

STAND. COM. REP. NO.

1011

Honolulu, Hawaii

March 19, 2009

RE: S.B. No. 535

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 535 entitled:

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

begs leave to report as follows:

The purpose of this bill is to extend the prohibition against consumption of liquor in certain public places to also prohibit possession of open liquor containers in those public places.

Furthermore, this bill makes the possession of an open liquor container on a public sidewalk or common area of a public housing project prima facie evidence of the consumption.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs.

Your Committee finds that the present law prohibits consumption of liquor on public highways, public sidewalks, and common areas of public housing projects. However, as written, the law is technically difficult to enforce unless police or witnesses actually observe persons moving and placing the open liquor container to their lips. By extending the prohibition against public consumption of liquor to include possession of open liquor containers will facilitate implementation of the law.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 535

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and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


JOHN M. MIZUNO, Chair



