STAND. COM. REP. NO. 1141 -10

Honolulu, Hawaii , 2010 RE: S.B. No. 2545 S.D. 2 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred S.B. No. 2545, S.D. 2, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this bill is to amend the law on intoxicating liquor by, among other things:

- (1) Restricting liquor consumption on unlicensed bring-yourown-beverage (BYOB) premises to 6:00 a.m. to 12:00 midnight;
- (2) Establishing a class 17 liquor license for BYOB establishments operating after 12:00 midnight until 2:00 a.m.;
- (3) Increasing the 10,000-barrel limit on class 14 brewpub licensee on-premises liquor manufacturing to 30,000 barrels;
- (4) Allowing a patron to remove from licensed BYOB premises, any portion of wine brought onto the premises by the patron; and



(5) Requiring licensed BYOB establishments to maintain liquor liability insurance coverage.

Maui Brewing Co. and several concerned individuals testified in support of this bill. The Administrators of the liquor departments for the counties of Hawaii, Kauai, Maui, and the City and County of Honolulu opposed this measure. Numerous concerned individuals provided comments.

Your Committees have amended this bill by:

- (1) Deleting all provisions relating to BYOB establishments; and
- (2) Allowing class 14 brewpub licensees to:
 - (A) Directly sell liquor manufactured on the premises to other brewpub licensees and to consumers; and
 - (B) Conduct activities at one location other than the licensee's premises, so long as the manufacturing takes place in Hawaii and the other location is properly licensed under the same ownership.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2545, S.D. 2, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2545, S.D. 2, H.D. 2.

> Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

ROBERT N. HERKES, Chair



State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:			Date:					
SB 2545, SD2, HD1 EBM, CPC/JUD 3/24//0									
□ The committee is reconsidering its previous decision on the measure.									
The recommendation is to: □ Pass, unamended (as is) ☑ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)									
CPC Members		Ayes	Ayes (W	R)	Nays	Excused			
1. HERKES, Robert N. (C)						\times			
2. WAKAI, Glenn (VC)		\times							
3. BELATTI, Della Au						\times			
4. CABANILLA, Rida		\times							
5. CARROLL, Mele						X			
6. ITO, Ken		X			•				
7. KARAMATSU, Jon Riki		\times							
8. LUKE, Sylvia		\times							
9. McKELVEY, Angus L.K.		X							
10. MIZUNO, John M.						\times			
11. MORITA, Hermina M.						×			
12. SOUKI, Joseph M.		\times							
13. TSUJI, Clift		\times							
14. MARUMOTO, Barbara C.		\times							
15. THIELEN, Cynthia		X							
			5						
TOTAL (15)	/	10				5			
The recommendation is: Adopted D Not Adopted									
If joint referral, did not support recommendation.									
Vice Chair's or designee's signature:									
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO									

State of Hawaii House of Representatives The Twenty-fifth Legislature

HECR 1141-10

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Commi	ttee Referral.	Deter						
Bill/Resolution No.: SB2545, SD2, HD1 EBM, CPC/JUD Date: Date: O3-29-10								
□ The committee is reconsidering its previous decision on the measure.								
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 								
JUD Members	Ayes	Ayes (WR)	Nays	Excused				
1. KARAMATSU, Jon Riki (C)	V							
2. ITO, Ken (VC)	V			Who the				
3. BELATTI, Della Au	1							
4. CABANILLA, Rida								
5. CARROLL, Mele								
6. HERKES, Robert N.	1							
7. LUKE, Sylvia								
8. McKELVEY, Angus L.K.	V							
9. MIZUNO, John M.								
10. MORITA, Hermina M.				V				
11. OSHIRO, Blake K.								
12. SOUKI, Joseph M.								
13. TSUJI, Clift	1/							
14. WAKAI, Glenn	V							
15. MARUMOTO, Barbara C.								
16. THIELEN, Cynthia	1							
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TOTAL (16)		0	Ô	5				
The recommendation is: Adopted If joint referral, committee acronym(s) did not support recommendation.								
Vice Chair's or designee's signature:								
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO								