaii Revised Statutes Chapter 339 since the  
6 abolishment of the Litter Control Office in the late 1990s. Therefore, the Department may not be  
7 able to actively enforce without additional funding and resources. This measure may impact the  
8 priorities identified in the Governor's Executive Budget Request for the Department's  
9 appropriations and personnel priorities.

10 **Offered Amendments:** None

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



**HB762 HD1**  
**RELATING TO SINGLE-USE PLASTIC STRAWS**  
House Committee on Judiciary

February 19, 2019

2:05 p.m.

Room 325

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on HB762 HD1, which would prohibit full-service restaurants from providing a single-use plastic straw to a customer, unless requested by the customer. OHA appreciates this measure's potential to reduce the impacts of plastic waste on our native wildlife, marine and coastal resources, and associated Native Hawaiian traditional and customary practices, and **respectfully suggests the Committee's consideration in removing preemption provisions that may inadvertently inhibit the further regulation of plastic straws by the counties.**

Single-use plastics, such as polystyrene foam containers, plastic bags, and plastic straws, have a well-established impact on native species of cultural significance, including endangered as well as subsistence resource species. In Hawaiian waters, the ingestion of discarded plastic debris by native seabirds, such as mōlī, as well as by endangered honu, is a well-documented phenomenon that may have highly injurious or even fatal consequences. Notably, 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 symbolic significance; likewise, honu are also featured in numerous mo'olelo, hula, ki'i pōhaku, and other art forms, and were traditionally raised and harvested for food, medicinal, and other purposes. Discarded plastic debris may also be ingested by other marine fauna, and its bioaccumulation through the food web may adversely affect numerous other native and culturally significant marine species. **Therefore, reducing or eliminating the amount of disposable single-use plastics used in Hawai'i may help to mitigate the impact of such plastics on the native and endangered marine species in our islands' waters.**

OHA further notes that plastic waste may also threaten the perpetuation of Native Hawaiian cultural and subsistence practices. For example, the toxins contained in and absorbed by plastic material may bioaccumulate in the marine food web, discouraging cultural and subsistence practitioners from the practice of gathering and consuming marine resources. The presence of plastic fragments or microplastics in our nearshore waters may also discourage the traditional gathering and consumption of pa'akai and other non-living resources. In addition, the harm caused to endangered and native species may foreclose the future use of such species in Native Hawaiian traditional and customary practices, which depend upon the availability of healthy and abundant resources. Finally, the presence of discarded plastics may compromise the cultural and spiritual integrity of the marine and coastal environment, upon which Native Hawaiian subsistence practices and ways of life are inextricably tied. **Accordingly, reducing the use**

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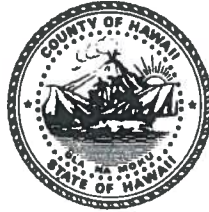
<sup>1</sup> In Native Hawaiian understanding the spatial bounds of 'āina and moana are viewed holistically and maintain powerful and epistemological connections to Hawaiian ancestry and resilience; in one salient example, hāko'ako'a, coral reefs, are prayed for and spoken of in the kumulipo, the Hawaiian creation chant.

**and inevitable disposal of single-use plastics into our marine environment may also represent a small but important step towards the perpetuation of Native Hawaiian culture.**

OHA therefore appreciates this measure's intent to reduce the use of single-use plastic straws in full-service restaurants. However, OHA does note that this measure does not eliminate the use of plastic straws by such restaurants, who may continue to provide plastic straws simply by asking customers if they would like to use one. Moreover, OHA further notes that there may be a significant volume of plastic straw waste generated from food establishments that do not offer full, sit-down restaurant service; such "take-out" waste may also have a higher potential of being discarded into the environment, ultimately ending up in our coastal areas and ocean waters. This measure's preemption of "all contrary ordinances or rules adopted by a county or any department or agency thereof regulating single-use plastic straws" may unnecessarily and inadvertently inhibit the counties from addressing such issues, and offering stronger protections for our ocean waters and resources from a known source of plastic waste. **OHA respectfully suggests that the Committee consider removing such a preemption provision, as unnecessary and potentially counterproductive to the overall goal of reducing the impacts of single-use plastic waste on our native species, marine and coastal resources, and associated practices.**

Mahalo nui for the opportunity to testify on this measure.

