

STAND. COM. REP. NO.

674

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 179
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 179 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM,"

begs leave to report as follows:

The purpose and intent of this measure is to include dietary supplement containers in the state deposit beverage container program.

Your Committee received comments in support of this measure from Loretta J. Fuddy, A.C.S.W., M.P.H., Acting Director of Health, Department of Health; Sierra Club, Hawaii Chapter; Joy Leilei Shih, Surfrider Foundation, Oahu Chapter; and two individuals.

Your Committee received comments in opposition to this measure from Lauren Zirbel, Vice Chair, Hawaii Food Industry Association; and John Hewitt, Western Region Director, Grocery Manufacturers Association.

Your Committee received comments on this measure from one individual.

Your Committee finds that dietary supplements are excluded from the definition of "deposit beverage" under the state deposit beverage container program, codified in chapter 342G, Hawaii Revised Statutes. Your Committee further finds that certain

SB179 SD1 SSCR LRB 11-2456.doc

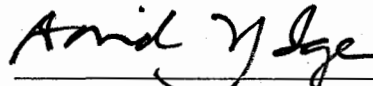


energy drinks are using this exemption to evade compliance with the State's deposit beverage container program law and that there is no reason to continue the exemption for this growing class of beverages.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to facilitate further discussion of the issue.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 179, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 179, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 179	EVE, WAM	3-1-11		
<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
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.				/
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado	/			
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai	/			
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam			/	
TOTAL	12	0	1	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
<i>Michelle N. Kelani</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes