

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 464
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 464 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to authorize county
liquor commissions to prescribe, by rules, limitations on licensed
premises regarding the expression and conduct of patrons in the
premises.

Your Committee received testimony in support of this measure
from the American Civil Liberties Union of Hawaii and nine
individuals. Your Committee received testimony in opposition to
this measure from the Liquor Commission, City and County of
Honolulu and Department of Liquor Control, County of Maui.

Your Committee finds that the County of Maui passed an
ordinance that prohibits dancing in bars and restaurants that
serve alcohol unless the dancing takes place on a designated dance
floor. However, the ordinance fails to define dancing and leaves
business owners and patrons without notice as to what movements
would be considered "dancing." This measure requires county
liquor commissions to prescribe by rule any limitations on
licensed premises regarding dance, including a definition of
"dancing" to avoid vagueness and ambiguity.

Your Committee has amended this measure by:



- (1) Changing the description of the regulated behavior from "expression and conduct of patrons" to "dancing";
- (2) Requiring only those county liquor commissions that choose to regulate dancing to adopt or amend rules regarding dancing; and
- (3) 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 Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 464, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 464, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,

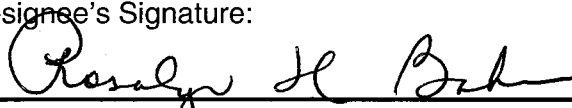


WILL ESPERO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

| | | | | |
|--|-----------------------------------|-------------------------|----------|----------|
| Bill / Resolution No.:* SB 464 | Committee Referral: PSM | Date: 2-19-13 | | |
| <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) | ✓ | | | |
| BAKER, Rosalyn H. (VC) | ✓ | | | |
| GALUTERIA, Brickwood | | | | ✓ |
| GREEN, Josh | | | | ✓ |
| SLOM, Sam | ✓ | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | 3 | - | - | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes