

HAWAII COUNCIL OF MAYORS

Testimony of the

Hawaii Council of Mayors

Bernard Carvalho, Jr., Mayor of Kauai County
Mufi Hannemann, Mayor of the City and County of Honolulu
Billy Kenoi, Mayor of Hawaii County
Charmaine Tavares, Mayor of Maui County

Before a Hearing of the
House Committee on Consumer Protection and Commerce

January 25, 2010

2:00 p.m.

House Bill 2017, Relating to Counties

The Hawaii Council of Mayors supports House Bill 2017, which provides that the county liquor administrators be appointed and removed either by each county's liquor commission or as prescribed by their charters. The Bill also shifts the ancillary powers of the liquor administrator from H.R.S. §281-17 to H.R.S. §281-11.5.

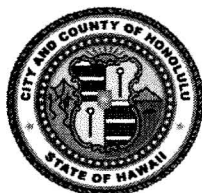
The Hawai'i State constitution, Article VIII, Section 2, authorizes the counties to frame and adopt a charter for their own self-government.

Current State law requires the liquor administrator of all counties be appointed and removed by the liquor commission of each county.

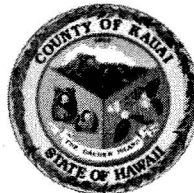
The charters of Hawai'i, Kaua'i and Maui counties each contain provisions for the establishment and functions of a liquor commission/department including the manner in which the director is hired and removed.



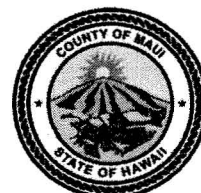
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The charter of the City & County of Honolulu does not include the position of liquor administrator and therefore, the statutory provision requiring that the liquor administrator be hired by the liquor commission would apply. However in keeping with the principle of self-governance, the Bill would allow the City & County the ability to place a charter amendment for consideration by the voters that would define the process for hiring their liquor director.

For the reasons stated above, the Hawaii State Council of Mayors requests your favorable consideration and support of H.B. No. 2017.

Thank you.

MATRIX OF COUNTY CHARTER APPOINTMENT METHODOLOGIES FOR LIQUOR ADMINISTRATOR

Liquor Administrator	<p>“...shall be appointed and may be removed by the liquor control commission.”</p> <p><i>Kauai Charter Sec. 16.05</i></p>	<p>Does <u>not</u> include position of liquor administrator; instead, Honolulu Charter states:</p> <p>“The organization and the duties and functions of the liquor control commission of the City and County of Honolulu shall be as provided by law, except that the commission shall be attached to the department of budget and fiscal services.”</p> <p><i>Honolulu Charter Sec. 6-207</i></p>	<p>“...shall be appointed and may be removed by the liquor control commission.”</p> <p><i>Maui Charter Sec. 8-13.4</i></p>	<p>“...shall be appointed by the liquor commission and may be removed by the liquor commission.”</p> <p><i>Hawaii Charter Sec. 7-3.4</i></p>
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