

STAND. COM. REP. NO.

2184

Honolulu, Hawaii

FEB 11 2010

RE: S.B. No. 2545
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 Transportation, International and Intergovernmental Affairs, to which was referred S.B. No. 2545 entitled:

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

begs leave to report as follows:

The purpose of this measure is to regulate the consumption of liquor on unlicensed premises.

Your Committee received testimony in support of this measure from a member of the State House of Representatives and eight individuals. Testimony in opposition was received from the City and County of Honolulu Liquor Commission and one individual. Your Committee received comments from the Retail Liquor Dealers Association of Hawaii and one individual. Written testimony presented to the Committee may be reviewed on the Legislature's website.

The intent of this measure is to require liquor commissions in counties with a population in excess of 500,000 and to authorize counties with a population of 500,000 or less, to regulate the consumption of alcohol on unlicensed premises, commonly known as BYOB (bring you own booze) establishments through requiring a permit. Your Committee heard testimony from residents in areas that have BYOB establishments complaining about late night loud noises and violent activities. BYOBs have become an issue in liquor regulations which heretofore did not have statutory authority to regulate BYOBs in the same manner as

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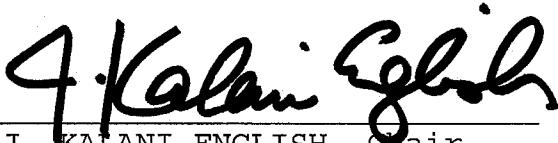
licensed premises are regulated. The issue has evolved to one of protecting the public health and safety. This measure addresses that regulatory void.

Your Committee has amended this measure by:

- (1) Allowing patrons of licensed establishments and unlicensed premises to bring home their unfinished bottle of wine from the premises, which would remove the compulsion for patrons to consume in excess on the premises;
- (2) Allowing all counties to regulate BYOBs rather than requiring any county to do so based on population;
- (3) Prohibiting any limit on the hours of liquor consumption on unlicensed premises;
- (4) Making unlicensed premises subject to noise regulations; and
- (5) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2545, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2545, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.


Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,


J. KALANI ENGLISH, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:* SB 2545	Committee Referral: TIA, CPN	Date: 2/10/10		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes