



HB626 HD1

Measure Title:	RELATING TO THE POSSESSION OF FIREARMS WHILE CONSUMING OR UNDER THE INFLUENCE OF AN INTOXICANT.
Report Title:	Firearms; Possession While Consuming Alcohol
Description:	Prohibits the actual physical possession of any firearm while consuming alcohol outside of the home, a temporary residence, or place of sojourn. Establishes violation as a petty misdemeanor. (HB626 HD1)
Companion:	
Package:	None
Current Referral:	PSM, JDL
Introducer(s):	C. LEE, BELATTI, LOPRESTI, NISHIMOTO, RHOADS, SAIKI, YAMANE, Keohokalole

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

MARIE A. McCAULEY
CARY OKIMOTO
DEPUTY CHIEFS

OUR REFERENCE RR-DNK

March 15, 2016

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety, Intergovernmental,
and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 229
Honolulu, Hawaii 96813

Dear Chair Nishihara and Members:

SUBJECT: House Bill No. 626, H.D. 1, Relating to the Possession of Firearms While Consuming or Under the Influence of an Intoxicant

I am Richard C. Robinson, Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 626, H.D. 1, Relating to the Possession of Firearms While Consuming or Under the Influence of an Intoxicant.

Forty-six other states have recognized the dangers of mixing firearms and intoxication and have enacted laws regarding its prohibition. The HPD's policies specifically prohibit the handling of a firearm while intoxicated. The adoption of this bill will likely prevent an avoidable tragedy in the future.

The HPD urges you to support House Bill No. 626, H.D. 1, Relating to the Possession of Firearms While Consuming or Under the Influence of an Intoxicant.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard C. Robinson", written over a horizontal line.

Richard C. Robinson, Major
Records and Identification Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoha", written over a horizontal line.
for Louis M. Kealoha
Chief of Police

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: kimo501999@aol.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 7:48:01 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James Revells	Valley Isle Sport Shooters	Oppose	No

Comments:

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HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Reid	NRA	Oppose	No

Comments: NRA opposes HB 626 because of the overly broad nature of the restriction. HB 626 does not set a limit for the amount of alcohol an individual can legally consume while in possession of a firearm as we do when setting restrictions in other areas of the law, such as driving. Without this specification, any amount of alcohol consumption while in possession of a firearm could constitute a crime. Individuals who possess a firearm and have had a couple sips of wine or anything containing alcohol, like Nyquil, could be in violation of the law.

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Date: Monday, March 14, 2016 6:22:19 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
scott shimoda	Individual	Comments Only	No

Comments: Needs an amendment specifying .08 alcohol level.

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Dear Honorable Chair and Members,

My name is Min Seok Han. I am a junior at Roosevelt High School in Ms. Kawakami's Participation in Democracy class. I would like to share my comments and concerns with House Bill 626, relating to the possession of firearms while consuming or under the influence of an intoxicant.

I agree with most of what this bill has to say, such as the restraining of the person's firearms and ammunition if they have been in relations with drugs or has committed a crime. I also agree with the notion that the firearms and ammunition be kept in custody by a police officer or the police department when circumstances arise (as explained in this bill). The reason why I agree with these statements is because they protect others by setting precautions. A person who has committed a crime or was caught in relations with drugs are people who are a danger to our society and by taking away objects that can hurt or kill as a precaution, safety and assurance is created. This safety and assurance can also be magnified when the objects in question are kept in the hands of the police department or a trusted police officer as they are the ones who are the embodiments of justice and of the law. But, the one I agree most strongly with is the prohibition of possessing any firearm while consuming alcohol. The reasoning behind this is quite simple, as the person drinking does not have the ability to make smart or rational decisions due to the alcohol affecting the person's portion of their brain which controls thinking and reasoning. As such, the person may prove a danger to innocent people as they might use their firearm to injure or hurt someone under the influence of alcohol.

Although this bill does make some nice points, I found some parts of it to be unfavorable in my opinion. The main one being that if a person was caught selling drugs illegally, they would have their firearms and ammunition taken away. I disagree with this and the reasoning behind this is that this point slightly stereotypes people who sell drugs illegally to be violent people who deserve to have their gun rights taken away. Although I do agree that the majority of people who sell drugs illegally are people who would use firearms to threaten or for violence, this does not apply to every street dealer in Hawaii. I slightly suspect that the reputation of prominent drug lords such as Joaquín Guzmán and Pablo Escobar while also being accompanied with images of cocaine and AK-47s could have ingrained itself into a majority of people's minds as the stereotypical image of illegal drug dealers. Anyways, I believe that being convicted for selling illegal drugs is different from having a criminal history for violence or being detained for irresponsible use of a firearm while under the influence of alcohol as it is the only one which the person convicted may not have even used their firearm for violence in the first place. Normal street dealers who "slang" cannabis fit under this category and this specific statement clearly states, "an illegal sale of any drug." Although I cannot say for sure that all cannabis dealers are non-violent and that this is only one example, most illegal cannabis dealers are teenagers or early adults and even though gun rights may not apply to them, taking them away is not right.

I have discussed what I agree with and what I disagree with for this particular bill and I would like to make some changes that I think will benefit the bill as a whole. First off, minors in general should not be in possession of any sort of firearm or ammunition in the first place. This bill states that a minor who has dependence or is under treatment for addiction regarding intoxicating substances will have their firearms and ammunition taken away. Minors are not like adults who can think rationally and smartly in situations where a firearm is involved, so minors should not possess a firearm or ammunition in the first place and that issue should be addressed

in this bill and although this change is not specifically about the consumption of intoxicating substances regarding the possession of a firearm or ammunition, it should be addressed nonetheless.

Finally, my last suggestion would be that the part in the bill where being convicted of selling illegal drugs takes away your firearms and ammunition should be deleted as explained in my disagreement with this very same topic above. The reason why I want to see these changes made is because I believe that this bill shows inconsistencies which should be addressed and points that do not make sense and so changing them would make the bill better as a whole.

Thank you for your time and consideration and for all that you do for us. If possible, please share your thoughts regarding my concerns.

Sincerely,
Min Seok Han

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To: [PSMTestimony](#)
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Friday, March 11, 2016 3:24:57 PM

HB626

Submitted on: 3/11/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Moran	Individual	Support	No

Comments: Please support. As we do not want guys driving cars when drinking, we sure do not want them holding guns Mahalo, Mike Moran Kihei

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
LD	Individual	Comments Only	No

Comments: On the surface, this appears like a sensible Bill. But I feel it needs to be precise in its description of what constitutes "in possession" of said firearm/s. If in my own home, and my firearm/s are secured in their safe or lockbox, can it still be construed as being in my possession? If so, citizens will inadvertently be breaking this law anytime they simply have a drink or take painkillers or medication while in their own home. The term "in possession" needs to be very clearly defined such that honest, law-abiding citizens are not grouped with the individuals this Bill is intended for.

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HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
LD	Individual	Support	No

Comments: "...physical possession of any firearm outside of a residence..." As currently revised, I now support this.

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HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
joycelyn iyo	Individual	Support	No

Comments: Strongly support. I

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HB626

Submitted on: 3/11/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Isaacson	Individual	Oppose	No

Comments: Why are firearms being subjected to this draconian measure? Why can one possess an automobile, or an axe, or a knife or a baseball bat or a pointed stick while consuming alcohol? Alcohol in moderation isn't a problem, but writing a law without exceptions for common social practices would seem to be an invitation for a series of lawsuits that would establish the exceptions that should have been written into the bill in the first place. Poorly written laws cost the taxpayers money and tie up the courts.

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
William R Smith	Individual	Oppose	No

Comments: Even as amended, I still OPPOSE this bill.

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Oppose	No

Comments: Possession of a firearm outside the prescribed places is not permitted in any case, for the law abiding citizen, as permits to conceal or open carry firearms are NOT issued. Is this law intended for Law Enforcement Officers, as these are the only persons permitted to carry firearms on their persons in public? If the laws are changed where Law Abiding Citizens are issued permits to carry on their person, then a law like this is needed. Otherwise the law is pointless, as a problem of this nature has not been encountered, other than law enforcement officers. I OPPOSE as written and presented. Vote to remove this bill from consideration. Thank you.

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Arakawa	Individual	Oppose	No

Comments:

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Kellam	Individual	Oppose	No

Comments:

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Frey	Individual	Oppose	No

Comments:

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Mazzone	Individual	Oppose	No

Comments: Kill this bill. The only people who can carry are off duty police. Why would we restrict police from carrying.

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen T Hazam	Individual	Oppose	No

Comments: I OPPOSE HB626 unless amended to specify a .08 alcohol level as disqualifying. There should be very clear criteria when infringing upon a right, guaranteed, not granted, by the US Constitution.

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bowen Dickinson	Individual	Oppose	No

Comments: I OPPOSE this bill as written. The terms “possession” and “under the influence” could have incredibly broad interpretations causing many people to unknowingly violate this law. For example, possession could be construed to mean any person who has access to a firearm. Further “under the influence” does not set any parameters.

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HB626

Submitted on: 3/12/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
Edwin J. Colon	Individual	Oppose	No

Comments:

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Hampton	Individual	Oppose	No

Comments: This bill is too broadly written. A threshold of .08 blood alcohol content should be written in.

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Submitted By	Organization	Testifier Position	Present at Hearing
Robert McCarthy	Individual	Oppose	No

Comments: Bill is far too generic. Could lead to penalty for minor errors such as having beer in a cooler for later consumption, or having had one at lunch hours before. Impairment should be the point of such a bill, same as driving, not nit-picking.

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Laughlin Tanaka	Individual	Oppose	No

Comments: I oppose this bill unless is made clear that the alcohol level must be .08 or above.

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gregory Arianoff	Individual	Oppose	No

Comments: In regards to HB626 calling for a Petty misdemeanor for drinking alcohol outside your home while possessing a firearm. Former Mayor Carlisle's "Deedy" bill targets Police, as no one else can currently lawfully carry. Off duty police carrying is a public safety benefit. The courts may eventually force Hawaii police chiefs to issue carry permits to civilians. You must oppose this poorly written proposed bill as it is discriminatory to a specific group of people and does not define what constitutes threshold of "drinking".

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HB626

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
stuart saito	Individual	Oppose	No

Comments:

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HB626

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Submitted By	Organization	Testifier Position	Present at Hearing
John Moriki	Individual	Oppose	No

Comments:

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HB626

Submitted on: 3/13/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
Heiko Sacher	Individual	Oppose	No

Comments:

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HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Genovese	Individual	Oppose	No

Comments: Build more parks not more gun bills.

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HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Shaheen Mulkern	Individual	Oppose	No

Comments:

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Cc: kevinjmulkern@gmail.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 2:32:04 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Mulhern	Individual	Oppose	No

Comments:

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Cc: ramironoguerol@hotmail.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 2:43:36 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ramiro Noguero	Individual	Oppose	No

Comments:

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To: [PSMTestimony](#)
Cc: janselm@hawaiiantel.net
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 3:53:16 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John J Anselm	Individual	Oppose	No

Comments:

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To: [PSMTestimony](#)
Cc: jyamashiro@yahoo.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 4:01:31 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
joshua	Individual	Oppose	No

Comments:

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Cc: hautree@hawaii.rr.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 4:06:21 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gordon Kitsuwa	Individual	Oppose	No

Comments: This is another trap for anyone, especially law enforcement, to fall into. Should Deedy have stood back and just watched without intervening? Remember the Kitty Genovese murder in New York City when no one intervened?

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Cc: sandybrodie@gmail.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 4:06:30 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alexander C. "Sandy" Brodie	Individual	Oppose	No

Comments: I OPPOSE the bill on the basis it is too vague in terms of alcohol consumption. A specific level of alcohol must be included.

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Cc: rage50rider15@yahoo.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 4:32:23 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Elizares	Individual	Oppose	No

Comments:

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Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 4:37:31 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Aaron Asuncion	Individual	Oppose	No

Comments:

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Cc: honolua79@gmail.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 5:17:14 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jason	Individual	Oppose	No

Comments:

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Cc: mauka873@msn.com
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Date: Sunday, March 13, 2016 5:32:52 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Pocock	Individual	Oppose	No

Comments: I Strongly Opposed

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Cc: mauka873@gmail.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 5:36:25 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Yvette Makahanaloa	Individual	Oppose	No

Comments: I Strongly Opposed

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To: [PSMTestimony](#)
Cc: cvaldez001@hawaiiintel.net
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 6:03:12 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Lee Valdez	Individual	Oppose	No

Comments: I strongly oppose !!!!!

