

STAND. COM. REP. NO. 2979

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2290
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and
Judiciary, to which was referred S.B. No. 2290 entitled:

"A BILL FOR AN ACT RELATING TO MICROBEADS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Beginning July 1, 2022, ban the manufacture of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (2) Beginning July 1, 2023, ban the sale or offer for sale of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (3) Beginning July 1, 2023, ban the manufacture of non-prescription drug products in the State that contain plastic microbeads;
- (4) Beginning July 1, 2024, ban the sale of non-prescription drugs in the State that contain plastic microbeads; and
- (5) Exempt from this measure any rinse-off cosmetic that is also a non-prescription drug regulated under the federal Microbead-Free Waters Act of 2015.



Your Committees received testimony in support of this measure from the Department of Health, Animal Rights Hawai'i, and three individuals. Your Committees received testimony in opposition to this measure from the Retail Merchants of Hawai'i, Hawai'i Food Industry Association, and Personal Care Products Council. Your Committees received comments on this measure from Beach Environmental Awareness Campaign Hawai'i and Hawai'i Reef and Ocean Coalition.

Your Committees find that the accumulation and impacts of microplastic particles in the ocean is an important environmental issue and every effort should be made to decrease microplastic pollution in the State's waters and protect the marine environment. Microbeads are unnecessary plastic additives that can make their way into waterways and oceans, which are then ingested by marine life, and can eventually end up in human food sources. Your Committees note the federal Microbead-Free Waters Act of 2015 and further recognize this measure addresses only those products that are not preempted under federal law to support all possible efforts to minimize microplastic pollution.

Your Committees have amended this measure by:

- (1) Inserting the provisions of this measure into chapter 321, rather than chapter 328, Hawai'i Revised Statutes;
- (2) Amending the definition of "personal care product" to include hygiene, skin care, or sun protection products;
- (3) Amending the definition of "plastic microbead" to mean a plastic particle that is less than five millimeters in size;
- (4) Amending section 1 to specify the environmental rationale for the prohibition on plastic microbeads; and
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2290, as amended herein, and

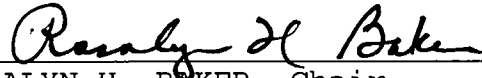


recommend that it pass Third Reading in the form attached hereto
as S.B. No. 2290, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and
Judiciary,



KARL RHOADS, Chair

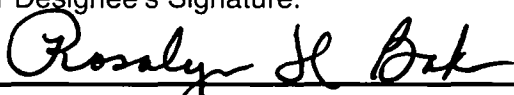


ROSALYN H. BAKER, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2290	AEN. CPN 1JDC	03-01-2022		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
		<input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
DECOITE, Lynn	✓			
NISHIHARA, Clarence K.				✓
RIVIERE, Gil				✓
SAN BUENAVENTURA, Joy A.	✓			✓ <i>rdc</i>
FEVELLA, Kurt	✓			
TOTAL	5	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2290	Committee Referral: AEN, CPN/JDC	Date: 03-01-22
-------------------------------------------	--------------------------------------------	--------------------------

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	7	—	—	—

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

Distribution:
 Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes