

STAND. COM. REP. NO.

926

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 1221
H.D. 1
S.D. 1

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

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Commerce and Consumer Protection, to which was referred H.B. No. 1221, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to clarify that the consumption of liquor by a minor shall not be deemed to be a violation of section 281-78(b)(1), Hawaii Revised Statutes, if a licensee who serves alcohol in a large public facility receives the appropriate county liquor commission's approval of the licensee's security plans for preventing minors from consuming alcohol on the licensed premises, and the licensee implements that plan in good faith.

Your Committees received testimony in support of this measure from Better Brands, Paradise Beverages, Inc., Centerplate, Anheuser-Busch Sales of Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the City and County of Honolulu Liquor Commission.

Your Committees believe that the liquor industry has made good efforts to prevent underage drinking; however, there will be those irresponsible consumers who choose to do otherwise. This type of behavior is not in the control of the industry, and your Committees find that the industry should not be penalized for the irresponsible behavior of these consumers.

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Your Committees have amended this measure by:

- (1) Inserting a capacity of at least 50,000 people in the definition of "large public facility"; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1221, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1221, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committees on Public Safety, Government Operations, and Military Affairs and Commerce and Consumer Protection,



ROSALYN H. BAKER, Chair



WILL ESPERO, Chair

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i


Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* HB 1221 HD1	Committee Referral: PGM/CPH, JDL	Date: 3-22-11		
<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
ESPERO, Will (C)	/			
KIDANI, Michelle N. (VC)		/		
BAKER, Rosalyn H.	/			
RYAN, Pohai				/
SLOM, Sam				/
TOTAL	2	1	0	2
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;">Michelle N. Kidani</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

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1221, HD1	PGM/CPN, JDL	3-23-11		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.				✓
SOLOMON, Malama				✓
SLOM, Sam	✓			
TOTAL	5	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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