

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WAYS AND MEANS**

**Thursday, February 20, 2020
10:35 AM
State Capitol, Conference Room 211**

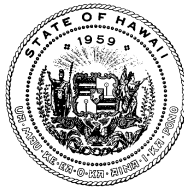
**In consideration of
SENATE BILL 2720, SENATE DRAFT 1
RELATING TO PROCUREMENT**

Senate Bill 2720, Senate Draft 1 proposes to prohibit the expenditure of state funds by state agencies for the purchase of beverages in plastic bottles or rigid plastic containers, except under certain circumstances. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department recognizes the deleterious impacts of plastic debris on wildlife and their habitats as a primary natural resource issue throughout the State. Plastic debris degrade land and ocean-based habitat and impact a variety of wildlife (aquatic and terrestrial) through ingestion and entanglement. Senate Bill 1543 would help reduce the plastic debris load entering Hawaii's environment and contribute to the improved health of our wildlife and their habitats.

The Department's Division of Forestry and Wildlife (DOFAW) is statutorily mandated by the Land Fire Protection Law, Chapter 185, Hawaii Revised Statutes, to be the primary responder for wildfires on lands managed by DOFAW, which accounts for 26% of the land statewide. DOFAW co-responds with county fire departments and federal agencies to an additional 32%. The Department appreciates the exception in Section 342H- (b) (4) so that the Department may continue to purchase bottled water for their wildland firefighters to prevent dehydration while responding to wildfires.

Thank you for the opportunity to comment on this measure.



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

WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of SB2720 SD1
RELATING TO PROCUREMENT**

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: 2/20/2020

Room Number: 211

1 **Fiscal Implications:** None.

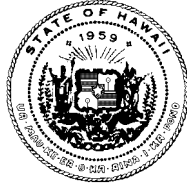
2 **Department Testimony:** The Department of Health (Department) recognizes that debris from
3 plastic bottles and/or rigid plastic beverage containers can negatively impact the State's
4 environment, ecosystems, and beaches on which the State's economy, culture, and native species
5 rely. SB2720 SD1 prohibits the expenditure of state funds by state agencies to purchase
6 beverages in plastic bottles or rigid plastic containers, with specific exemptions, and should help
7 the State meet its sustainability goals and set a positive example.

8 The Department respectfully requests that Hawaii Revised Statutes (HRS) Chapter 342G
9 Part IV. "Governmental Coordination" be amended to incorporate SB2720 SD1. HRS 342G Part
10 IV provides guidance to State and County agencies to give preference to recycled products
11 (§342G-41) and requires the Department to coordinate with the State Procurement Office to
12 ensure that agencies promote the procurement of goods with recycled content (§342G-42).
13 Similar measures would allow the Department to coordinate with the State Procurement Office
14 to prohibit State agencies from using public funds to purchase beverages in plastic bottles or
15 rigid plastic containers, with specific exemptions.

16 **Offered Amendments:** None.

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

DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 18, 2020

TO: The Honorable Senator Donovan M. Dela Cruz, Chair
Senate Committee on Ways and Means

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2720 SD1 – RELATING TO PROCUREMENT**

Hearing: February 20, 2020, 10:35 A.M.
Conference Room 211, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the measure as amended and provides comments.

PURPOSE: Prohibits the expenditure of state funds by state agencies for the purchase of beverages in plastic bottles or rigid plastic containers, except under certain circumstances. Amends chapter 342H, Hawaii Revised Statutes (HRS). (SD1)

The Licensed Blind Vendor (LBV) program, also known as the Randolph-Sheppard Act program, is one of the most successful entrepreneurial programs for legally blind individuals in the State of Hawaii and nationally. The blind vending program offers the blind a chance at self-determination, self-sufficiency, pride, and financial independence. Ho`opono, the Services for the Blind Branch of the Division of Vocational Rehabilitation is the State Licensing Agency which is responsible for the licensing and oversight of the LBV program in Hawaii. Attached to the program is the Randolph-Sheppard Revolving Account (RSRA), authorized by section 347-12.5, HRS.

