

STAND. COM. REP. NO.

809

Honolulu, Hawaii

MAR 21 2011

RE: H.B. No. 904  
H.D. 2  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 904, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR,"

begs leave to report as follows:

The purpose and intent of this measure is to require that caffeinated beer beverages sold in this State are labeled as intoxicating liquor and contain a warning that the potentially harmful effects of consuming a caffeinated beer beverage may amplify any harmful effects of consuming intoxicating liquor.

Your Committee received testimony in support of this measure from MADD Hawaii, the Distilled Spirits Council of the United States, and one private individual.

Your Committee finds that the federal Food and Drug Administration has issued warnings that caffeinated alcoholic beverages are unsafe. Your Committee also finds that the inclusion of caffeine in intoxicating liquor may delay the apparent effects of the alcohol also contained in the beverage, leading to inadvertent overconsumption, particularly among the young and inexperienced consumers targeted by marketers of caffeinated beer beverages.

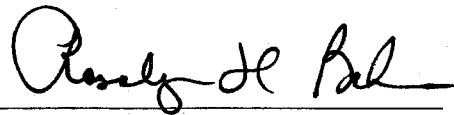
Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

2011-1689 SSCR SMA.doc



As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 904, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 904, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

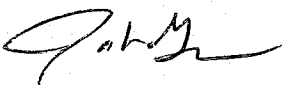


ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 904, HD2	CPN, JDL	3/15/11		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)				✓
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama				✓
SLOM, Sam	✓			
<b>TOTAL</b>	5	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 				
<b>Distribution:</b>				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes