

# SB 531 (HTH/PSM, CPN- 2<sup>nd</sup> Referral)

Measure Title: RELATING TO WARNING SIGNS.

Report Title: Warning Signs; Alcohol Consumption; Liquor Licenses

Description: Requires premises licensed under chapter 281, Hawaii Revised Statutes, to have a sign posted on or about the premises, including but not limited to the women's restroom, that provides customers with a warning of the risks of birth defects and fetal alcohol spectrum disorders for women drinking alcohol during pregnancy.

Companion: [HB404](#)

Package: Women

Current Referral: HTH/PSM, CPN

Introducer(s): CHUN OAKLAND, BAKER, SHIMABUKURO, Kidani, L. Thielen

<b>Sort by Date</b>		<b>Status Text</b>
1/18/2013	S	Introduced.
1/22/2013	S	Passed First Reading.
1/22/2013	S	Referred to HTH/PSM, CPN.
1/24/2013	S	The committee(s) on HTH/PSM has scheduled a public hearing on 01-28-13 2:00PM in conference room 229.
1/28/2013	S	The committee(s) on PSM recommend(s) that the measure be PASSED, UNAMENDED. The votes in PSM were as follows: 4 Aye(s): Senator(s) Espero, Baker, Galuteria, Green; Aye(s) with reservations: none ; 0 No(es): none; and 1 Excused: Senator(s) Slom.
1/28/2013	S	The committee(s) on HTH recommend(s) that the measure be PASSED, UNAMENDED. The votes in HTH were as follows: 4 Aye(s): Senator(s) Green, Baker, Chun Oakland, Nishihara; Aye(s) with reservations: none ; 0 No(es): none; and 1 Excused: Senator(s) Slom.
2/1/2013	S	Reported from HTH/PSM (Stand. Com. Rep. No. 16) with recommendation of passage on Second Reading and referral to CPN.
2/1/2013	S	Report adopted; Passed Second Reading and referred to CPN.
2/4/2013	S	The committee(s) on CPN added the measure to the public hearing scheduled on 02-08-13 9:00AM in conference room 229.

NEIL ABERCROMBIE  
GOVERNOR



Dean H. Seki  
Comptroller

Maria E. Zielinski  
Deputy Comptroller

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING  
AND GENERAL SERVICES  
P.O. BOX 119  
HONOLULU, HAWAII 96810-0119

TESTIMONY  
OF  
DEAN H. SEKI, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
SENATE COMMITTEE  
ON  
COMMERCE AND CONSUMER PROTECTION  
ON  
February 8, 2013

S.B. 531

RELATING TO WARNING SIGNS

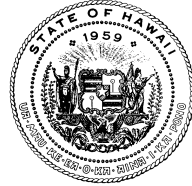
Chair Baker and members of the Committee, thank you for the opportunity to testify on S.B. 531.

The Department of Accounting and General Services (DAGS) supports the intent of S.B. 531 and offers the following amendment.

This measure amends section 281-44(a), Hawaii Revised Statutes (HRS), which relates to advertisements and signs upon licensed liquor establishments. As such, the substantive amendments proposed in this bill fall outside of the Comptroller's jurisdiction. DAGS respectfully requests that all references to the "comptroller" in S.B. 531 be replaced with the term "liquor commission" to preserve the existing authority of the various county liquor

commissions over advertisements and signs in or about licensed premises as provided in section 281-44(b), HRS.

Thank you for the opportunity to testify on this matter.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Senate Committee on Commerce and Consumer Protection**

**S.B. 531, RELATING WARNING SIGNS**

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Director of Health**

**February 8, 2013**

1 **Department's Position:** The Department of Health supports this measure requiring premises licensed  
2 under Chapter 281-44, Hawaii Revised Statutes to post a sign in or about the premises warning all  
3 customers of the risks of birth defects from women drinking alcoholic beverages during pregnancy.

4 **Fiscal Implications:** No fiscal implications.

5 **Purpose and Justification:** Several studies have shown that alcohol warning signs raise awareness  
6 about the risk of drinking during pregnancy and therefore, may reduce alcohol consumption among light  
7 to moderate drinkers (Reducing Alcohol-Exposed Pregnancies, CDC March 2009). According to the  
8 March of Dimes Hawaii Chapter, 19 states and the District of Columbia have enacted laws requiring  
9 warning signs at the point of sale including retail stores, bars and restaurants.

10 Fetal Alcohol Syndrome Disorder ("FASD") is the umbrella term used to describe a range of  
11 disorders caused by prenatal alcohol exposure. These disorders include fetal alcohol syndrome, alcohol-  
12 related neuron-developmental disorder, and fetal alcohol effects or alcohol-related birth defects disorder.  
13 Alcohol exposure during pregnancy produces, by far, the most serious neurobehavioral effects in the  
14 fetus (Institute of Medicine Report to Congress, 1995). There is no known safe amount of alcohol or  
15 safe time to drink alcohol during pregnancy.

1           Because FASD affects all aspects of a child’s life throughout his/her lifetime (cognitive,  
2 social/emotional, physical/mental health, school/work activities, independent living, justice system, etc.)  
3 and requires support in all areas, the costs can be staggering. According to the Substance Abuse and  
4 Mental Health Services Administration (SAMHSA), it costs the nation nearly \$60 billion a year to cover  
5 FASD care. The care for one FASD child over his/her lifetime can rise to as much as \$2 million. These  
6 costs of care are only in dollar amounts and do not consider other personal and emotional challenges  
7 parents face when raising a child with an FASD.

