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MEMORANDUM

TO: Representative Angus L.K. McKelvey
Chair, Committee on Economic Revitalization & Business
Via Email: ERBtestimony@Capitol.hawaii.gov

FROM: Christina Zahara Noh

DATE: January 26, 2011

RE: **H.B. 96 – Relating to Intoxicating Liquor**
Hearing: Thursday, January 27, 2010 at 9:00 a.m., Room 312

Dear Chair McKelvey and Members of the Committee on Economic Revitalization & Business:

I am Christina Zahara Noh, appearing on behalf of the Distilled Spirits Council of the United States (“DISCUS”). DISCUS is a national trade association representing producers and marketers of distilled spirits sold in the United States. Through the efforts of the Century Council, a not-for-profit organization funded solely by America’s leading distillers, the distilled spirits industry develops innovative programs used by communities nationwide to combat drunk driving and illegal, underage drinking.

H.B. 96 proposes to prohibit minors from using false identification to purchase liquor. Under the present penalty scheme, minors who violate this law would be subject to license suspension. Under the proposed penalty scheme in H.B. 96, however, minors who violate the law by using false identification could be subject to a series of fines in addition to the mandatory penalties of license suspension, community service work, and alcohol education and counseling.

DISCUS supports H.B. 96 because it seeks to supplement effective and enforceable penalties to deter underage drinking with the imposition of fines. DISCUS believes that penalties such as license suspension, community service and alcohol education for underage drinkers who purchase, possess or consume alcohol are effective measures that can help to curb incidents of underage drinking. For this reason, DISCUS supports

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supplementing those types of penalties with discretionary fines, but asks that the existing mandatory penalties for underage drinking be kept in place.

Thank you very much for this opportunity to present testimony on H.B. 96. We look forward to participating in further discussion on this measure.



Representative Angus McKelvey, Chair
Representative Isaac Choy, Vice Chair
Committee on Economic Revitalization & Business

HEARING Thursday, January 27, 2011
 9:00 am
 Conference Room 312
 State Capitol, Honolulu, Hawaii 96813

RE: HB96, Relating to Intoxicating Liquor

Chair McKelvey, Vice Chair Choy and Members of the Committee:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to the support of the retail industry and business in general in Hawaii.

RMH supports HB96, which prohibits use by minors of false identification to purchase liquor, establishes fines and other penalties, and designates 50% of revenues from fines to county programs for underage drinking awareness and prevention.

As concerned citizens, we most assuredly support all endeavors to prevent underage drinking and the subsequent damaging effects on our children and society. We believe that HB96 provides alternatives for and greater flexibility to our law enforcement and court systems as defined in the purpose clause of this bill (Section 1).

For retailers, a significant provision of HB96 is strengthening the prohibition of and penalties for a minor's use of false identification. Modern technology has facilitated the proliferation of fraudulent kinds of identification that are virtually undetectable to all but the trained professional. These counterfeit documents are prevalent in the marketplace, and are key components in various offenses, not the least of which are check and credit card fraud and identity theft. Creating consequences for the use of fraudulent documents at any and all levels is a major step to containing these criminal activities.

As evidenced by the results of the anti-smoking / anti-tobacco programs, education and information are critical components of substance abuse prevention. The fines generated from this provision in HB96 will provide an important source of funding for this preventive tool at the county levels.

We respectfully urge your passage of HB96. Thank you for your consideration and for the opportunity to submit testimony.

Carol Pregill, President

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