REBECCA VILLEGAS  
Council Member  
District 7, Central Kona



PHONE: (808) 323-4267  
FAX: (808) 323-4786  
EMAIL: [Rebecca.villegas@hawaiiicounty.gov](mailto:Rebecca.villegas@hawaiiicounty.gov)

## HAWAI'I COUNTY COUNCIL

West Hawai'i Civic Center, Bldg. A  
74-5044 Ane Keohokalole Hwy.  
Kailua-Kona, Hawai'i 96740

**LATE**

February 19, 2019

TESTIMONY OF REBECCA VILLEGAS  
COUNCIL MEMBER, HAWAI'I COUNTY COUNCIL  
ON HB 762, RELATING TO SINGLE-USE PLASTIC STRAWS

Committee on Judiciary  
Tuesday, February 19, 2019  
2:05 p.m.  
Conference Room 325

Aloha Chair Lee and Members of the Committee:

I thank you for the opportunity to testify in support of HB 762 HDI, relating to single-use plastic straws. My testimony is submitted in my individual capacity as a member of the Hawai'i County Council.

The purpose of this measure is to prohibit full-service restaurants from providing a single-use plastic straw to a consumer unless requested. This measure assists with the goal of eliminating single-use plastic that most likely will end up in landfills, dumps, or in the environment. Alternatives to plastic currently exist for many items, and innovative change is advancing globally. Locally, plastic litter can be found on every island and in every watershed and protected area in the State of Hawai'i. These pollutants are in the seawater and freshwater which is being transferred to fish, and other seafood, which eventually is being consumed by humans. Prohibiting single-use plastic straws in restaurants, unless specifically requested, can only benefit our environment and overall health of ourselves and the State of Hawai'i.

For the reasons stated above, I urge the Committee on Judiciary to support this measure as well. Should you have any questions, please feel free to contact me at (808) 323-4267.

Mahalo for your consideration.

A handwritten signature in black ink, appearing to read "Rebecca Villegas".

Rebecca Villegas  
Council Member, Hawai'i County Council



# SIERRA CLUB OF HAWAI'I

**MĀLAMA I KA HONUA. *Cherish the Earth.***

HOUSE COMMITTEE ON JUDICIARY

February 19, 2019 2:05 p.m. Room 325

**LATE**

**In SUPPORT of HB762 HD1:** Relating to single-use plastic straws

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Aloha Chair Lee, Vice Chair Buenaventura, and members of the committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **supports HB 762 HD1**, which seeks to prohibit a full-service restaurant from providing a single-use plastic straw to a consumer unless requested by the consumer.

The Sierra Club of Hawai'i, dedicated to exploring, enjoying, and protecting these unique and beautiful islands we call home, have engaged in decades-long efforts to protect public access to trails and beaches in addition to restoring hundreds of trails on public and private land. Part of our dedication to protect is to keep these valuable public areas free of pollution from plastics and other waste. In this case, we advocate for halting harmful plastic pollution at the source. This measure is one of many that support our collective efforts to reduce pollution across the board.

Single-use plastics pollute our lands and freshwater bodies, clog up drainage systems, harm wildlife and ultimately end up in our ocean waters--settling on our reefs and, in some places, creating large plastic island gyres. Single-use plastics cannot typically be recycled, and pose harm to marine life, especially plastic straws. Millions of plastic straws are used every day in the United States. Being that plastic straws are a single-use item, they are thrown away directly after use. The toxins and heavy chemicals found in them are not compostable or biodegradable and can take 500 years or more to decompose. They create an overabundance of waste that continually overflows local landfills and our beaches.



SIERRA CLUB OF HAWAII  
MĀLAMA I KA HONUA. *Cherish the Earth.*

The transition away from plastic straws is very possible and happening across the United States. California recently became the first state to place a ban on plastic straws in restaurants, Seattle became the first major US city to ban single-use plastic straws, and many large corporations are vowing to stop offering plastic straws such as Starbucks, American Airlines, and Marriott International. Sierra Club of Hawai'i supports this measure but understands that prohibiting straws in restaurants is just one of the first steps to dealing with the tragedy of single-use plastics and pollution.

