

STAND. COM. REP. NO.

579

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 110  
S.D. 2

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 110, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS  
INVOLVING MINORS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide minors  
with immunity from prosecution for the consumption, purchase, or  
possession of liquor under limited circumstances where a minor  
summons medical treatment for another minor who requires medical  
treatment as a result of consuming liquor.

Your Committee received testimony in support of this measure  
from the Drug Policy Forum of Hawai'i. Your Committee received  
testimony in opposition to this measure from the Police Department  
of the City and County of Honolulu and one individual.

One of the rationales for the prohibition of underage  
consumption of alcohol is the concern that minors, particularly  
teenagers, tend to be impulsive and prone to risk-taking,  
resulting in poor decision-making. While your Committee strongly  
agrees that consumption of alcohol by minors is not acceptable,  
your Committee finds that the limited immunity proposed by this  
measure appropriately prioritizes the idea of saving the lives of  
minors through facilitating necessary medical treatment for minors  
who consume an excessive amount of alcohol, rather than  
prioritizing the arrest of those minors who consume alcohol in  
those situations. Minors faced with a medical emergency due to



the consumption of alcohol may try other methods to revive a victim instead of calling for help, particularly when the result of a 9-1-1 call could result in the caller's arrest. This measure will encourage minors present at the time of a medical emergency to call for help immediately.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to allow for further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 110, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 110, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



CLAYTON HEE, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 110 SD1</b>	Committee Referral: <b>PGM, JDL</b>	Date: <b>2/24/11</b>		
<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				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes