

SB 88

Measure Title: RELATING TO INTOXICATING LIQUORS IN PUBLIC HOUSING.

Report Title: Liquor Prohibitions; Public Housing

Description: Prohibits possessing or keeping, while on any sidewalk or common area within a public housing project, any bottle, can, or other receptacle containing any intoxicating liquor which has been opened, has a broken seal, or the contents of which have been partially removed. Adds "state low-income housing project" to definition of public housing project for purposes of liquor control.

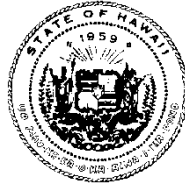
Companion:

Package: Housing and Homeless

Current Referral: HMS/PSM

Introducer(s): CHUN OAKLAND, DELA CRUZ, GALUTERIA, RUDERMAN, Shimabukuro, L. Thielen

NEIL ABERCROMBIE
GOVERNOR



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DEPARTMENT OF HUMAN SERVICES
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Statement of
Hakim Ouansafi
Hawaii Public Housing Authority
Before the

**SENATE COMMITTEES ON HUMAN SERVICES AND
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS**

February 7, 2013 1:00 P.M.
Room 016, Hawaii State Capitol

In consideration of
Senate Bill No. 88
Relating to Intoxicating Liquors in Public Housing

Honorable Chairs and Members of the Senate Committees on Human Services and Public Safety, Intergovernmental and Military Affairs, thank you for the opportunity to provide you with comments regarding Senate Bill (S.B.) No. 88, relating to intoxicating liquors public housing.

The Hawaii Public Housing Authority (HPHA) **supports** the enactment of this measure, which would prohibit the possession or storage of open containers holding intoxicating liquors on any sidewalk or common area of a public housing project under the jurisdiction of the HPHA.

Section 281-78, Hawaii Revised Statutes (HRS), currently prohibits the consumption of intoxicating liquors on public sidewalks, including any sidewalk within a public housing project as defined in sections 356D-1 and 356D-91, HRS. It further prohibits the consumption of intoxicating liquors in public housing common areas. However, there are two deficiencies with the statute that the agency believes need correction.

First, this prohibition can be difficult to enforce since it is limited by the word "consumption" which requires that either: A police officer visibly observe a perpetrator in the action of imbibing intoxicating liquor; or a witness be willing to testify to visibly observing a perpetrator in the action of imbibing intoxicating liquor. By broadening the prohibition to storage and possession, the requirement of physically observing a perpetrator in the act of imbibing in order to support prosecution is removed. Violations would be easier to report and enforce, thereby promoting a reduction in violations of the prohibition.

Second, the statute is limited to public housing projects as defined in sections 356D-1 and 356D-91. These statutes correspond only to properties in the HPHA's Federal low-income public housing inventory. By changing the statute to refer to public housing projects as defined in sections 356D-1 and 356D-51, the prohibition would apply to the HPHA's State low-income public housing in the same manner.

The HPHA appreciates the opportunity to provide the Senate Committees on Human Services, and Public Safety, Intergovernmental and Military Affairs with the agency's position regarding S.B. No. 88. We respectfully request the Committee to pass this measure favorably, and we thank you very much for your dedicated support.

From: mailinglist@capitol.hawaii.gov
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Cc: ypeia01@yahoo.com
Subject: *Submitted testimony for SB88 on Feb 7, 2013 13:00PM*
Date: Sunday, February 03, 2013 7:52:34 PM

SB88

Submitted on: 2/3/2013

Testimony for HMS/PSM on Feb 7, 2013 13:00PM in Conference Room 016

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------|--------------|--------------------|--------------------|
| christine johnson | Individual | Support | No |

Comments:

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