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TO: Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: February 25, 2022
TIME: 9:30am
PLACE: Via Videoconference

RE: SB2125 Relating to Liquor Licenses

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

HFIA is in opposition to this measure to increase the maximum fine for violation of liquor control laws from \$2,000 to \$5,000. This amounts to an increase of 150% which is excessive and unnecessary. Our local retailers work hard to safely and responsibly supply their customers with age restricted products. Increasing the fine does not create an added deterrent, it just disincentivizes providing these products. Fines in the amount proposed in this measure would disproportionately impact small local retailers. A large chain could easily afford this, a small sole proprietor or family-owned business may be forced to close, which is unfair. Instead of creating arbitrarily high fines, we encourage the legislature to instead work with liquor retailers on positive programs, education, and community outreach in order to decrease violations. We thank you for the opportunity to testify and we encourage you to hold this measure.

LATE

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

SB 2125

Date: Friday, February 25, 2022
Time: 9:30 a.m.
Via Videoconference JDC

My name is Heidi-ann Allencastre. I am a parent leader. I am testifying on behalf of SB2125 Relating to Liquor Licenses by increasing the maximum allowable fine for violation of liquor control laws by a licensee from \$2000 to \$5000.

I am testifying in support of bill SB 2125

Increasing the maximum allowable fine for violation of liquor control laws by over 50% from \$2000 to \$5000 will help with keeping liquor out of the hands of our youth. I feel that by raising the fine it will work as a deterrent for employers and employees who are selling alcohol to really take the time to check I.D's and make sure they are not serving or selling to someone who is over the blood alcohol limit. This will not only help with preventing drunk driving but there are so many other direct negative consequences of overdrinking and underage drinking.

I appreciate your support in supporting bill SB2125. I strongly support this bill.

Heidi-ann Allencastre

45 Pilipa'a Place
Makawao, Hi 96768

LATE

SB-2125

Submitted on: 2/24/2022 12:27:55 PM

Testimony for JDC on 2/25/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jay Henderson	Individual	Support	No

Comments:

Testimony in support of SB 2125

February 24, 2022

Jay Henderson

Coalition Against Noise

Aloha and greetings. I represent the Coalition Against Noise. CAN is an association of residents from all over Hawaii. We have been in existence for about three years. We strongly support passage of this bill.

In the old days, everybody knew that noise was simply “any sound I don’t like”. Nowadays, the situation has become “any sound I like”, no matter how loud it might be. In fact, the louder the better. Laws exist but they’re neither obeyed nor enforced. Scofflaws have become part of the architecture of our city. Their new normal is excessive noise including the unwanted and unnecessarily loud noises from bars, parking lots, lanais and other sources.

Laws on the books and various state regulations were carefully considered and well-intentioned but have proven to lack effectiveness. Sometimes it’s because the police aren’t trained, or are unequipped or have other priorities. Other times it’s because the judges want solid evidence that is too hard to produce so prosecutors don’t pursue those cases and police give up trying to collect evidence. The list goes on. In any case, enforcement has stopped. The result is more unregulated and illegal noise occurring in more places and from more sources. An associate of CAN has collected complaints about noise from all over the islands since 2012. (See his website: quieteroahu.com).

As a result, our cities’ main arteries and back alleys, our suburbs and even our remote cul-de-sacs in rural areas have lost the sound of wind in the trees and surf crashing on shore. For them, the new normal is blaring boom boxes, gnat-like motorscooters with shrill engines and Harley Hogs revving at full throttle. There is no attempt to preserve the balance. Noise is winning and will keep winning until it’s brought under control.

In summary, CAN believes the noises of civilization should live in harmony with the peaceful sounds of nature. We need both. Some noise is necessary. Too much noise is not. But things

have gotten out of balance; excessive noise is taking over; its roar of motorcycles with modified mufflers disturbs the peace far more than reasonable. Legislation is therefore needed. This is why CAN supports SB2125.

Our Coalition wants laws that ban all excessive noise regardless of its source, time of day, or location in Hawaii. We also want the laws and regulations to be enforced. If noise is not a priority, make it so until it is under control. For a trial period of six months, we would like to ask every police officer to try to turn in a single noise violation citation a month. We believe this would lead to great progress in only a half a year. Right now, there is zero enforcement.