

**Justin F. Kollar**  
Prosecuting Attorney



**Kevin K. Takata**  
First Deputy

**Rebecca A. Vogt**  
Second Deputy

**OFFICE OF THE PROSECUTING ATTORNEY**

**County of Kaua'i, State of Hawai'i**

3990 Ka'ana Street, Suite 210, Lihu'e, Hawai'i 96766  
808-241-1888 ~ FAX 808-241-1758  
Victim/Witness Program 808-241-1898 or 800-668-5734

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**TESTIMONY IN SUPPORT OF  
H.B. NO. 230  
A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR**

**Justin F. Kollar, Prosecuting Attorney  
County of Kaua'i**

**House Committee on Consumer Protection and Commerce**

**Wednesday, February 6, 2013  
2:30 p.m., Room 325**

Honorable Chair McKelvey, Vice-Chair Kawakami, and Members of the House Committee on Consumer Protection and Commerce, the Office of the Prosecuting Attorney, County of Kaua'i submits the following testimony in support of House Bill No. 230.

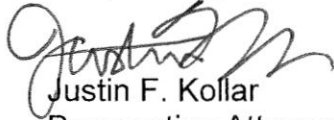
The purpose of House Bill No. 230 is to amend Section 281-17, Hawai'i Revised Statutes to provide County Liquor Commissions the authority to use a portion of the license fees collected to fund alcohol abuse treatment and prevention.

On the island of Kaua'i, the late Mayor Bryan J. Baptiste created the Anti-Drug Program through the Council's adoption of Resolution No. 2003-14, Draft 1. The program was recently renamed to Life's Choices Kaua'i as the new focus of the program is to address the prevention, enforcement, treatment and integration regarding drugs, alcohol, and social issues. Part of its mission is to: Prevent drug and alcohol abuse and addiction on Kaua'i; support the enforcement of Kauai, State and Federal laws dealing with drug and alcohol abuse; provide drug and alcohol treatment resources for those in need; and help rehabilitated residents rejoin the Kauai community as successful citizens.

By giving the Liquor Commission the authority to use money collected from liquor licensing fees, it would make available another source of funding for programs such as Life's Choices Kaua'i or other community programs that are in desperate need of the financial assistance.

For these reasons, we are in strong support of House Bill. No 230. Thank you for the opportunity to testify on this matter.

Respectfully,

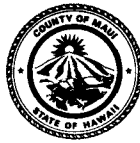
A handwritten signature in black ink, appearing to read "Justin F. Kollar". The signature is stylized with a large initial "J" and a long, sweeping underline.

Justin F. Kollar  
Prosecuting Attorney  
County of Kaua'i

Council Chair  
Gladys C. Baisa

Vice-Chair  
Robert Carroll

Council Members  
Elle Cochran  
Donald G. Couch, Jr.  
Stacy Crivello  
Don S. Guzman  
G. Riki Hokama  
Michael P. Victorino  
Mike White




Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.maui-county.gov/council](http://www.maui-county.gov/council)

February 3, 2013

TO: The Honorable Angus L.K. McKelvey, Chair  
House Committee on Consumer Protection and Commerce

FROM: Gladys C. Baisa   
Council Chair

SUBJECT: **HEARING OF FEBRUARY 6, 2013; TESTIMONY IN SUPPORT OF HB 230,  
RELATING TO INTOXICATING LIQUOR**

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to allow each county to utilize liquor license fees and fines to fund alcohol abuse treatment and prevention activities.

This measure is in the Maui County's Legislative Package; therefore, I offer this testimony on behalf of the Maui County Council.

The County Council supports this measure for the following reasons:

1. The prevention of alcohol abuse is a critically important public need. Alcohol abuse is closely associated with other forms of substance abuse. It is appropriate that revenues generated from the liquor licensees, who profit from alcohol use, be allocated to programs designed to prevent and treat alcohol abuse. This proposal is consistent with the view that revenues from liquor license fees should be earmarked for liquor-related purposes. The proposal would merely allow the revenues to be used for prevention and treatment programs, in addition to liquor law enforcement measures. Ultimately, if alcohol-abuse programs are adequately funded, there will be a decreased need for enforcement.
2. Because local government suffers many of the consequences of alcohol abuse, including the need for increased law enforcement, local officials should be provided with the tools to address this serious problem.
3. This is a common sense proposal that promotes government efficiency, fairness, and public health. The Council notes that the Department of Public Safety has previously proposed similar legislation, for similar reasons. The Council respectfully encourages the Legislature to pursue and fully consider all reasonable means of addressing alcohol abuse.

