

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 1085  
S.D. 1

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

Madam:

Your Committees on Health and Judiciary and Labor, to which was referred S.B. No. 1085 entitled:

"A BILL FOR AN ACT RELATING TO OBESITY PREVENTION,"

beg leave to report as follows:

The purpose and intent of this measure is to discourage excessive consumption of sugar-sweetened beverages and prevent obesity by:

- (1) Imposing a fee on sugar-sweetened beverages sold in the State; and
- (2) Establishing the obesity prevention special fund to support obesity prevention programs.

Your Committees received testimony in support of this measure from the Governor; Department of Public Safety; Department of Human Resources Development; Department of Education; City Council, City and County of Honolulu; College of Health Sciences and Social Welfare, University of Hawaii at Manoa; Child and Family Service; Hawaii Association of Independent Schools; Pioneering Healthier Communities Leadership Team; and nine individuals. Your Committees received testimony in opposition to this measure from the American Beverage Association; Hawaii Food Industry Association; Ito En (USA) Inc.; International Longshore and Warehouse Union, Local 142; and five individuals.



Your Committees find that childhood obesity increased by thirty-eight percent in Hawaii between 1999 and 2009, while adult obesity more than doubled between 1996 and 2011. Obesity-related medical expenditures in Hawaii were calculated to be over \$470,000 in 2009 and are continuing to increase. Sugar-sweetened beverages have been identified by many scientific studies as a major contributor to the costly obesity epidemic.

Your Committees find that a fee on sugar-sweetened beverages will have beneficial fiscal and health impacts. Economic disincentives are among the most effective tools to change behavior, as tobacco taxes have demonstrated. This measure is an initial step to decrease obesity-related health problems, including diabetes, heart disease, sleep apnea, and orthopedic issues.

Your Committees have amended this measure by:

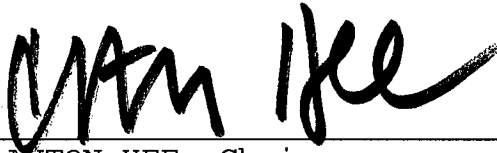
- (1) Amending the definition of "sugar-sweetened beverage" to include soy milk and rice milk;
- (2) Renaming the obesity prevention special fund as the obesity and chronic disease prevention special fund and making conforming amendments;
- (3) Designating non-school hour programs that support opportunities for physical activity and nutritional education as one of the authorized uses of monies from the obesity and chronic disease prevention special fund;
- (4) Designating \$250,000 per year of monies in the obesity and chronic disease prevention special fund to be allocated to each federally qualified community health center for preventative clinical services directly related to obesity-related chronic disease;
- (5) Inserting language from S.B. No. 1145 (Regular Session of 2013), to establish the Hawaii Interagency Obesity Prevention Council to address child and adult obesity in Hawaii;
- (6) Inserting an appropriation from the obesity and chronic disease prevention special fund to the department of health to support child and adult obesity and chronic disease prevention programs; and



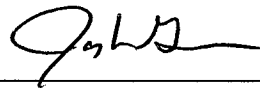
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1085, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1085, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Health and  
Judiciary and Labor,



CLAYTON HEE, Chair

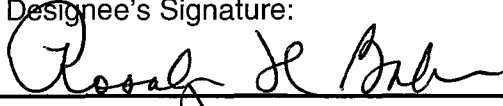


JOSH GREEN, Chair



The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <b>SB 1085</b>	Committee Referral: <b>HTH/JDL, WAM</b>	Date: <b>02/11/2013</b>		
<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
GREEN, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.		✓		
SLOM, Sam			✓	
<b>TOTAL</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>—</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<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