The RSRA is used to benefit blind vendors in the manner of retirement, health insurance, new and replacement equipment, training, and other costs related to the blind vending program. One of the vital costs that is regularly paid by the RSRA is for the

purchase of initial inventory to support the success of blind vendors in new and refurbished facilities. Beverages, bottled and canned, constitute approximately 50% of initial inventory. Beverages are the blind vendors' best sellers, and constitute a majority of the blind vendors' sales and income. The profits from beverage sales pay for everyday personal expenses of the LBV, such as rent, food, transportation, i.e. everything necessary to live an independent life.

We greatly appreciate that in Section 1 (b) (3) of the amended draft, purchases made by DHS in relation to the licensed blind vendor program will constitute an exception to subsection (a).

Thank you for the opportunity to provide comments on this measure.

DAVID Y. IGE
GOVERNOR



SARAH ALLEN
ADMINISTRATOR
BONNIE KAHAKUI
ASSISTANT ADMINISTRATOR

**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

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Honolulu, Hawaii 96810-0119
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TESTIMONY
OF
SARAH ALLEN, ADMINISTRATOR
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEE
ON
WAYS AND MEANS
Thursday, February 20, 2020, 10:35 A.M.

SB2720 SD1
RELATING TO PROCUREMENT

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the committees, thank you for the opportunity to submit testimony on SB2720. The State Procurement Office (SPO) appreciates moving this section to Chapter 342H for specifications specific to plastic bottles or rigid plastic containers.

However, the language for SB2720 SD1 would still allow State funds to be used in other methods of procurement such as HRS §103D-302 (competitive sealed bids) and §103D-303 (competitive sealed proposals).

If it is the intent to disallow the use of State funds to purchase beverages in plastic bottles or rigid plastic containers, the SPO suggests the language on page 1, lines 6-8 change to the following:

~~[Notwithstanding sections 103D-102(b)(3), (b)(4)(H), and (b)(4)(L) and 103D-305 to the contrary,]~~ No state agency shall use state funds for the purchase of beverages in plastic bottles

Thank you.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/20/2020

Time: 10:35 AM

Location: 211

Committee: Senate Ways and Means

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 2720, SD1 RELATING TO PROCUREMENT.

Purpose of Bill: Prohibits the expenditure of state funds by state agencies for the purchase of beverages in plastic bottles or rigid plastic containers, except under certain circumstances. Amends chapter 342H, Hawaii Revised Statutes. (SD1)

Department's Position:

The Department of Education (Department) is in support of SB 2720, SD1 with amendments and believes that our state should continue to work towards reducing our reliance on plastic bottles and containers. We respectfully offer some brief comments.

The safety of our students is a top priority for the Department. Students in Hawaii benefit significantly from the ability to have access to water throughout the school day. Currently, the Department utilizes bottled water to respond to instances where a student is in need of water, where there is no other source of water readily available. Other instances oftentimes occur at athletic events where regular hydration is critical and the need is immediate.

While we support and encourage the use of reusable bottles, we urge the committee to be mindful of the need for the Department to maintain flexibility in order to quickly respond to the hydration needs of our students.

Thank you for the opportunity to testify on SB 2720, SD1.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



LATE

February 19, 2020

To: The Honorable Donovan M. Dela Cruz, Chair
Members, Senate Committee on Ways and Means

From: Tim Shestek
Senior Director, State Affairs

Re: **SB 2720 SD1– OPPOSE**

The American Chemistry Council (ACC) must respectfully oppose SB 2720 SD1, which would prohibit state agencies from purchasing beverages in plastic bottles or rigid plastic containers. ACC and its members certainly support efforts to reduce litter and marine debris; however, SB 2720 SD1 overlooks many potential consequences of implementing such a policy.

