

MAR 08 2022

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND  
TOURISM TO CONDUCT A STUDY ON THE "MADE IN HAWAII" AND  
"HAWAII MADE" BRANDS AND PREPARE A PLAN TO ENCOURAGE AND  
ENFORCE THE USE OF THOSE BRANDS.

1           WHEREAS, the Legislature enacted Act 153, Session Laws of  
2 Hawaii 1991 (Act 153), that updated chapter 486, Hawaii Revised  
3 Statutes, relating to measurement standards, to bring its  
4 provisions into alignment with national consensus standards for  
5 uniformity in weights and measures; and

6  
7           WHEREAS, Act 153, in part, enacted a new provision on the  
8 place-of-origin labeling of Hawaii-made products; specifically,  
9 this provision prohibited the possession or sale of any  
10 merchandise labeled "Made in Hawaii" that was not manufactured,  
11 assembled, fabricated, or produced with the State and did not  
12 have at least fifty-one percent of its wholesale value added by  
13 manufacture, assembly, fabrication, or production within the  
14 State; and

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16           WHEREAS, to enforce this statutory provision, the "Made in  
17 Hawaii" branding program, along with a corresponding trademark,  
18 was created within the Department of Agriculture to protect the  
19 integrity and value of authentic Hawaii-branded products; to  
20 regulate products that were made elsewhere but deceptively  
21 contain "Made in Hawaii" labels; and to ensure that Hawaii's  
22 locally manufactured and agricultural products can continue to  
23 be effectively marketed, identified, and promoted across the  
24 world; and

25  
26           WHEREAS, as an integral part of the State's economic  
27 development strategy, the Legislature passed Act 2, Special  
28 Session Laws of Hawaii 2021, which, in part, created the "Hawaii  
29 Made" program for manufactured products from a place-of-origin  
30 within the State to be administered by the Department of  
31 Business, Economic Development, and Tourism; and



1  
2 WHEREAS, concerns have been raised regarding an overlap of  
3 jurisdictions between the "Hawaii Made" program and its  
4 corresponding brand, which is administered by the Department of  
5 Business, Economic Development, and Tourism, and the "Made in  
6 Hawaii" program and its corresponding "Made in Hawaii with  
7 Aloha" brand, which is administered by the Department of  
8 Agriculture; and  
9

10 WHEREAS, though Act 2 required that the Department of  
11 Business, Economic Development, and Tourism shall hold ownership  
12 of the "Hawaii Made" trademark, the department does not  
13 currently have any statutory authority to enforce the trademark;  
14 and  
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16 WHEREAS, additional clarification is needed to determine:  
17

- 18 (1) The purpose and scope of the "Hawaii Made" program in  
19 relation to the "Made in Hawaii" program; and  
20  
21 (2) The proper enforcement procedures and responsibilities  
22 relating to the "Hawaii Made" program; now, therefore,  
23

24 BE IT RESOLVED by the Senate of the Thirty-first  
25 Legislature of the State of Hawaii, Regular Session of 2022, the  
26 House of Representatives concurring, that the Department of  
27 Business, Economic Development, and Tourism is requested to  
28 conduct a study on the "Made in Hawaii" and "Hawaii Made"  
29 brands; and  
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31 BE IT FURTHER RESOLVED that the study:  
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- 33 (1) Summarize and assess previous work relating to the  
34 "Hawaii Made" and "Made in Hawaii" brands to identify  
35 significant areas for improvement, increased  
36 effectiveness, and flexibility of use;  
37  
38 (2) Assess and compare the current and potential value of  
39 using the "Hawaii Made" and "Made in Hawaii" brands to  
40 determine which option provides the most benefits to  
41 Hawaii manufacturers; and  
42



1 (3) Review best practices that could serve as a model to  
2 promote and enforce viable "Hawaii Made" and "Made in  
3 Hawaii" brands; and  
4

5 BE IT FURTHER RESOLVED that the Department of Business,  
6 Economic Development, and Tourism is further requested to  
7 prepare a plan to encourage and enforce the use of the "Hawaii  
8 Made" and "Made in Hawaii" brands; and  
9

10 BE IT FURTHER RESOLVED that in preparing the plan the  
11 Department is requested to:  
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13 (1) Develop a "Hawaii Made" brand look and mark that:  
14

15 (A) Incorporates cultural values;  
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17 (B) Is sensitive to the concerns of the broader  
18 community of stakeholders; and  
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20 (C) Is marketable, locally, nationally, and  
21 internationally;  
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23 (2) Determine proper and effective enforcement procedures  
24 and responsibilities, including inspections,  
25 investigative and subpoena powers, citations, fines,  
26 and injunctive relief, for the "Hawaii Made" brand;  
27 and  
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29 (3) Determine incentives, such as tax credits, grants, and  
30 promotional support, that would compel Hawaii  
31 companies to become certified as companies that  
32 produce "Hawaii Made", or "Made in Hawaii" branded  
33 products, or both; and  
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35 BE IT FURTHER RESOLVED that the Department of Business,  
36 Economic Development, and Tourism is also requested to submit a  
37 report of its findings and recommendations, including any  
38 proposed legislation, to the Legislature no later than twenty  
39 days prior to the convening of the Regular Session of 2023; and  
40

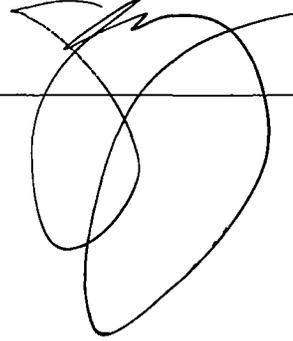


# S.C.R. NO. 22

1 BE IT FURTHER RESOLVED that a certified copy of this  
2 Concurrent Resolution be transmitted to the Director of the  
3 Department of Business, Economic Development, and Tourism.

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OFFERED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal stroke at the top, positioned over the line following "OFFERED BY:".