By reducing single-use plastics at the source, Hawai'i will have the opportunity to take on one of the most toxic and widespread of pollutants and showcase its state sustainability goals to the nation. This effort will also enable Hawai'i to invest in the future aesthetics of the island, and more importantly the health and safety of marine life and the local population.

**We urge the Committee to pass this measure**, which will serve our collective efforts to keep Hawai'i's land, freshwater bodies, and oceans free of plastic pollution.

Thank you very much for this opportunity to provide testimony in **support of HB 762 HD1**.

Mahalo,  
Lori Mallini  
Volunteer, Sierra Club of Hawai'i



February 18, 2019

To: The Honorable Chris Lee, Chair  
Members, House Committee on Judiciary

From: Tim Shestek, Senior Director  
State Affairs

**RE: HB 762 HD1 – SUPPORT**

The American Chemistry Council (ACC) is writing in support of HB 762 HD1, which would require straws be provided to customers only upon request.

Attention is rightly turning to the overall volume of consumer waste generated by the way in which we use products, and many are looking for ways to reduce or eliminate wasteful uses of products. Consumer attention has recently focused on situations where drinking straws are automatically provided as an area where unnecessary use could be reduced.

There are many circumstances in which the use of drinking straws will enhance safety, and promote sanitary conditions. Some examples include beverages consumed while driving, hospital use, daily living for people with physical impairments or recovering from injury, seniors and others who may have difficulty lifting a drink, and travelling with small children. However, there are also circumstances when a drinking straw is automatically provided in a drink before the consumer has asked for one.

ACC and its members take seriously the issue of litter and marine debris. To that end, ACC's Plastics Division recently announced a product stewardship position for straws as part of our ongoing efforts to help promote the responsible use of valuable plastic materials.

To avoid unnecessary and potentially wasteful use, ACC supports an "upon request" approach such as proposed in HB 762 HD1. Additionally, a statewide solution related to straws is preferred in order to avoid a patchwork of local ordinances.

Thank you in advance for considering our views. If you have any questions, please do not hesitate to contact me at 916-448-2581 or via email at [Tim\\_Shestek@americanchemistry.com](mailto:Tim_Shestek@americanchemistry.com). You may also contact ACC's Hawaii based representative Ross Yamasaki at 808-531-4551.



**HB-762-HD-1**

Submitted on: 2/15/2019 6:19:36 PM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Animal Rights Hawai'i	Support	No

Comments:

The photo of the Honu with a straw lodged in his nose should be ample reason to support this bill!





**TESTIMONY OF TINA YAMAKI  
PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
February 19, 2019**

**Re: HB 762 HD1 Relating to Single Use Plastic Straws**

Good afternoon Chairperson Lee and members of the House Committee on Judiciary. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) is a statewide not-for-profit trade organization committed to supporting the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

Retail Merchants of Hawaii supports HB 762 HD1 Relating to Single Use Plastic Straws. This measure prohibits a full-service restaurant from providing a single-use plastic straw to a consumer unless requested by the consumer. Customers are the driving force as to how many business are run. Businesses respond to the wants of the customers that patronize their particular establishments. We are already seeing establishments changing and offering at the request of the customer.

If the goal is to reduce the litter, we should also be looking at a truly coordinated comprehensive litter reduction education program as well as vehicles that keep the opala contained and not able to fly out of the receptacles.

Again mahalo for this opportunity to testify.



1050 Bishop St. PMB 235 | Honolulu, HI 96813  
P: 808-533-1292 | e: info@hawaiiifood.com

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**Derek Kurisu**, KTA Superstores, *Advisor*

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TO:  
Committee on Judiciary  
Representative Chris Lee, Chair  
Representative Rep. Joy A. San Buenaventura, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: February 19, 2019  
TIME: 2:05pm  
PLACE: Conference Room 325

RE: HB762 HD1 Relating to Single-use Plastic Straws

Position: Support

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.

