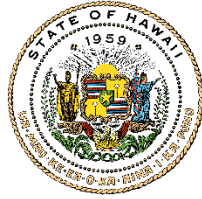


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
CONSUMER PROTECTION & COMMERCE

Wednesday, February 22, 2023
2:00 PM

State Capitol, VIA VIDEOCONFERENCE, Conference Room 329

In consideration of
HOUSE BILL 85, HOUSE DRAFT 1
RELATING TO SINGLE-USE PLASTICS

House Bill 85, House Draft 1 proposes to prohibit lodging establishments from providing personal care products in small plastic containers within sleeping room accommodations, any space within sleeping room accommodations, or bathrooms used by the public or guests and establishes civil penalties. **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 critical natural resource issue throughout the State. Plastic in the environment degrades both land and ocean-based habitat and impacts wildlife (aquatic and terrestrial) through ingestion, entanglement, smothering, and transport of invasive species. In addition, each step involved in the manufacturing, distribution, and ultimate disposal of single-use plastic products (e.g., bottles and containers) produces greenhouse gas emissions and will increase the current impacts of climate change on our aquatic and terrestrial ecosystems.

Hawai'i already has some of the highest reported debris accumulation rates in the United States. This measure would help reduce the plastic debris load entering the environment and will contribute to the improved health of our wildlife and their habitats. While the majority of marine debris may arrive from the ocean, it is our responsibility as a State to reduce the amount of plastic debris entering our ocean and the environment from local sources. This measure would help reduce the amount of plastic debris load entering Hawai'i's cultural sites, forests, waters and coastlines, and contribute to the improved health of our wildlife and their habitats.

Mahalo for the opportunity to provide testimony in support of this measure.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
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



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

In reply, please refer to:
File:

**Testimony COMMENTING on HB0085 HD1
RELATING TO SINGLE-USE PLASTICS**

REPRESENTATIVE MARK M. NAKASHIMA, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Hearing Date: 2/22/2023 Room Number: 329

1 **Fiscal Implications:** This measure will impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 The Department estimates that one enforcement position should be established and
5 funded annually to implement this proposal.

6 **Department Testimony:** HB0085 HD1 prohibits lodging establishments from providing
7 personal care products in small single-use plastic containers to guests and visitors and establishes
8 civil penalties for violations identified by the Department on inspection.

9 The Department is supportive of measures to reduce the amount of single-use plastic
10 containers distributed in the State that reduces the amount of plastic waste that is incinerated or
11 disposed in State landfills. However, the Department currently does not have the staff and
12 funding available to implement the inspection and enforcement component of this bill. The
13 Department respectfully requests funding and the establishment of one new position to receive
14 complaints and conduct follow-up inspections of lodging establishments identified as distributing
15 personal care products in small single-use plastic containers in violation of HB0085 HD1. In
16 addition to conducting inspection and enforcement actions, dispensing citations, and
17 coordinating with the Office of the Attorney General to pursue civil penalties, this position
18 would also be tasked with providing education and outreach to the regulated community.

19 Thank you for the opportunity to testify.

20 **Offered Amendments:** None.



Ke'ena Kuleana Ho'okipa O Hawai'i
Hawai'i Convention Center
1801 Kalākaua Avenue, Honolulu, Hawai'i 96815
kelepona tel 808 973 2255
kelepa'i fax 808 973 2253
kahua pa'a web hawaii tourism authority.org

Josh Green, M.D.
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES
Hawai'i Tourism Authority
before the
COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Tuesday, February 22, 2023
2:00 p.m.
State Capitol Conference Room 329 & Videoconference

In consideration of
HOUSE BILL NO. 85 HD1
RELATING TO SINGLE-USE PLASTICS

Aloha Chair Nakashima, Vice Chair Sayama, and members of the Committee on Consumer Protection & Commerce,

The Hawai'i Tourism Authority (HTA) appreciates the opportunity to offer comments in support of the intent of HB85 HD1, which prohibits lodging establishments from providing personal care products in single-use plastic bottles.

We agree with the intent of this legislation as it is in alignment with our Strategic Plan priorities in the Natural Resources pillar, as well as action items in our community-generated Destination Management Action Plans.

Additionally, we are aware of and would like to take this opportunity to recognize lodging establishments already working to eliminate the use of single-use plastic bottles for their amenities.

We support the intent of HB85 HD1, stand ready to assist in educating visitor industry stakeholders and visitors, and defer to our colleagues at the Department of Health on matters related to the implementation of this measure.

Mahalo for the opportunity to provide these comments.



HAWAI'I LODGING & TOURISM
A S S O C I A T I O N

Testimony of
Mufi Hannemann
President & CEO
Hawai'i Lodging & Tourism Association

House Committee on Consumer Protection & Commerce
House Bill 85, HD1
February 22, 2023

Chair Nakashima, and members of the Committee, mahalo for the opportunity to provide testimony on behalf of the Hawai'i Lodging & Tourism Association, the state's oldest and largest private sector visitor industry organization.