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Cc: russell.takata@yahoo.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 6:27:29 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Russell Takata	Individual	Oppose	No

Comments: I OPPOSE this measure which adversely impacts law enforcement officers carrying their firearms off-duty to protect the public and themselves. This bill has the unwanted effect of making certain establishments less safe.

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Cc: akjshefe@gmail.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 6:56:16 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
aaron shefte	Individual	Comments Only	No

Comments: i am testifying in opposition to this bill. as you are well aware that the right of the people to keep and bare arms shall not be infringed. i expect you to uphold the law of the land the constitution. anything less than that is unacceptable. thank you for you kind attention.

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Cc: onederful100@aol.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 9:17:10 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gavin Lohmeier	Individual	Oppose	No

Comments:

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Date: Sunday, March 13, 2016 9:36:50 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
jason shin	Individual	Oppose	No

Comments:

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Cc: d.benjamin.reeder@gmail.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 10:39:23 PM

HB626

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Davis Benjamin Reeder	Individual	Oppose	No

Comments:

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To: [PSMTestimony](#)
Cc: jonagustine_lim@yahoo.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 6:31:15 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jonagustine Lim	Individual	Oppose	No

Comments: I oppose this bill. "Possession" is vague (holding in one's hand? Possess at home in a gun safe? Cleaning an unloaded firearm at home?) and the measure does not set parameters on what is considered intoxicated.

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Cc: jonagustine_lim@yahoo.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 6:33:49 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jonagustine Lim	Individual	Oppose	No

Comments: I oppose this measure. Stop wasting taxpayer monies monitoring those who have not been convicted of any crime.

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Cc: surfgeorge@yahoo.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 6:47:23 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
George Pace	Individual	Oppose	No

Comments:

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Cc: macsak@gmail.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 7:11:25 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
steven a kumasaka	Individual	Oppose	No

Comments:

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Testimony on HB 625

Before PSM 1:20 pm, Rm 229, March 15, 2016

IN OPPOSITION

Hon. Chair, Vice Chair, Members,

[HB625](#) Includes misdemeanor stalking among the offenses that disqualify a person from owning, possessing, or controlling any firearm or ammunition. 4th degree stalking can be as little as sending unwanted texts or e-mails, and conviction means permanent loss of gun rights, restorable only by Governor's pardon. OPPOSE. Support if 4th degree stalking removed.

Mahalo,

Dr. Maxwell Cooper

225-6944

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To: [PSMTestimony](#)
Cc: ceruti@earthlink.net
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 9:40:35 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Marion Ceruti	Individual	Oppose	No

Comments: I strongly oppose HB626. Whereas I do not condone the drinking of alcohol, I do not believe that a petty misdemeanor for drinking alcohol outside one's home while possessing a firearm should not result in the loss of gun rights. So far, the bill targets police, as no one else can lawfully carry firearms at this time. Off duty police carrying firearms is a public safety benefit. The courts eventually could force Hawai'i police chiefs to issue concealed-carry permits to civilians if the United States Court of Appeals for the Ninth Circuit finds in favor of the plaintiff in the Peruta vs. County of San Diego case, which was heard en banc on 16 June 2015. The Texas Governor's amicus brief posted* on the Peruta page of the 9th Circuit Appeals Court presents a strong case for shall-issue concealed carry. It cites statistics to show that people who have concealed-carry licenses are over 10 times less likely to commit a crime than those who are not licensed. To increase public safety, Hawai'i should become a shall-issue state where qualified civilians can carry concealed weapons. The bill needs to be amended to specify a .08 alcohol level. Please delete from consideration this bill and all others like it. *

<http://cdn.ca9.uscourts.gov/datastore/general/2015/05/05/10-56971%20Amicus%204-30%20Texas.pdf>

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To: [PSMTestimony](#)
Cc: mike.wee@hawaiiintel.net
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 9:41:58 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Michael A. Wee	Individual	Oppose	No

Comments: Although House Draft 1 is slightly better, It is still too vague and full of possible unintended consequences for the law-abiding homeowner. I still OPPOSE this bill.

