

STAND. COM. REP. NO.

683

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 1133  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1133, S.D. 1, 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 remove the exemption for liquid dietary supplements from the deposit beverage container program.

Your Committee received written comments in support of this measure from the Department of Health and two concerned individuals.

Your Committee finds that the exemption from the deposit beverage container program for liquid dietary supplements relies upon a definition of "dietary supplement" provided by the federal Food and Drug Administration (FDA). However, the FDA does not vigorously regulate the dietary supplement industry. This causes unnecessary administrative difficulties that cost the Department of Health a disproportionate amount of time and resources and creates uncertainty regarding product determinations. In addition, there is concern that liquid dietary supplements in amounts of one ounce or less may pose onerous burdens on the redemption process.

Accordingly, your Committee has amended this measure by:

SB1133 SD2 SSCR LRB 13-1913.doc



- (1) Retaining the exemption from the deposit beverage container program for liquid dietary supplements in amounts of not more than one ounce;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for the purpose of clarity and style.

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. 1133, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1133, S.D. 2.

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

  
\_\_\_\_\_  
DAVID Y. IGE, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* SB 1133, SD1	Committee Referral: ENF, WAM	Date: 2-22-13		
<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		✓		
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.				✓
RUDERMAN, Russell E.		✓		
THIELEN, Laura H.	✓			
TOKUDA, Jill N.	✓			
SLOM, Sam			✓	
<b>TOTAL</b>	9	2	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes