

STAND. COM. REP. NO.

165

Honolulu, Hawaii

Feb 10, 2011

RE: H.B. No. 96

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Economic Revitalization & Business, to which was referred H.B. No. 96 entitled:

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

begs leave to report as follows:

The purpose of this bill is to prevent and deter underage drinking by:

- (1) Authorizing fines to be assessed against minors for violations relating to liquor;
- (2) Requiring that 50 percent of revenues from fines imposed be distributed to the counties for anti-underage drinking programs or underage drinking law enforcement programs; and
- (3) Prohibiting minors from using false identification to enter the premises of establishments with liquor licenses that exclude minors.

In addition, this bill allows a sentencing court to allow a minor whose driver's license, provisional license, or instruction permit has been temporarily suspended due to a liquor-related offense to drive when lack of alternative transportation presents an undue hardship.

HB96 HD1 HSCR ERB HMS 2011-1640



The Distilled Spirits Council of the United States, Retail Merchants of Hawaii, and The Chamber of Commerce of Hawaii supported this bill. The Attorney General submitted comments.

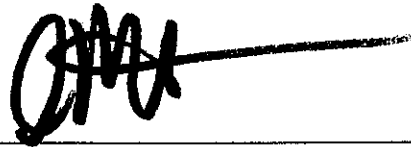
Upon further consideration, your Committee has amended this measure by:

- (1) Deleting the provision that would allow a minor whose driver's license, provisional license, or instruction permit has been suspended due to a liquor-related offense, to drive when lack of alternative transportation presents an undue hardship;
- (2) Requiring, rather than authorizing, the imposition of fines against minors for violations of liquor-related offenses;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

Your Committee respectfully requests the Committee on Judiciary and the Attorney General to review the issue of whether the fines contained in this measure should be mandatory or left to the discretion of the courts.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 96, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 96, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Revitalization & Business,



ANGUS L.K. MCKELVEY, Chair