SB 2720 SD1 falsely assumes that alternatives to plastic beverage containers are environmentally preferable. PET plastic beverage bottles are 100% recyclable and are the single most recycled item nationwide in curbside collection programs and make up only a small percentage of the waste stream. In fact, U.S. Environmental Protection Agency (EPA) data shows that plastic water bottles make up less than one-third of one percent of the U.S. waste stream.

Additionally, manufacturers of plastic beverage bottles are continually looking for ways to lighten their environmental footprint by reducing the raw materials used in PET plastic through light weighting, redesign, and use of post-consumer recycled materials. Between 2000 and 2014, the average weight of a single-serve PET bottled water container dropped by 51% and bottled water companies are already using up to 50% recycled material in their plastic bottles.

In addition to taking away consumer choice, SB 2720 SD1 could result in a shift to other packaging materials that may not be as widely recycled and use significantly more resources to manufacture and transport.

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. You may also contact ACC's Hawaii based representative Ross Yamasaki at 808-531-4551.





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Paul Kosasa, ABC Stores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*
Beau Oshiro, C&S Wholesale Grocers, *Advisor*
Toby Taniguchi, KTA Superstores, *Advisor*

TO:

Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: February 20, 2020
TIME: 10:35am
PLACE: Conference Room 211

RE: SB2720 SD1 Relating to Procurement

Position: Oppose

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.

HFIA is in opposition to this measure preventing state agencies from purchasing water in plastic bottles. This bill actually outlines the many circumstances under which plastic water bottles have advantages over other types of containers: bottled water is an essential component of disaster preparedness and emergency response, plastic bottles prevent contamination and keep water clean, firefighters rely on bottled water to drink while battling blazes, and per the text of the measure “there are no reasonable alternatives to beverages in plastic bottles or rigid plastic containers, such as large public events and when large quantities of beverages may need to be distributed for health and safety reasons.”

It’s also important to note that the majority of bottled water in Hawaii is a locally made product. Small unexpanded water bottle blanks are turned into bottles here, and water is bottled right here on Oahu in Kapolei.

Per Act 254 from last year the State has convened a plastic working group. This groups has been conducting meetings and is working to create solutions that will drive responsible plastic

use and waste management in our state. Piecemeal bans are not the answer and we ask that the legislature give the working group time to fulfill its mandate.

Given the many necessary exemptions and advantages of plastic bottles outlined in the bill, and the ongoing work of the plastic working, we believe that it's clear that that banning this local product is not a good choice.

We ask that this measure be held, and we thank you for the opportunity to testify.



**Written Testimony of
David Thorp
American Beverage Association**

**Before the Senate Committee on Ways and Means
Opposition to S.B. 2720, S.D. 1– Relating Procurement
February 20, 2020 – 10:35 a.m.**

Good morning Chair Dela Cruz, Vice Chair Keith-Agaran and members of the committees. Thank you for the opportunity to comment in opposition to S.B. 2720 S.D. 1 – relating to procurement.

I am David Thorp, senior director of government affairs for the American Beverage Association (ABA). The American Beverage Association is the trade association representing the non-alcoholic beverage industry.

Beverage industry’s local impact on Hawaii’s economy

The beverage industry is an important part of Hawaii’s economy – and one of the few remaining industries still manufacturing on the Islands. Unlike most consumer products, many of our beverages, aluminum cans and plastic bottles are manufactured and distributed in Hawaii by local workers.

Non-alcoholic beverage companies in Hawaii provide more than 1,200 good-paying jobs across our state. The industry helps to support thousands more workers in businesses that rely in part on beverage sales for their livelihoods and, such as grocery stores, restaurants and theaters.

Plastic beverage containers are 100% recyclable

S.B. 2720, S.D. 1 seeks to address environmental concerns about the use of plastic (PET) beverage containers by prohibiting state agencies from purchasing bottled water in plastic containers.

