

STAND. COM. REP. NO. 989

Honolulu, Hawaii

March 16, 2009

RE: S.B. No. 697

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 697 entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide help to those struggling with substance abuse addiction by requiring that money collected by county liquor commissions from fines against licensees be used for substance abuse treatment and prevention programs in addition to alcohol education programs.

The Honolulu Liquor Commission and Anheuser Busch Companies supported the intent of this bill. The Hawaii Food Industry Association provided comments.

While your Committee certainly supports any measure that would provide increased funding for substance abuse treatment and prevention programs, your Committee also acknowledges the merit of the testifiers' concerns.

The point was raised that this bill, as expressed in its title, deals specifically with intoxicating liquor. Including language that refers broadly to substance abuse gives the impression that fines collected against liquor licensees may be used to fund unrelated social programs. This may then lead to the indiscriminate creation of additional fines merely to provide a funding source for these unrelated social programs.

SB697 HD1 HSCR HUS HMS 2009-2633



Your Committee notes and suggests to your Committee on Consumer Protection & Commerce that a possible remedy for these concerns may be to change the language to only include alcohol-related treatment and prevention programs.

Upon further consideration, your Committee has amended this bill by:

- (1) Including provisions that re-classify the offense of promoting intoxicating liquor to a person under the age of twenty-one as a petty misdemeanor;
- (2) Mandating a 24-hour term of imprisonment for any person convicted of promoting intoxicating liquor to a person under the age of twenty-one;
- (3) Including provisions specifying additional terms of imprisonment for repeat offenders of promoting intoxicating liquor to a person under the age of twenty-one;
- (4) Including a savings clause; and
- (5) Changing the effective date to January 1, 2050, to encourage further discussion.

Technical, nonsubstantive amendments were also made for clarity, consistency and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 697, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 697, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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


JOHN M. MIZUNO, Chair