This is a common sense measure that will greatly reduce unnecessary use of straws, without banning a safe, useful, and affordable product. In many cases customers in sit down restaurants have no need for a straw, but sometimes they are distributed as a matter of habit. Ending this practice in sit down restaurants means less straws end up as waste and puts the decisions of whether or not to use a straw in the hands of customers. We encourage you to vote yes on this measure.



**Kelii Gouveia, Chairman** – Duke's Waikiki      **Tom Jones, Incoming Chair** – Gyotaku  
**Tammy Fukugawa, Vice Chair** – TS Restaurant      **Dirk Koeppenkastrop, Secretary** – IL Gelato Hawaii  
**Michael Miller, Treasurer** – Tiki's Grill & Bar      **Tyler Roukema, Past Chair** – Outrigger Canoe Club

**Sheryl Matsuoka**, Executive Director      **Leila Morinaga**, Executive Assistant      **Holly Kessler**, Director of Membership Relations

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To:      Rep. Chris Lee, Chair  
          Rep. Joy A. San Buenaventura, Vice Chair  
          Members of the Committee on Judiciary

From:    Victor Lim, Legislative Lead  
          Hawaii Restaurant Association

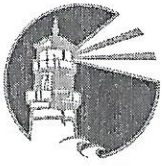
Subj:    HB 762 HD 1 Relating to Single-Use Plastic Straw

Date:    February 16, 2019

We at the Hawaii Restaurant Association representing over 3,500 restaurants in Hawaii supports HB762 HD 1 stating that a full service restaurants shall not provide a single-use plastic straw to a customer unless requested by the customer.

Thank you very much for allowing us to comment on this bill.





# Ocean Tourism Coalition

*The Voice for Hawaii's Ocean Tourism Industry*  
1188 Bishop St., Ste. 1003\*\*Honolulu, HI 96813-2938  
(808) 537-4308 Phone (808) 533-2739 Fax  
[timlyons@hawaiiantel.net](mailto:timlyons@hawaiiantel.net)

## COMMITTEE ON JUDICIARY

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Rep. Dee Morikawa	

## NOTICE OF HEARING

DATE: Tuesday, February 19, 2019  
TIME: 2:05pm  
PLACE: Conference Room 325

### **TESTIMONY OF THE OCEAN TOURISM COALITION IN SUPPORT OF HB762, HD1 RELATING TO SINGLE USE PLASTIC STRAWS**

Chair Lee, Vice Chair San Buenaventura and Members of the JUD Committee:

My name is James E. Coon, President of the Ocean Tourism Coalition (OTC) speaking in support of HB762 Relating to single use plastic straws.

The OTC represents over 300 Ocean Tourism Businesses across the State. Our industry are stewards of and dependent on a sustainable and healthy Ocean and Coastal environment.

While this proposed legislation may not directly impact our industry, the reduction of plastic straws in our environment will have a positive impact on everyone. There are viable biodegradable and reusable options readily available.

Please pass HB762 HD1 this is an easy win for the environment.

Sincerely,

James E. Coon, President

Ocean Tourism Coalition



**KYD, Inc. dba k. yamada distributors**

**An independent leader in packaging and wholesale distribution**

P.O. BOX 29669, Honolulu, Hawaii 96820 Phone: (808) 836-3221 Fax: (808) 833-8995

HB 762hd1, Relating to Single Use Plastic Straws  
House JUD Hearing  
Tuesday, Feb. 19, 2019  
2:05pm – Room 325  
Position: Support

Chair Lee and Members of the House JUD Committee:

I am Dexter Yamada, President of KYD, Inc. dba: K. Yamada Distributors. KYD, Inc. is a local family run business that originated in the 1940's. KYD, Inc and its sister company, Hawaii's Finest Products, LLC, manufacture packaging materials such as food-grade EPS (Expanded Polystyrene) food containers, and distribute a variety of packaging products, to include compostable containers.

As a kamaaina family business in Hawaii, we live here and care about our environment. We believe in stronger litter management programs that curtail land-based litter from migrating to waterways and the ocean. This means public education and consequences for proper disposal of litter and a call for civic responsibility.

This measure allows the consumer to request a single-use plastic straw in full service restaurants. This is particularly important for persons with disabilities.

