

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2276
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2276, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the unlawful possession of an open liquor container on a public highway, public sidewalk, sidewalk within a public housing project, or common area of a public housing project; and
- (2) Establish possession of an open liquor container on a sidewalk within a public housing project or common area of a public housing project to be prima facie evidence of consumption of liquor.

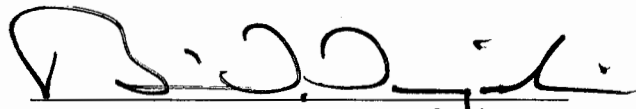
Your Committee finds that Act 34, Session Laws of Hawaii 2008, established the current provisions that no liquor shall be consumed in common areas of public housing projects. However, the police are unable to arrest someone holding a container of beer unless the police observe the person putting the container to their mouth, or unless a witness is willing to testify to that effect. Your Committee also finds that this measure will clarify the prohibition and assist in deterring drinking on a sidewalk within a public housing project or common area of a public housing project.



Your Committee notes that this measure is similar to S.B. No. 535, a measure your Committee passed last year in an effort to curb the imbibement of alcoholic beverages in public areas of public housing projects.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2276, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

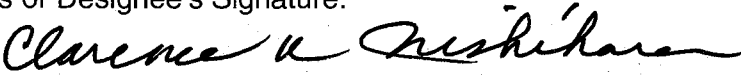


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 2276, SDI	Committee Referral: EDH/TIA, JGO	Date: 2/19/10		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)				✓
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes