

Honolulu, Hawaii

Feb 12, 2008

RE: H.B. No. 2036

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 2036 entitled:

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

begs leave to report as follows:

The purpose of this bill is to change the offense of promoting intoxicating liquor to a person under the age of 21 from a misdemeanor to a petty misdemeanor and to set guidelines under which that person may be sentenced to imprisonment.

The City and County of Honolulu Department of the Prosecuting Attorney testified in support of this bill. The Attorney General supported the intent of this measure. The Office of the Lieutenant Governor suggested amendments. The Distilled Spirits Council of the United States provided comments.

Your Committee respectfully requests the Committee on Judiciary to consider some of the issues raised by testifiers, including whether the prison terms suggested in this measure should be mandatory rather than discretionary, to serve as an effective deterrent to underage drinking. Your Committee also notes that the offense was downgraded to a petty misdemeanor for purposes of expediting cases since they would be adjudicated via bench trials rather than jury trials.



Your Committee has amended this bill by:

- (1) Requiring a person convicted for the first time to serve a minimum of 24 hours in prison; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2036, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2036, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Housing,



MAILE SHIMABUKURO, Chair



