

STAND. COM. REP. NO. 103

Honolulu, Hawaii

Feb 6, 2007

RE: H.B. No. 1058  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Economic Development & Business Concerns,  
to which was referred H.B. No. 1058 entitled:

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

begs leave to report as follows:

The purpose of this bill is to amend sanctions for minors and  
persons under age 21 who try to gain access to or possession of  
liquor by:

- (1) Prohibiting persons less than 21 years of age from using  
a false ID to enter premises that exclude persons under  
age 18 or 21;
- (2) Decriminalizing the laws prohibiting persons less than  
21 years of age from purchasing, possessing, or  
consuming liquor or using a false ID;
- (3) Adopting administrative procedures allowing non-criminal  
offenses to be treated as traffic infractions; and
- (4) Allowing all persons under age 21 purchasing,  
possessing, and consuming liquor or using a false ID to  
be fined as an alternative to a license suspension,  
community service, and alcohol education and counseling.

HB1058 HD1 HSCR EDB HMS 2007-1753



Legislative Information Services of Hawaii supported this bill. The Office of the Lieutenant Governor, State Attorney General, Honolulu Liquor Commission, Honolulu Prosecuting Attorney, Mothers Against Drunk Driving - Hawaii, and Coalition for a Drug-Free Hawaii opposed the bill.

Your Committee finds that this bill provides sentencing alternatives designed to address the disproportionate impact of the license suspension penalty on persons under age 21 who live on islands other than Oahu, which lack adequate public transportation systems. Your Committee has amended this bill to restrict it more closely to its purpose, and to ensure that all persons violating these liquor laws are subject to community service and counseling, by:

- (1) Reinstating the petty misdemeanor penalty for the purchase, possession, or consumption of liquor or the use of a false ID by persons over age 18 and under age 21;
- (2) Removing the provisions allowing non-criminal offenses under Chapter 281, HRS, to be treated as traffic infractions;
- (3) Allowing fines as an alternative to license suspension only in counties with a population of under 500,000 residents; and
- (4) Reinstating the penalties of community service and alcohol education and counseling for all persons under 21 years of age who purchase, possess, or consume liquor or use a false ID.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1058, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1058, H.D. 1, and be referred to the Committee on Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Development & Business  
Concerns,



---

KYLE T. YAMASHITA, Chair