According to Emily Ladau, an activist and writer on disability issues, (CNN, July 11, 2018) and has Larsen syndrome, people who need straws need plastic straws. Straws from paper dissolve. Metal straws can get too hot or cold depending on the liquid drink. Reusable straws are often forgotten at home.

"Other types of straws simply do not offer the combination of strength, flexibility, and safety that plastic straws do," Disability Rights Washington, a nonprofit with offices in Seattle, said in a letter it coauthored to the city.

For others who are able-bodied, this measure provides a choice to request straws or forego it altogether. No matter what material is used for the straw proper litter disposal is key to protecting the environment. A consistent state-wide policy is urged for the benefit of visitors as well as for residents who travel between islands.

Please support this bill. Thank you for the opportunity to testify.



**WILL CALL, G&A, AND WAREHOUSE OFFICES:** 2949 Koapaka Street, Honolulu,  
Hawaii 96819-1923

Phone: (808) 836-3221

Fax: (808) 833-8995

**HB-762-HD-1**

Submitted on: 2/18/2019 10:10:54 AM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

**LATE**

**HB-762-HD-1**

Submitted on: 2/18/2019 7:12:39 PM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Moran	Kihei Community Association (KCA)	Support	No

Comments:

It is long past time to eliminate these ocean pollutors. There are not needed, and there are numerous better alternatives. If you are old enough you remember paper straws which served us well. Alternatively, they are "permanent" metal ones. No need plastics.

**HB-762-HD-1**

Submitted on: 2/18/2019 11:56:22 AM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support HB762. Plastic straws are commonly given out every time a drink or even water is ordered, regardless of whether a straw has been requested or not. Why should those patrons have to specify no straw be given when it's far more eco-friendly, as well as cost-effective for a restaurant, to give them out only upon request. There's also nothing to stop servers from asking a patron if s/he would like a straw.

We must take whatever steps necessary to limit plastic pollution. Many plastics leach suspected carcinogens and neurotoxins as they degrade into smaller and smaller pieces, and studies show some of these toxins are slowly accumulating in the fatty tissues of humans and other animals.

Whales, fish, sea turtles and birds commonly mistake plastic for food. The great garbage patch between Hawaii and California is steadily growing. Most plastic is not biodegradable and only degrades into smaller and smaller pieces, thereby contaminating the lowest levels of the food web.

Additionally, many plastics are made with petroleum, the manufacture of which is a great contributor to the heat-trapping gases responsible for the greenhouse effect we are now seeing.

Thank you for your time and the opportunity to present my testimony.

Sincerely,

Andrea Quinn

Kihei



**HB-762-HD-1**

Submitted on: 2/17/2019 9:36:05 PM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kyle Colwell	Individual	Support	No

Comments:

**HB-762-HD-1**

Submitted on: 2/17/2019 9:40:47 PM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dwamato	Individual	Support	No

Comments:

**HB-762-HD-1**

Submitted on: 2/17/2019 6:38:34 PM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
George Pace	Individual	Oppose	No

Comments:

Vote NO on HB762!

Please! Stop with the nanny-statism. The issue of single-use straws made from particular source materials is utterly trivial even in the deluded world on "environmentalism", much less in the real world where vastly more important issues remain festering and demand your attention.

Stop wasting time and money pursuing the absurd.

Vote NO on HB762.

**HB-762-HD-1**

Submitted on: 2/16/2019 1:47:28 PM

Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerard Silva	Individual	Oppose	No

Comments:

WE think this is the most SUPIED thing the anyone could Bring UP. To wast time and money on this some body needs to get there Head Examind. I the last 50 years all of these Stupied enviermental things Have all done MORE HARM THEN GOOD.

**HB-762-HD-1**

Submitted on: 2/19/2019 1:33:25 AM

Testimony for JUD on 2/19/2019 2:05:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimiko LaHaela Walter	Individual	Support	No

Comments:

**LATE**

**HB-762-HD-1**

Submitted on: 2/19/2019 5:48:23 PM  
Testimony for JUD on 2/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Golojuch	Individual	Support	No

Comments:

I strongly support this measure. We need to reduce our use of plastic within our environment. However, you should not exempt those who want to use plastic.

Mike Golojuch, Sr.