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Hawaii State Legislature
State Senate
Committee on Public Safety, Intergovernmental and Military Affairs

State Senator Clarence K. Nishihara, Chair
State Senator Will Espero, Vice Chair
Committee on Public Safety, Intergovernmental and Military Affairs

Wednesday, March 15, 1:20 p.m. Room 229
House Bill 626 HD 1 Relating to the Possession of Firearms While Consuming or Under the
Influence of an Intoxicant

Honorable Chair Clarence K. Nishihara, Vice Chair Will Espero, and members of the Senate
Committee on Public Safety, Intergovernmental and Military Affairs,

My name is Russel Yamashita and appreciate the opportunity to testify in opposition to House Bill 626 HD 1 Relating to the Possession of Firearms While Consuming or Under the Influence of an Intoxicant. As well intentioned as the purpose of this legislation may be it would be totally unenforceable and, in fact, make anyone who owns a firearm a criminal for having a drink in their own home. Also, anyone in that residence would be subject to arrest as well if they were having a drink.

This legislation is clearly a veil effort to deprive law abiding citizens of their firearms by creating totally a setting by which the police would be able to arrest anyone in the home of a gun owner and use such an arrest for the confiscation of their firearms. For those who have quickly forgotten, last year a similar version of this bill, HB 888 CD1, was recommitted when it was found to be unacceptable to the House of Representatives.

I strongly recommend that this committee hold this bill.

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To: [PSMTestimony](#)
Cc: rrphawaii@aol.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 10:31:20 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mariner Revell	Individual	Oppose	No

Comments: Off duty police carrying is a public safety benefit. I oppose this bill

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Cc: ehkaneshiro@gmail.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 10:42:10 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Kaneshiro	Individual	Oppose	No

Comments:

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Cc: AKOE002@hawaii.rr.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 11:05:31 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Ako DVM	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 11:09:56 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Russell Stewart	Individual	Oppose	No

Comments: I object to the inclusion of 4th degree stalking as a disqualification factor to receiving a concealed carry permit. No misdemeanor record should preclude anyone from the right to bear arms. All misdemeanor records more than 5 years old without a recurrence of the same offense should not ever be considered in regards to disqualification of any rights.

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Date: Monday, March 14, 2016 11:11:33 AM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Arnold	Individual	Oppose	No

Comments:

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Carl Sobrado, R.N.
105 Lilioukalani Lane
Hilo, HI 96720
(808) 769-1021

14 March 2016

Honorable Representatives:

My name is Carl Sobrado, and I am a constituent of Hilo, Hawai'i. I would like to take this opportunity to rise in opposition to HB626.

I would like to take this opportunity to vociferously oppose HB626. Having off duty police carry their firearms is in the best interest of the public safety.

I would like to re-iterate what the Second Amendment of the U.S. Constitution states: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The key phrase, for both the state militia (national guards) and individuals, is "shall not be infringed."

In regards to HB626 calling for a Petty misdemeanor for drinking alcohol outside your home while possessing a firearm. Former Mayor Carlisle's "Deedy" bill targets Police, as no one else can currently lawfully carry. Off duty police carrying is a public safety benefit. The courts may eventually force Hawaii police chiefs to issue carry permits to civilians. You must oppose this poorly written proposed bill as it is discriminatory to a specific group of people and does not define what constitutes threshold of "drinking".

Please remember the oath you took stands to protect the constitution of the United States of America. You must therefore oppose such legislation.

Respectfully submitted,

Carl Sobrado

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To: [PSMTestimony](#)
Cc: itsmeksn@gmail.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 12:18:21 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kerry Nagai	Individual	Oppose	No

Comments:

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Cc: astrovandal@gmail.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:38:37 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jacob Holcomb	Individual	Oppose	No

Comments: Chris Deedy, the person who inspired this bill, had a blood alcohol level of .12 when he killed Kollin Elderts. The legal limit for driving a car is .08 because the people who wrote the laws understand that is the amount which judgement becomes impaired. Cars kill way more people than guns, especially in this state. Don't punish people who celebrate responsibly after a successful hunting trip.

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Cc: rglivinghi@aol.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:47:50 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald G Livingston	Individual	Oppose	No

Comments: Too broad a definition.