For the foregoing reasons, the Maui County Council supports this measure.

Council Chair  
Gladys C. Balza

Vice-Chair  
Robert Carroll

Council Members  
Elle Cochran  
Donald G. Couch, Jr.  
Stacy Crivello  
Don S. Guzman, Esq.  
G. Riki Hokama  
Michael P. Victorino  
Mike White



Director of Council Services  
David M. Rantz, Jr., Esq.

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February 1, 2013

**TO:** The Honorable Angus L. K. McKelvey, Chair  
House Committee on Consumer Protection and Commerce

**FROM:** Don Couch  
Council Member, South Maui District

**DATE:** Wednesday, February 6, 2013

**SUBJECT: SUPPORT OF HB 230, RELATING TO INTOXICATING LIQUOR**

Thank you for the opportunity to testify in support of this measure. I provide this testimony as an individual member of the Maui County Council.

**I support HB 230** for the reasons cited in testimony submitted by the Maui County Council Chair, and urge you to support this measure.

Council Chair  
Gladys C. Baisa

Vice-Chair  
Robert Carroll

Council Members  
Elle Cochran  
Donald G. Couch, Jr.  
Stacy Crivello  
Don S. Guzman  
G. Riki Hokama  
Michael P. Victorino  
Mike White



Director of Council Services  
David M. Raatz, Jr., Esq.

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[www.mauicounty.gov/council](http://www.mauicounty.gov/council)

February 4, 2013

TO: Honorable Angus L.K. McKelvey, Chair  
House Committee on Consumer Protection and Commerce

FROM: Robert Carroll  
Council Member, East Maui *Robert Carroll*

DATE: Hearing of February 6, 2013

SUBJECT: **SUPPORT HB 230, RELATING TO INTOXICATING LIQUOR**

I support HB 230 for the reasons cited in testimony submitted by the Maui County Council Chair, and urge you to support this measure.

Council Chair  
Gladys C. Baisa

Vice-Chair  
Robert Carroll

Council Members  
Elle Cochran  
Donald G. Couch, Jr.  
Stacy Crivello  
Don S. Guzman, Esq.  
G. Riki Hokama  
Michael P. Victorino  
Mike White



Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
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February 5, 2013

TO: Honorable Angus L.K. McKelvey, Chair  
House Committee on Consumer Protection and Commerce

FROM: Stacy Crivello   
Council Member

DATE: February 6, 2013

SUBJECT: **SUPPORT HB 230, RELATING TO INTOXICATING LIQUOR**

I support SB 230 for the reasons cited in testimony submitted by the Maui County Council Chair, and urge you to support this measure.

SSC:aas

LIQUOR COMMISSION  
**CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600 • HONOLULU, HAWAII 96813-5249  
PHONE: (808) 768-7300 or (808) 768-7355 • FAX: (808) 768-7311  
E-mail address: liquor@honolulu.gov • INTERNET: www.honolulu.gov/liq

KIRK CALDWELL  
MAYOR



February 4, 2013

MICHAEL S. YAMAGUCHI  
CHAIRMAN

IRIS R. OKAWA  
VICE CHAIR

WESLEY F. FONG  
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JOSEPH V. O'DONNELL  
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ASST. ADMINISTRATOR

Representative Angus L.K. McKelvey, Chair  
Representative Derek S.K. Kawakami, Vice Chair  
Committee on Consumer Protection & Commerce

**Hearing:** Wednesday, February 6, 2013  
2:30 p.m.; Room 325

**Position:** Opposing HB 230 Relating to Intoxicating Liquor

The Liquor Commission, City and County of Honolulu ("Commission"), **opposes HB 230.**

Currently, there are programs in place in which the Commission participates in to address alcohol abuse treatment and prevention. These programs include but are not limited to the Hawaii Partnership for the Prevention of Underaged Drinking Statewide Coalition. Expense to establish state and county programs will be passed on to licensees in the form of increased licensing fees.

