

wakai1-Karen

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 23, 2009 4:25 PM
To: CPCtestimony
Cc: bill@ejlounge.com
Subject: Testimony for HB563 on 2/25/2009 2:00:00 PM

Testimony for CPC 2/25/2009 2:00:00 PM HB563

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Bill Comerford
Organization: Hawaii Bar Owners Association
Address: .
Phone:
E-mail:
Submitted on: 2/23/2009

Comments:
Testimony in opposition to HB563 in its current form.

From the Hawaii Bar Owners Association

As responsible Bar Owners in the State of Hawaii we generally respect this bill and do not find real fault in its text or intention. It should eliminate those who are incapable or irresponsible from avoiding insurance.

However as businessmen who operate under costs we do suggest that the Legislature determine the minimum amount by law as \$1,000,000, agreeing that is the standard amount within the industry. That should be stated in the law and not left to the in-determinant rules and the whims of varied county Liquor Commissions.

The amount should remain a minimum guarantee of insurability and not a compulsory rate adjustment applied by commission rule and not law. Counties could see huge variances with the demands of different County Commissions. The impositions of different Commissions could jeopardize the sale-ability of legitimate liquor licensed businesses. The intent of the law should be to assure insurance not to place a variable amount imposed by Commissions with different opinions. That would be unfair

Simply put, assure a standard here and all benefit, don't put variables into the equation. Any future changes in the insured amount should be legislated at need in the future by the State Legislature.

Our suggestion would be to rewrite Page 2 Section 4 lines 18-22 as such:
A class 5 licensee shall at all times maintain a liquor liability insurance coverage in an amount of not less than \$1,000,000.00.

Striking: (in an amount to be determined every two years pursuant to commission rules; provided that the commission shall not set the amount at less than \$1,000,000.00)

Lastly, could we define Proof of Insurance to satisfy the law.

With these amendments we would support this Bill HB563.