

Honolulu, Hawaii

MAR 23 , 2018

RE: S.B. No. 2056
S.D. 2
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2056, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to encourage each restaurant in the State that offers a children's meal combination to offer a healthy beverage as the default beverage for that combination.

Prior to holding a hearing on this measure, your Committee made available for public review a proposed draft of S.B. No. 2056, S.D. 2, H.D. 2 (Proposed Draft). The Proposed Draft:

- (1) Keeps the contents of the most recent version of the measure as Part I; and
- (2) Adds, as Part II, provisions that:
 - (A) Establish a home care licensing program in the Department of Health;
 - (B) Authorize the Department of Health to adopt interim rules to effectuate the licensing program;



- (C) Require the Department of Health to issue temporary licenses for home care agencies until applications for licensure are approved or disapproved in accordance with the Department's interim rules; and
- (D) Require the Department of Health to report to the Legislature on the progress of the licensing program and adoption of rules pursuant to chapter 91, Hawaii Revised Statutes.

The Insurance Division of the Department of Commerce and Consumer Affairs, Department of Health, Hawaii Public Health Association, Blue Zones Project - Hawaii, Hawaii Restaurant Association, Hawai'i Primary Care Association, Hawai'i Public Health Institute, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, American Heart Association, Hawaii Dental Hygienists Association, and several individuals testified in support of the original measure or Part I of the Proposed Draft. One individual provided comments.

Comprehensive Innovations for Senior Services testified in support of Part II of the Proposed Draft. The Department of Health and AARP Hawaii provided comments.

Your Committee has amended this measure by adopting the Proposed Draft and by making further amendments which makes it mandatory, rather than discretionary:

- (1) For a restaurant that sells a children's meal that includes a beverage to:
 - (A) Make the default beverage a healthy beverage; and
 - (B) Complete an annual self-certification, certifying that the restaurant complies with the default healthy beverage requirements; and
- (2) For all restaurants to complete a self-certification certifying whether the restaurant offers children's meals.

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 S.B. No. 2056, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2056, S.D. 2, H.D. 2.

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

Roy M. Takumi

ROY M. TAKUMI, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 2056, SD2, HD1	Committee Referral: HHS, CPC, FIN	Date: 3/21/18		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. ITO, Ken	✓			
5. JOHANSON, Aaron Ling				✓
6. LoPRESTI, Matthew S.				✓
7. MIZUNO, John M.				✓
8. SAY, Calvin K.Y.	✓			
9. TOKIOKA, James Kunane	✓			
10. YAMANE, Ryan I.	✓			
11. McDERMOTT, Bob	✓			
TOTAL (11)	8	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				