

Honolulu, Hawaii

Feb 26, 2010

RE: H.B. No. 2905
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred H.B. No. 2905 entitled:

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

beg leave to report as follows:

The purpose of this bill is to improve enforcement of liquor
laws by:

- (1) Providing for the issuance of a summons or citation to
an alleged violator of liquor laws;
- (2) Making it a violation of the liquor laws for a minor to
use false identification to gain entry to the premises
of a liquor licensee that excludes minors;
- (3) Establishing fines that may be applied in lieu of
driver's license suspensions, community service, and
alcohol education and counseling for minors who violate
liquor laws; and
- (4) Designating 50 percent of revenues from the fines for
county underage drinking programs.

The Chamber of Commerce of Hawaii, Retail Merchants of
Hawaii, Retail Liquor Dealers Association of Hawaii, and a
concerned individual testified in support of this bill. The
Office of the Lieutenant Governor, Department of the Attorney



General, Department of the Prosecuting Attorney of the City and County of Honolulu, and Mothers Against Drunk Driving - Hawaii opposed this measure.

Your Committees have amended this bill by:

- (1) Eliminating the provisions relating to the issuance of a summons or citation for alleged violations of liquor laws;
- (2) Restoring the petty misdemeanor under current law for persons aged 18 to 21 who violate liquor laws involving minors;
- (3) Authorizing courts to allow minor violators with suspended licenses or permits to drive when lack of alternative transportation presents an undue hardship;
- (4) Requiring minors who violate liquor laws to be sentenced to at least 75 hours of community service, rather than the mandated 75 hours under current law;
- (5) Allowing the fines established by this bill to be imposed in addition to any other penalties authorized by law;
- (6) Replacing the preamble language to reflect the contents of this bill as amended; and
- (7) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2905, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2905, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



JON RIKI KARAMATSU, Chair



ROBERT N. HERKES, Chair