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Cc: dctactical@hawaii.rr.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:48:29 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dwayne Lim	Individual	Oppose	No

Comments: I strongly oppose this bill.

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Cc: jwmorrow@att.net
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:54:23 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. J. W. Morrow	Individual	Oppose	No

Comments: The proposed language lacks specificity in terms of the amount or concentration of alcohol that would constitute a violation. The bill should not pass as written. Further discussion is needed.

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Cc: powerten@aol.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:56:17 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John W. Roberts	Individual	Oppose	No

Comments: I view this bill as a threat to my constitutional rights. Please oppose it.

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To: [PSMTestimony](#)
Cc: alexandermeimer@gmail.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 1:02:46 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alexander Meimer	Individual	Oppose	No

Comments: This looks like it targets police, as no one else can lawfully carry (at this point). I OPPOSE this, since off duty police carrying is a public safety benefit. Even if we had more common gun carrying rules, I don't see how some alcohol consumption strips someone of basic constitutional rights. May be in favor if amendment to much higher and specific alcohol level limits of 1+.

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Cc: tish@thepetdepothawaii.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 1:04:19 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tish Rothwell	Individual	Oppose	No

Comments:

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To: [PSMTestimony](#)
Cc: robert@okudametal.com
Subject: *Submitted testimony for HB626 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 1:35:27 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Okuda	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 4:36:41 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Smith	Individual	Oppose	No

Comments: I oppose HB626 which deals with it being a petty misdemeanor for drinking alcohol outside your home while possessing a firearm. Former Mayor Carlisle's "Deedy" bill. Targets police, as no one else can lawfully carry a firearm currently in this state. Off duty police carrying a firearm is a public safety benefit and this bill could end up forcing the courts to have Hawaii police chiefs issue carry permits to civilians. This bill needs to be amended to specify an alcohol level of .08 or higher as its baseline for implementation. Thank you. Sincerely, Gary Smith

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Cc: shyla.moon@ymail.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 8:38:13 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Individual	Oppose	No

Comments: Strongly oppose. Could be misinterpreted.

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Cc: kjcole52@yahoo.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 8:44:12 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin J. Cole	Individual	Oppose	No

Comments: Aloha, HB626 is too restrictive. The measure should be akin to driving while intoxicated (IOWs .08 BAL). Mahalo, Kevin J. Cole Mililani

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Cc: MolokaiMAN@basicisp.net
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 8:49:00 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
George Peabody	Individual	Oppose	No

Comments: House Bill 626 violates 2nd Amendment; and, House Bill 626 would establish a petty misdemeanor for drinking alcohol while possessing a firearm. HB 626 does not set a limit for the amount of alcohol an individual can legally consume while in possession of a firearm. Without this specification, any amount of alcohol consumption while in possession of a firearm could constitute a crime. Individuals who possess a firearm and have had a couple sips of wine or anything containing alcohol, like Nyquil, could be in violation of the law. Who ever supports this flawed bill must have an agenda against 2nd Am, and is violating their Oath of Office to support and defend the Constitution FOR the united States of America. ARREST Barack Obama the usurper of the Office of POTUS, to NDAA Prison, now!

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Cc: nelsonm808@yahoo.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 10:02:28 PM

HB626

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Michael	Individual	Oppose	No

Comments: Way too vague. Come on you guys need to be better than this. The way this is written totally innocent god fearing good citizens (like you are supposed to represent) could be arrested. Nobody wants drunk gunmen on the loose but that would be against the law already. This, as written only hurts and does not help.

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Cc: aliomanual@gmail.com
Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Tuesday, March 15, 2016 5:14:39 AM

HB626

Submitted on: 3/15/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Morgan	Individual	Oppose	No

Comments: My read of this bill suggests I could be in violation while cleaning my gun at home while consuming an adult beverage.

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Subject: Submitted testimony for HB626 on Mar 15, 2016 13:20PM
Date: Tuesday, March 15, 2016 7:22:01 AM

HB626

Submitted on: 3/15/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Gerwig	Individual	Oppose	Yes

Comments: This is a defective bill, as it fails to define a level of intoxication. Needs an amendment specifying a (.08) or greater alcohol level before any prosecution can take place.

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