

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii
Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1316 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require producers of packaging waste to be responsible for the end-of-life management of their products in a way that ensures minimal social and environmental impacts;
- (2) Allow the Department of Health to administratively impose civil penalties; and
- (3) Establish the Waste and Litter Management Special Fund.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; County of Maui Environmental Protection and Sustainability Division; Department of Environmental Services of the City and County of Honolulu; Surfrider Foundation, Hawai'i Region; Hawai'i Youth Climate Coalition; Our Revolution Hawaii; Hawaii Reef and Ocean Coalition; 350Hawaii; Zero Waste Big Island; Product Stewardship Institute; Sierra Club of Hawai'i; Take Flight Digital; Environmental Caucus of the Democratic Party of Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association; Flexible Packaging Association; Hawai'i Restaurant Association; Association of Home Appliance Manufacturers; Chamber of Commerce Hawaii; Island Plastic Bags, Inc.; American Institute for Packaging and the Environment; Consumer Brands Association; Retail Merchants of Hawaii; American Cleaning Institute; Pacific Allied Products Ltd.; Consumer Healthcare Products Association; Sealed Air Corporation; and one individual. Your Committee received comments on this measure from the Department of Health and American Chemistry Council.

Your Committee finds that for Hawaii and many other states, most of the plastic collected for recycling is shipped to other countries for recycling or disposal, which often adds to the cost and leads to more of these materials ending up in landfills. This measure ensures that producers are responsible for the environmental and public health costs of their products by encouraging better design for products and systems that reduce waste at the source and promote the reuse of more waste materials.

Your Committee has amended this measure by deleting its contents and inserting language that:

- (1) Requires and appropriates funds for the Department of Health to conduct a study on the benefits and costs to implement extended producer responsibility in the State;
- (2) Beginning January 1, 2022, prohibits full-service restaurants from providing single-use plastic service ware to consumers unless requested by the consumer;
- (3) Beginning January 1, 2023, requires beverage manufacturers that offer for sale, sell, or distribute beverages in plastic beverage containers in the State to meet minimum postconsumer recycled content requirements; and
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1316, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1316, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on
Energy & Environmental Protection,

NICOLE E. LOWEN, Chair

