

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii
Sir:

Your Committee on Health, to which was referred H.B. No. 160 entitled:

"A BILL FOR AN ACT RELATING TO NOISE CONTROL,"

begs leave to report as follows:

The purpose of this measure is to enhance community noise control as regulated by county liquor commissions in counties with large populations by:

- (1) Clarifying that it is a noise violation for an establishment requiring a liquor license to exceed dBC sound level measurements specified in this measure;
- (2) Requiring the employment and enforcement of dBC sound level measurement systems for investigating noise levels from establishments requiring liquor licenses; and
- (3) Requiring the revocation, suspension, denial, or withholding of application, renewal, or transfer of a liquor license, if the applicant or licensee fails to take corrective action to address noise complaints or violations for an establishment for which a license has been issued or requested.

The Chinatown Gateway Plaza Tenant Association and one individual testified in support of this measure. The Liquor Commission of the City and County of Honolulu and United Public Workers, AFSCME, Local 646, AFL-CIO provided comments.

Your Committee has amended this measure by:

- (1) Making the investigatory, enforcement, and rule-making functions of a liquor commission established by this measure permissive rather than mandatory;
- (2) Changing the effective date to July 1, 2050, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the testimony of United Public Workers that this measure may unintentionally impact refuse collectors whose vehicles and activities may exceed the maximum dBC sound levels set forth in this measure. Your Committee suggests that a representative from United Public Workers, the County Liquor Commission, and the introducer of this measure work to develop an exception or waiver for refuse collectors and their vehicles.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 160, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 160, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Health,

JOHN M. MIZUNO, Chair