

Honolulu, Hawaii

APR 30 2009 , 2009

RE: S.B. No. 300
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

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

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 300, S.D. 2, H.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to require class 5 dispenser liquor licensees authorized to sell liquor for consumption on the premises to maintain a certain amount of liquor liability insurance coverage as a condition of obtaining, renewing, or transferring a license.

Your Committee on Conference finds that liquor licensees have a high exposure to potential lawsuits for personal injuries for the serving of liquor to patrons who may excessively imbibe and then cause an accident to a third party. The provision of general liability insurance would mitigate such exposure.



Your Committee on Conference has amended this measure by:

- (1) Requiring an applicant for a class 2, class 4, class 5, class 6, class 11, class 12, class 13, class 14, or class 15 license to maintain liquor liability insurance coverage in an amount of \$1,000,000;
- (2) Requiring for the foregoing classes, proof of liability insurance by the applicant as a prerequisite to issuance or renewal of a liquor license, and by the transferor and transferee for transfer of a liquor license, and allowing the suspension or termination of a license for failure to maintain the liability insurance;
- (3) Requiring proof of coverage to be kept on the premises and made available for inspection by the Liquor Commission at any time during the licensee's regular business hours; and
- (4) Changing the effective date to July 1, 2009.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 300, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 300, S.D. 2, H.D. 2, C.D. 1.

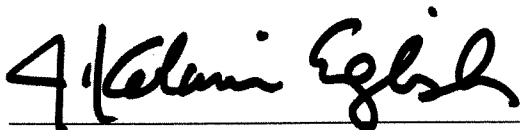
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ANGUS L.K. MCKELVEY, Co-Chair



J. KALANI ENGLISH, Chair



ROBERT N. HERKES, Co-Chair



ROSALYN H. BAKER, Co-Chair



JON RIKI KARAMATSU, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 300, SD 2, HD 2	Date/Time: <i>28 April 2009 10:20 am</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
ENGLISH, J. Kalani, Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
BAKER, Rosalyn H., Co-Chr.	✓				HERKES, Robert N., Co-Chr.	✓			
SLOM, Sam	✓				KARAMATSU, Jon Riki, Co-Chr.	✓			
					MARUMOTO, Barbara C.	✓			
TOTAL	3	—	—	—	TOTAL	4	—	—	—

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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