Taken together with aluminum cans, our packaging portfolio represents the most recyclable and highest value recyclable material of arguably any consumer product.

The beverage industry produces aluminum, glass and plastic beverage containers that are 100% recyclable – even the plastic caps are recyclable. All of these beverage containers can be collected, recycled and made into new beverage containers – and the plastic beverage containers can be recycled and used in the manufacturing of other consumer goods such as carpets and clothing. The recycled PET (rPET) from our plastic containers is in great demand all over the world.

Beverage containers – including plastic bottles – are recycled in Hawaii

Hawaii residents have various opportunities to recycle their beverage containers, including their plastic beverage bottles. Since January 2005, the state Department of Health has operated Hawaii's Deposit Beverage Container program (HI-5) which has assisted residents to recycle over 7 billion beverage containers, including plastic beverage containers. Also, Honolulu offers many of its residents with curbside recycling which provides an easy way to recycle plastic containers while other counties offer community recycling drop-off centers.

Conclusion

The beverage industry is working with recyclers, governments, and environmental groups nationally and globally to reduce the amount of virgin plastic used to make our bottles, recover more valuable plastic for remanufacturing, cut our carbon footprint in packaging and transportation, and keep the places we live and work litter-free. Our member companies will continue to innovate and invest to lessen our environmental impact.

Plastic beverage containers are 100% recyclable and should not be singled out for prohibitions.

Sincerely,
David Thorp

SB-2720-SD-1

Submitted on: 2/15/2020 5:27:07 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorn	Individual	Support	No

Comments:

ALoha,

This bill supports less refuse in our beautiful state by the govt... Lets set an example!!!

Lorn DOuglas

SB-2720-SD-1

Submitted on: 2/19/2020 10:24:39 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Henri Etta Schmitz	Individual	Support	No

Comments:

SB-2720-SD-1

Submitted on: 2/18/2020 11:49:53 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Phaethon Keeney	Individual	Support	No

Comments:

SB-2720-SD-1

Submitted on: 2/18/2020 11:47:08 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glennie	Individual	Support	No

Comments:

aloha,

Please support this bill to prohibit the expenditure of state funds by state agencies for the purchase of beverages in plastic bottles or rigid plastic containers.

We need to move much faster than we are to eliminate plastic from our food supply chain.

mahalo and sincerely,

janice palma-glennie

SB-2720-SD-1

Submitted on: 2/16/2020 11:37:40 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carmie Spellman	Individual	Support	No

Comments:

Dear Honorable Legislators:

My name is Carmie Spellman, I live 1/2 block from Baby Beach in Lahaina, Maui, HI. I support passing the SB2720 SD1 Bill. Daily many residents, including myself, pick up pieces of plastic. Not large pieces mostly small ones that look like food to the ocean inhabitants. It would look like a rubbish dump if were not for us manacuring the beach daily to keep the sea life safe! So many whales and other sea mamals/animals are dying of starvation because they feel full. Autopsies have proven their belly's were filled with plastic. That includes Humpbacks who eat krill through their bayleen now they are sucking in tiny pieces of plastic. Please do not pay for bottled water, bottled juice or anything plastic unless there is absolutely no alternative. Making it a Law is the best way to do it make it punitive! You could purchase water for employees from Water stores like Tropic Water over here Maui. I take Gallon Jars in to refill my water with weekly. Support local vendors they have 5 gallon jars and dispenser and this is one way to get your employees off of the bottlewater kick....Show them pictures of the gyres around the world <https://oceanservice.noaa.gov/facts/gyre.html> . Mahalo for bringing this bill forth I support it SB2720 SD1 .

Respectfully,

Carmie Spellman, Lahaina

LATE

SB-2720-SD-1

Submitted on: 2/19/2020 4:34:51 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark A. Koppel	Individual	Support	No

Comments:

Whatever plastic we reduce can only help.

And no bottling plant in Hilo