Further, HRS 281-17.5 restricts the use of license fees solely to operational and administrative costs incurred by a liquor commission. We respectfully suggest that the proposed amendment will conflict with the aforementioned section.

Finally, the proposed amendment deletes the statutory authority to expend liquor commission funds to support educational programs for liquor commission staff, liquor commission members, and liquor control adjudication board members. As these types of programs are important to a well-rounded and balanced regulatory perspective, we respectfully suggest that the proposed deletion is ill-advised.

Thank you for the opportunity to testify on this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Greg I. Nishioka".

Greg I. Nishioka, Administrator  
Liquor Commission

GIN:lt



HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)  
1050 Bishop St. PMB 235  
Honolulu, HI 96813  
Fax : 808-791-0702  
Telephone : 808-533-1292

DATE: Wednesday, February 6, 2013 TIME: 2:30 p.m PLACE: CR 325

TO: COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair; Rep. Derek S.K. Kawakami, Vice Chair

FROM: Hawaii Food Industry Association - Lauren Zirbel, Executive Director

RE: HB 230 RELATING TO INTOXICATING LIQUOR

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers and distributors of food and beverage related products in the State of Hawaii.

We oppose any approval to use penalties against licensees for any purposes that would relate to social problems unrelated to the violation the licensee is being penalized for.

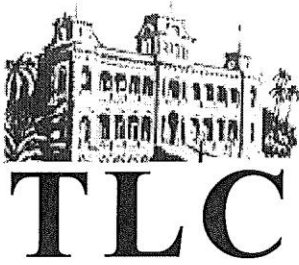
There is no nexus between violations by a liquor licensee and the intent of this measure.

What we would support is penalties levied against non licensees that violate the law to be used for the purposes proposed by this measure.

What this measure would do is provide a funding mechanism by each County Liquor Commission where penalties would be assessed just to create funding to cover issues not related to the licensee. It would then benefit the Commissions to levy higher fines and more fines just to collect money to fund the projects.

Thank you for the opportunity to provide this testimony.





# THE LEGISLATIVE CENTER

1188 BISHOP STREET, SUITE 1003  
HONOLULU, HAWAII 96813-3304  
PHONE: (808) 537-4308 • FAX: (808)533-2739

February 6, 2013

Testimony To: House Committee on Consumer Protection & Commerce  
Representative Angus L.K. McKelvey, Chair

Presented By: Tim Lyons, Legislative Liaison  
Anheuser Busch Companies

Subject: H.B. 230 – RELATING TO INTOXICATING LIQUOR

Chair McKelvey and Members of the Committee:

I am Tim Lyons, Legislative Liaison for Anheuser Busch Companies and we are not in favor of this bill.

We are however, very much in favor of alcohol abuse and prevention programs. As a matter of fact, Anheuser Busch has spent literally millions every year on programs just like these. That is part of our objection, is the duplication.

Secondly, we also find that the Liquor Commissions are not necessarily in the business public relations in finding the most effective way of communicating with people regarding these issues. As a result, leaving the assessment of these kinds of fees for these kinds of programs completely open is objectionable. There does not appear to be any cap whatsoever towards the utilization of fees that will be used for those activities.

Therefore, based on the above, we are opposed to the utilization of licensing fees but we are not opposed to programs and certainly intend to continue our efforts in this area.

Thank you.

**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 04, 2013 2:28 PM  
**To:** CPCtestimony  
**Cc:** gaxiola88@hotmail.com  
**Subject:** Submitted testimony for HB230 on Feb 6, 2013 14:30PM

**HB230**

Submitted on: 2/4/2013

Testimony for CPC on Feb 6, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cesar Gaxiola	Individual	Support	No

Comments: I am writing in support of bill HB 230.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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