The Hawai'i Lodging & Tourism Association—nearly 700 members strong, representing more than 50,000 hotel rooms and nearly 40,000 lodging workers—represents an industry that has led the way on sustainability and environmental efforts. Tourism businesses of all types have opted to adopt green practices, update their infrastructure, and set new, sustainable policies. This was all done of their own volition and will continue to be the norm as we move forward.

As a principle, we oppose government mandates and the government inserting itself into the operations of private business. However, we do support the intent of this measure and share this position with numerous resorts—many of whom have already started to shift away from single-use plastic bottles.

Additionally, while we appreciate the measure's language that sets start dates in 2025 and 2027, we would ask the Committee's consideration in providing more time for these policies to be implemented.

Mahalo for the opportunity to offer these comments.

HLTA supports House Bill 85, HD1.



February 21, 2023

To: The Honorable Mark Nakashima, Chair
Members, House Committee on Consumer Protection & Commerce

From: Kris Quigley, Regional Director, State Government Affairs
Plastics Industry Association

Re: HB 85 – OPPOSE – Scheduled for Hearing February 22, 2023

We respectfully write to express our opposition to House Bill 85 – relative to single use plastics. The Plastics Industry Association (PLASTICS) represents the entire supply chain of manufacturers of all plastic products. We are firmly committed to manufacturing products that meet the environment, social, and business needs of consumers.

Plastic is the popular choice to meet consumer demands and there is a reason for this; the material can do things other material cannot. It's efficient for manufacturers to produce and cost-effective for business to incorporate into their operations; and it is environmentally friendly to produce in terms of water/energy usage, greenhouse gas emissions and transportation costs and efficiencies.

Unfortunately, cities, counties, and states across the country are considering policy proposals to target marine debris concerns and plastics that are improperly disposed of that end up in landfills. Some of these proposals include product bans and material deselection which unfortunately are misguided and fail to address the mismanagement of discarding products.

Before banning plastic products, PLASTICS advocates for consumer education about proper disposal practices; reducing, reusing, recycling and recovering plastics. As your committee works to address litter and waste problems, we stand by to provide instruction on the role our products play in society and how to best arrive at a solution that makes environmental and business sense. If you have questions please to not hesitate to contact me at kquigley@plasticsindustry.org.

Respectfully,

Kris Quigley
Regional Director, State Government Affairs
Plastics Industry Association



2/22/2023

CPC Committee
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Chair Nakashima, Vice Chair Sayama, and Members of the House Committee on Consumer Protection and Commerce,

Position: Support HB85 HD1.

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider Foundation maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

As an organization that has strongly championed efforts in Hawai'i to reduce single-use plastics, Surfrider Foundation strongly supports HB85 HD1. Shockingly, over 91% of plastics are not recycled. The hospitality industry in Hawai'i generates millions of single-use plastic personal care products each year, with the majority ending up in our local landfills or being burned at H-Power. For example, a single 200-room four-star hotel can use about [300,000 pieces of single-use plastic in a month](#) if it is at full-capacity and does not invest in any eco-friendly alternatives.

In early 2021, New York state banned single-use plastic containers of soap, shampoo and other toiletries provided by hotels by 2024. Per the New York law, hotels will have to make the switch to refillable dispensers and environmentally-friendly containers for all body and hair care products. Smaller businesses with under 50 rooms are given an extra year to get ready for the change. California passed a similar law in 2019. The New York bill notably had the backing of the hospitality industry.

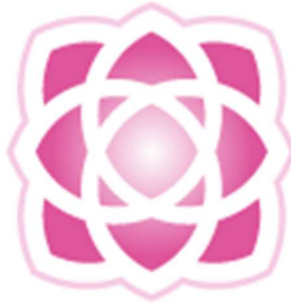
Multinational hotel chains like Marriott International are already making the switch, after the company conceded that it sends [500 million toiletries](#) to landfill every year. Pump dispensers can now be found at over 1,000 of its hotels, a seventh of their worldwide portfolio. However, laws such as HB85 HD1 are necessary to ensure that the hotel industry at large commits to reducing its single-use plastic footprint.

HB85 HD1 represents an important step towards eliminating unnecessary single-use plastics and improving the sustainability of the hospitality industry in Hawai'i.

Thank you for your consideration of this testimony in support of HB85 HD1, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Camile Cleveland
Volunteer Policy Coordinator
Surfrider Foundation, O'ahu Chapter



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEE ON
CONSUMER PROTECTION & COMMERCE
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 329
WEDNESDAY, FEBRUARY 22, 2023 AT 2:00 P.M.

To The Honorable Mark M. Nakashima, Chair
The Honorable Jackson D. Sayama, Vice Chair
Members of the Committee on Consumer Protection & Commerce

SUPPORT HB85 HD1 RELATING TO SINGLE-USE PLASTICS

The Maui Chamber of Commerce **SUPPORTS HB85 HD1** which prohibits lodging establishments from providing personal care products in small plastic containers within sleeping room accommodations, any space within sleeping room accommodations, or bathrooms used by the public or guests.

