STAND. COM. REP. NO. 621

Honolulu, Hawaii

MAR 0 4 2021

RE: S.B. No. 348 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 348, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BOTTLED WATER,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- Repeal the requirement that noncarbonated bottled water be transported, stored, processed, or bottled through lines or equipment through which only water is passed; and
- (2) Update section 328D-2, Hawaii Revised Statutes, to reflect current rules of the United States Food and Drug Administration (FDA) regarding product quality standards for bottled water.

Your Committee received testimony in support of this measure from Maui Brewing Co., Ball Corporation, Hawaii Food Industry Association, Ko Olina Resort Operators Association, Sierra Club's National Marine Team, and one individual. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that existing state law expressly prohibits carbonated soft drink, juice, and beer manufacturers in Hawaii from using the same equipment to can noncarbonated drinking water. Your Committee further finds that this existing state law is based on an outdated and superseded FDA rule. This measure repeals this existing restriction that unfairly and unnecessarily limits local beverage companies that manufacture other products from providing noncarbonated water in recyclable aluminum cans to consumers as an alternative to single-use plastic water bottles. According to testimony received by your Committee, this measure will also allow local businesses to expand into new products and encourage economic growth.

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 S.B. No. 348, S.D. 1, and recommends that it pass Third Reading.

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

ROSALYN HOBAKER, Chair

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Commerce and Consumer Protection CPN

| Bill / Resolution No.:* | Committee Referral: | | | Date: | |
|--|---------------------|---------|----------|------------|---------|
| SB 348 SD1 | AEN, CPN | | | 02/24/2021 | |
| The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: | | | | | |
| | | | | | |
| The Recommendation is: | | | | | |
| Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313 | | | | | |
| Members | | Aye | Aye (WF | R) Nay | Excused |
| BAKER, Rosalyn H. (C) | | | | | |
| CHANG, Stanley (VC) | | / | | | |
| MISALUCHA, Bennette E. | | | | | |
| NISHIHARA, Clarence K. | | | | | |
| RIVIERE, Gil | | 1 | | | |
| SAN BUENAVENTURA, Joy | ۹. | | | | |
| FEVELLA, Kurt | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | <u> </u> | | |
| | | <u></u> | <u> </u> | | ļ |
| | | | <u> </u> | | |
| TOTAL | | 7 | | - | |
| Recommendation: Adopted Not Adopted | | | | | |
| Chair's or Designee's Signature: Clarence K Dishikua | | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | | |

*Only one measure per Record of Votes