

A Bill for an Act Relating to Billiard or Pool Table Licenses and Amending Chapter 155, Revised Laws of Hawaii 1955.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure within the meaning of section 11 of Article III of the State Constitution.

The following is a statement of facts constituting such urgency:

Existing law forbids any person under the age of eighteen years to be or remain in or about any premises where licensed billiard or pool tables are had and operated. The effect of this prohibition, enacted in 1911, has been to keep persons under eighteen out of billiard or pool halls during the day as well as at night and even though accompanied by a parent or legal guardian. This situation has placed severe financial burdens on billiard or pool hall operators, especially those establishments which have sought to present the game billiard or pocket pool as family recreation. It is therefore urgent and in the public interest that the absolute prohibition be modified so as adequately to protect the morals of our youth as well as ease the severe financial burden placed on the billiard or pool hall operators by the present prohibition and so as to authorize the county government to deal with what is essentially a community concern.

SECTION 2. Chapter 155, Revised Laws of Hawaii 1955 is amended in the following respects:

a. By amending section 155-40 to read as follows:

“§ 155-40. Regulations; penalty, forfeiture. No person under the age of eighteen years shall be permitted to be or remain in or about any premises where licensed billiard or pool tables are had and operated unless the minor person is accompanied by his spouse, parent or guardian. No intoxicating liquor shall be allowed, furnished or possessed in such premises. In addition to these conditions, the treasurer or director of finance of the county may prescribe other regulations for the keeping of billiard or pool tables and bowling alleys as he may deem necessary for the public good; provided that the treasurer or director of finance of the county shall not prohibit by such regulations any person licensed to keep a billiard or pool table from employing or hiring any person or allowing any person to operate the licensed billiard or pool table who has been convicted for gambling more than three years prior to the time of employment or hiring.

Any person violating the above conditions or any of the regulations so prescribed, shall be fined not more than \$250, and shall, in the discretion of the court, suffer a forfeiture of his license.”

b. By adding a new section to read as follows:

“§ 155-40.5. Ordinances, effect. Each of the counties hereby authorized to enact and enforce ordinances regulating the presence of persons under the age of eighteen years on or about premises where licensed billiard or pool tables are had and operated pursuant to the provisions of this Act.

Upon each of the counties enacting an ordinance pertaining to the presence of persons under the age of eighteen years on or about premises where licensed billiard or pool tables are had or operated, then so far as that county is concerned, such ordinance shall have full force and effect and shall supersede sections 330-17 and 330-18 to the extent applicable to premises where licensed billiard or pool tables are had or operated.”

SECTION 3. This Act shall take effect upon its approval.
(Approved May 9, 1968.)