The Chamber is excited that more hotels are supporting this measure. We ask that you continue to collaborate with the industry to get this done as it is an important measure that we all want to see achieved. When this came up before, we understood the industry needed more time, but see they are willing to work with the state to achieve this goal.

The Chamber notes that, according to the Hawai'i Tourism Association, lodging establishments are already making strides on using single-use plastic bottles for their amenities. Tourism businesses of all types have opted to adopt green practices, update their infrastructure, and set new, sustainable policies. This was all done of their own volition and will continue to be the norm as the state moves toward a greener environment.

For these reasons, we **SUPPORT HB85 HD1**.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



Maui Hotel & Lodging
ASSOCIATION

Testimony of
Lisa H. Paulson
Executive Director
Maui Hotel & Lodging Association

House Committee on Consumer Protection and Commerce

House Bill 85 HD1: Relating to Single-Use Plastics

February 22, 2023, 2:00 pm

Conference Room 329

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry for Maui County. We represent over 180 property and allied business members and 22,000 employees. **MHLA supports House Bill 85 HD1**, which prohibits lodging establishments from providing personal care products in small plastic containers within sleeping room accommodations, any space within sleeping room accommodations, or bathrooms used by the public or guests.

Many of our properties are already moving toward eliminating small plastic bottles for their amenities. Due to the current supply chain issues, it may take even more time than allotted for the necessary hardware and product to be widely available. We request the initial implementation date be moved to 2026.

Additionally, we ask the committees to consider funding that would support local small businesses in assisting these accommodations with their transition from small plastic bottles to dispenser-size containers of their products.

For the reasons stated above, **MHLA supports House Bill 85 HD1**.

Thank you for the opportunity to provide this testimony.

HB-85-HD-1

Submitted on: 2/18/2023 12:43:21 PM

Testimony for CPC on 2/22/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In strong support of HD1. Thank you.

HB-85-HD-1

Submitted on: 2/18/2023 7:48:23 PM

Testimony for CPC on 2/22/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noel Morin	Individual	Support	Written Testimony Only

Comments:

Dear Chair Nakashima, Vice Chair Sayama, and Committee members,

I STRONGLY SUPPORT HB85 HD1.

Please pass HB85 HD1.

Sincerely,

Noel Morin Climate, Sustainability, and Resilience Advocate

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Hearing on Feb. 22, 2023 at 2:00 pm

SUPPORTING HB 85 HD 1

My name is John Kawamoto, and I support HB 85 HD 1.

The wasteful use of plastics, particularly for single-use items, has created an environmental crisis. Consider the following:

- Plastics are now found throughout world and are accumulating in all marine ecosystems.
- Plastic marine litter eventually breaks down into smaller bits and ultimately becomes microplastics.
- If plastic pollution continues at the current rate, there will be more plastic than fish in the ocean by 2050.
- Plastic pollution is killing, maiming, and harming marine life through ingestion or entanglement.
- Plastic is now found in some seafood and sea salt. Long-term human health risks have emerged.

Most of the plastic used and consumed is used once. However, these products never completely go away. They can last for generations, long after their single use. According to the National Oceanic and Atmospheric Administration (NOAA), the estimated decomposition rates of plastic debris found on coasts are:

- Foamed plastic cups: 50 years
- Plastic beverage holder: 400 years
- Plastic bottle: 450 years
- Fishing line: 600 years
- Plastic grocery bag: 10 to 20 years

All our plastic waste is causing significant harm to ocean life, for example:

- For decades cases of sea birds feeding plastic food to chicks, and whales and sea turtles harmed or killed by plastic bags, have made the news. More recently, coral reefs have been found smothered by plastic bags, and turtles have been found with straws jammed into their nostrils.
- Marine debris is negatively affecting more than 800 animal species.
- When plastic ingestion occurs, it blocks the digestive tract, gets lodged in animals' windpipes cutting airflow and causing suffocation, or fills the stomach, resulting in malnutrition, starvation and potentially death.
- Entanglement of species in marine debris is a global problem affecting at least 200 species. It can cause decreased swimming ability, disruption in feeding, life-threatening injuries, and death.

The harmful effects of single-use plastics are not worth their convenience. This bill takes a step toward banning all single-use plastics.

HB-85-HD-1

Submitted on: 2/20/2023 11:08:40 AM

Testimony for CPC on 2/22/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Individual	Support	Written Testimony Only

Comments:

Single use plastic or these small packets unnecessarily add more and more plastic to our landfill.
Please support this bill to support our environment!

HB-85-HD-1

Submitted on: 2/21/2023 8:03:57 AM

Testimony for CPC on 2/22/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
robert brower	Individual	Support	Written Testimony Only

Comments:

strong support

HB-85-HD-1

Submitted on: 2/21/2023 10:56:49 AM

Testimony for CPC on 2/22/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Barker	Individual	Support	Written Testimony Only

Comments:

Honorable Members,

I respectfully ask that you strongly support HB85 HD1 which prohibits small plastic bottles for personal care items in hotels. There are many other options that can replace these single use plastics.

Thank you for your attention and courtesy.

Melissa Barker

Kapaa, HI