

STAND. COM. REP. NO. 1029

Honolulu, Hawaii
March 20, 2009

RE: S.B. No. 1223
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred S.B. No. 1223, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS,"

begs leave to report as follows:

The purpose of this bill is to protect consumers from false or misleading advertising and preserve the credibility of the "Made in Hawaii" labeling by:

- (1) Prohibiting the use of the phrase "Made in Hawaii" as an advertising or media tool unless the item being advertised meets specific criteria allowing the use of the phrase; and
- (2) Requiring the Department of Agriculture (DOA) to convene a working group of interested parties, including a specified list of entities, to identify issues relating to the Hawaii-made Products Law and propose workable solutions.

Creations of Hawaii, Hawaii Food Industry Association, and two concerned individuals supported this bill. DOA submitted comments.

Your Committee has amended this measure by:


SB1223 HD1 HSCR AGR HMS 2009-3170



- (1) Narrowing the composition of the working group to those entities listed specifically in the bill and adding a representative from each county, appointed by the respective mayor of each county, to the working group;
- (2) Clarifying that the working group identify labeling issues relating to the Hawaii-made Products Law; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1223, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1223, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



CLIFT TSUJI, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 1029

Record of Votes of the Committee on Agriculture

Bill/Resolution No.: SB 1223 SD1	Committee Referral: AGR, CPC, FIN	Date: March 18, 2009		
<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)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. TSUJI, Clift (C)	✓			
2. WOOLEY, Jessica (VC)	✓			
3. BERG, Lyla B.				✓
4. CHOY, Isaac W.	✓			
5. EVANS, Cindy	✓			
6. MANAHAN, Joey	✓			
7. McKELVEY, Angus L.K.	✓			
8. TAKAI, K. Mark				
9. TOKIOKA, James Kunane	✓			
10. WAKAI, Glenn				✓
11. MARUMOTO, Barbara C.	✓			
TOTAL (11)	8	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not 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				