STAND. COM. REP. NO. 663

Honolulu, Hawaii
February (\$\infty\$, 2019

RE: H.B. No. 854 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 854 entitled:

"A BILL FOR AN ACT RELATING TO FOOD DONATION,"

begs leave to report as follows:

The purpose of this measure is to discourage food waste and encourage food donation to needy recipients by:

- (1) Expanding liability protections for good-faith food donors;
- (2) Allowing the donation of expired food or farm produce when the donor reasonably believes that the food is fit for human consumption; and
- (3) Requiring that education about food donation liability be included as part of the health inspection process.

The Department of Health, Kōkua Hawaii Foundation, Our Revolution Hawaii, Hawaii Food Industry Association, Oʻahu County Committee on Legislative Priorities of the Democratic Party of Hawaiʻi, and a few individuals submitted testimony in support of this measure. The Hawaii Appleseed Center for Law and Economic Justice offered comments on this measure.

Your Committee has amended this measure by:

- (1) Including donations of perishable and nonperishable food from institutions that comply with commercial food safety requirements in the exemption from liability;
- (2) Changing its effective date to January 1, 2050, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 854, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 854, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Health,

OHN M. MIZUNO, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.:	Committee Referral: HT, JUD		Date: Z-14-19	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)			17/4 (D. H. B. H. B.)	
3. BELATTI, Della Au	V			
(1) 产品 (6) 公司 (6) 公司 (6)				Mark Street
4. NAKAMURA, Nadine K.				1
	Control Market Services			
5. SAN BUENAVENTURA, Joy A.	STRUCKER SUBSTRUCTURE BANGES			83.55.55.55.55
6. SAY, Calvin K.Y.		V		
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7. TOKIOKA, James Kunane	V			
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8. WARD, Gene	V			·
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3.000				
TOTAL (8)	6			1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				