8           FASD is preventable. Prevention starts with awareness that links drinking alcohol during  
9 pregnancy with increasing risks of having a child with life-long disabilities.

10          Thank you for the opportunity to testify on this measure.

**SB531**

Submitted on: 2/4/2013

Testimony for CPN on Feb 8, 2013 09:00AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bill Comerford	Hawaii Bar Owners Association	Oppose	No

Comments: All people in a bar are 21 years of age and by this time fully aware by that time in life that alcohol is a danger to the unborn infant during a pregnancy. If not this is an indictment of our schools and education systems. We oppose this as unnecessary and intrusive to our businesses. This would mean that eventually all unhealthy actions would have to have signs be posted for every possibility. We object for the setting of these precedents. Sincerely, Bill Comerford Spokesman for the Hawaii Bar Owners Association

February 5, 2013

March of Dimes Foundation

To: Honorable Rosalyn Baker  
Honorable Brickwood Galuteria

Hawaii Chapter  
1680 Makalou Street, Suite 1200  
Honolulu, Hawaii 96814  
Telephone (808) 973-2155  
Fax (808) 973-2160

From: Lin Joseph  
Director of Program Services  
March of Dimes Hawaii Chapter

[marchofdimes.com/Hawaii](http://marchofdimes.com/Hawaii)

Re: In strong support of  
**SB531**

Hearing: Committee on Commerce and Consumer Protection  
Friday, February 8, 2013 9:00 am  
Conference Room 229, State Capitol

Chair Baker, Vice Chair Galuteria, Members of the Committee:

I am writing to express support for SB531, *which would require licensed premises to post signs warning women that drinking alcohol during pregnancy can cause birth defects and fetal alcohol spectrum disorders.*

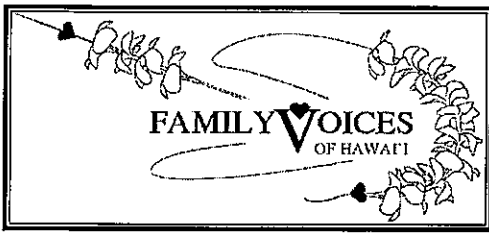
For over 70 years, the March of Dimes has been a leader in maternal and child health. Our mission is to *improve the health of women of childbearing age, infants, and children. by preventing birth defects, premature birth, and infant mortality.* March of Dimes has long been involved with the issue of alcohol related birth defects and March of Dimes researchers were the first to describe the link between prenatal alcohol consumption and birth defects.

Fetal alcohol spectrum disorders (FASDs) refer to a group of conditions resulting from exposure to alcohol in utero. These conditions include physical and intellectual disabilities, as well as problems with behavior and learning. FASDs are a leading known cause of intellectual disability and birth defects. Each year, thousands of babies are born with health problems related to alcohol use during pregnancy. The most serious of these defects is known as fetal alcohol syndrome (FAS). FAS is characterized by stunted growth (before and after birth), facial abnormalities, and central nervous system defects that result in intellectual and behavioral problems. FAS affects an estimated one out of every 750 newborns. Alcohol use also increases the risk of miscarriage and stillbirth. No completely safe level of alcohol use during pregnancy has been established.

Since 1989, federal law has required warning labels on all wine, beer, and liquor containers. To prevent alcohol-related birth defects, the warnings read: "Government Warning: According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects." More than 19 states and the District of Columbia now require point of sale warning signs – posted in liquor stores, restaurants, and bars – warning of the dangers of alcohol use during pregnancy.

Fetal Alcohol Spectrum Disorders are 100% preventable. Warning signs will help everyone be aware of the risks of drinking alcohol during pregnancy.





# HILOPA'A

Family to Family Health Information Center

Date: January 28, 2013

To: COMMITTEE ON COMMERCE AND CONSUMER PROTECTION  
Senator Rosalyn H. Baker, Chair  
Senator Brickwood Galuteria, Vice Chair

Fr: Leolinda Parlin, State Coordinator for Family Voices of Hawai'i

Re: **SUPPORT – SB 531 – RELATING TO WARNING SIGNS**

On behalf of Family Voices of Hawai'i, I offer testimony in support of SB 531, which seeks to post signage to warn customers of the risk of birth defects and fetal alcohol spectrum disorders (FASD) for women drinking alcohol during pregnancy. As an organization, Family Voices is national grass roots organization of family of friends of child with special health care needs. In Hawai'i, we operate the federally funded Hilopa'a Family to Family Health Information Center.

FASD is the number one preventable developmental disability and any effort to address the prevention of its occurrence should be supported. There is no other way to acquire FASD than through alcohol consumption by a pregnant mother. While it may appear that "not drinking while pregnant" is common sense, the Center for Disease Control reports that more that 50% of all pregnancies are unplanned. The proposed signage would serve as a prompt for women to consider the consequence of the combination of sexual activity and alcohol use if they are planning to get pregnant or may not use effective methods of birth control.

Thank you for your time and consideration in passing SB531.