

Honolulu, Hawaii

APR - 3 2006

RE: H.B. No. 3242
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 3242 entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit the consumption of intoxicating liquor by anyone under the age of twenty-one years.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Maui Prosecuting Attorney, Hawaii Food Industry Association, Mothers Against Drunk Driving Hawaii, and MADD-Hawaii Youth In Action.

Your Committee finds that current law prohibits possession and custody of liquor by a minor, but does not prohibit consumption of liquor by a minor. According to the National Academy of Sciences report on *Underage Drinking*, June 2005, "The minimum drinking age laws of each state should prohibit the purchase or attempted purchase, possession, and consumption of alcoholic beverages by persons under 21." Soon after this report, the Pacific Institute for Research and Evaluation found that Hawaii had only ten of twenty recommended underage drinking laws. According to testimony of the Honolulu Police Department, thirty-seven states have "consumption" in their minimum drinking age statutes.

The Department of Health 2003 Student Survey concluded that there has been a decrease in youth alcohol consumption in grades

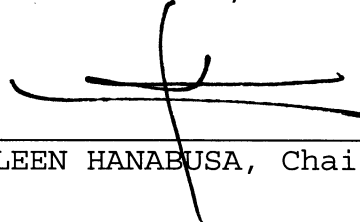


six, eight, ten, and twelve. Those in grades ten and twelve showed less of a decrease than those in the sixth and eighth grades. The report on the survey concluded that those surveyed in the tenth and twelfth grades showed a 59.1 and 72.5 percent lifetime use rate in 2003. The majority of tenth and twelfth graders have tried alcohol in their lifetime and nearly half of the seniors have reported being drunk. In a monthly trend, of those having a drink in the past thirty days, it showed that twenty-seven percent of tenth graders and thirty-six percent of twelfth graders had consumed alcohol. The consumption of alcohol among the young becomes a health problem in that it affects the development of the brain at that young age. This alters the learning process in a way that may lead to behavioral problems.

Your Committee has amended this measure by adding "consumption" to "possession or custody" as a conforming amendment to accommodate consumption of alcohol as a part of a minor's authorized participation in religious ceremonies.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3242, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3242, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Hawaiian Affairs,



COLLEEN HANABUSA, Chair



