

Honolulu, Hawaii

FEB 17 , 2022

RE: H.B. No. 2399
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 2399, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish an Extended Producer Responsibility Program;
- (2) Require certain producers of fast-moving consumer goods to register with the Department of Health and pay an annual fee based on the amount of packaging volume the covered producer places on the market each calendar year;
- (3) Provide for the deposit of fees into an Extended Producer Responsibility Special Fund;
- (4) Provide for the expenditure of monies from the Extended Producer Responsibility Special Fund for the creation of a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by fifty percent and eighty percent by a date to be determined by rule; and



- (5) Establish and appropriate funds for one full-time equivalent position for the Extended Producer Responsibility Program.

Your Committee received testimony in support of this measure from the Department of Health, Department of Environmental Management of the County of Hawai'i, Department of Environmental Management of the County of Maui, Department of Public Works of the County of Kaua'i, Life of the Land, Hawai'i Reef and Ocean Coalition, Recycle Hawai'i, 350Hawaii.org, Recycle Hawai'i, Zero Waste Hawai'i Island, Hawai'i Wildlife Fund, Apollo Kauai, Zero Waste Kauai, Our Revolution Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from Island Plastic Bags, Inc.; American Beverage Association; Wine Institute; American Forest & Paper Association; Hawaii Food Industry Association; and Consumer Healthcare Products Association. Your Committee received comments on this measure from the Department of Budget and Finance, American Chemistry Council, Animal Health Institute, and one individual.

Your Committee finds that waste pollution, including plastic pollution, which fouls air, water, and biological systems, has not been adequately addressed by existing recycling programs. This measure seeks to place some of the responsibility for the reduction of packaging waste on entities that produce the goods that generate the waste.

Your Committee further finds that this measure is geared toward establishing a program that is particularly well suited to Hawaii, engages the producers that are best suited to eliminate packaging waste in a fair and balanced way, positions the State to take full advantage of federal funding aimed at reducing waste, and prioritizes reuse strategies. The special fund created by this measure will support countywide needs assessments, packaging reuse programs, and to a lesser extent, other authorized uses.

Your Committee notes the concerns that were raised in testimony regarding whether this measure could exacerbate ongoing global supply chain issues that have impacted Hawaii. Your Committee understands these concerns and believes further discussion on this issue may be warranted.



As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2399, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LING JOHANSON, Chair



