



Department of Liquor Control

Fiscal Year 2020 Annual Report

July 1, 2019 – June 30, 2020

Gerald Rapozo
Director

DEPARTMENT OF LIQUOR CONTROL

I. MISSION STATEMENT

To protect the health, safety and welfare of the residents of Kauai County by effectively and fairly enforcing Federal and State laws and County liquor rules as they apply to the manufacture, sale and distribution of alcoholic beverages.

II. DEPARTMENT GOALS

The goals of the Department of Liquor Control are:

- A. To meet the public's expectations by monitoring the manufacture, distribution, and sale of alcoholic beverages in the County of Kauai.
- B. To provide the highest level of service to the licensees in the County of Kauai and assist them in conducting a lawful and profitable business.

Powers, Duties, and Functions of the Department

The department provides the administrative services for the commission. It investigates all applications for liquor licenses and compiles all the facts and statistics on all matters before the commission.

The department has police powers to enforce the liquor laws. It inspects all liquor licensed premises to ensure compliance with the liquor laws and the commission's rules and regulations. It investigates all alleged violations and complaints of alleged violations and reports all violations to the commission.

The department, upon request, provides instructions on the liquor laws and the commission's rules and regulations to the Police Department, to servers' classes, and to employees in liquor licensed premises.

Staff (as of June 30, 2019)

Gerald Rapozo	Director
Cecilio Baliaris, Jr.	Investigator IV
Kenneth Herman	Investigator III
Lawrence Stem	Investigator II
John Berry	Investigator I
Reid Yoshida	Investigator Trainee
Cherisse Zaima	Private Secretary
Clarence Sales	Senior Account Clerk
Malialani Kelekoma	Liquor Clerical Assistant

III. PROGRAM DESCRIPTIONS

LIQUOR CONTROL COMMISSION

<u>June 30, 2019</u>	<u>For Term Expiring</u>
Paul Endo	December 31, 2019
Jean Iida	December 31, 2019
Shirley Akita	December 31, 2020
Gerald Matsunaga	December 31, 2020
William Gibson	December 31, 2021
Maryanne Kusaka	December 31, 2022
Randall Nishimura	December 31, 2022
Dee Crowell	December 31, 2022

Liquor Control Commission Goals:

The goal of the Liquor Control Commission is to fairly enforce all provisions of Section 281 of the Hawaii Revised Statutes and the Rules and Regulations of the Liquor Control Commission of the County of Kauai.

Duties, Powers, and Functions of the Commission:

The basic function of the commission is to control, supervise, and regulate the manufacture, importation, and sale of liquor within the county.

Article XVI of the Charter of the County of Kauai states in part:

"Section 16.04. Powers and Duties of Commission. The liquor control commission shall:

- A. Adopt rules and regulations having the force and effect of law for the administration of liquor control in the county and to enforce the liquor control laws.
- B. Grant, refuse, suspend and revoke any license for the manufacture, importation and sale of liquors.
- C. Investigate violations of liquor control laws through its inspectors, hear and determine all complaints and citations regarding violations of liquor control laws and impose such fines or penalties as may be provided by law upon conviction thereof."

The commission meets on the first and third Thursdays of each month to carry out its duties and responsibilities. Special meetings are scheduled as needed.

ADMINISTRATION

Program Description:

The administrative branch consists of the Director, Private Secretary and Senior Account Clerk. This branch provides services to the regulatory and enforcement

branches, the Liquor Commission, as well as licensees and the general public.

Program Highlights:

The department received 210 applications for renewal of licenses for fiscal year 2019 - 2020. During the year, the commission issued 12 new licenses, 54 one-day transient vessel licenses, 9 special licenses, and 2 solicitor's permits. The commission approved 4 transfer of license applications.

ENFORCEMENT BRANCH

Program Description:

The enforcement branch is comprised of a senior investigator who serves as the immediate supervisor, and field investigators who are responsible for conducting daily inspections and investigations on possible liquor law violations. They also assist the licensees to interpret and understand the liquor laws that regulate their particular operation.

Training sessions and workshops for servers of alcoholic beverages are being offered to all licensees. Public information sessions and presentations will be made available to the general public.

Inspections of liquor licensed premises are conducted daily by the liquor control investigators. Inspections are conducted to insure compliance with the laws and to assist licensees in preventing violations from occurring. The investigators made a total of 12,363 inspections during the year.

Program Highlights:

There were 39 violation reports filed, 116 field investigations conducted, and 15 warnings given to licensees by the investigators. Investigations include, but are not limited to license applications, special requests by licensees, and complaints. As a result of violation hearings, the commission collected a total of \$13,650 in fines.

The enforcement branch investigated 0 cases involving illegal liquor sales to minors and adults purchasing for minors. Investigators also conducted surveillances on 1350 occasions.

REGULATORY BRANCH

Program Description:

The regulatory branch is primarily responsible for the licensing process, which involves applications for the eighteen classes of liquor licenses and collecting all mandatory information as required by State law and the liquor commission rules. The regulatory branch investigates all license applications before they are submitted to the commission for disposition. A total of 97 investigations on applications for liquor licenses were conducted during this fiscal year. The regulatory branch, in coordination with the enforcement branch, also processes citations for hearings before the commission.

Program Highlights:

PERSONNEL POSITION SUMMARY

<u>Position Title</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>
	<u>E/P</u>	<u>E/P</u>	<u>E/P</u>
Director	1.0	1.0	1.0
Senior Clerk	--	--	--
Senior Account Clerk	1.0	1.0	1.0
Secretary	1.0	1.0	1.0
Liquor Control Investigator IV	1.0	1.0	1.0
Liquor Control Investigator III	1.0	1.0	1.0
Liquor Control Investigator II	1.0	1.0	1.0
Liquor Control Investigator I	1.0	1.0	1.0
Liquor Control Investigator Trainee	--	1.0	1.0
TOTAL	8.0	8.0	8.0

Equivalent Personnel (E/P) = Full-time equivalents of full- and part-time personnel.

PROGRAM RESOURCES (LIQUOR FUND)

Expense Type	FY 2018 Actual	FY 2019 Appropriation	FY 2020		
			Request	Expansion	Total
Equivalent Personnel (E/P)	8.0	8.0	8.0	0.0	8.0
Salaries and Wages	\$ 409,015	\$ 500,230	\$ 528,085	\$ 0	\$ 528,085
Operations	\$ 467,603	\$ 629,076	\$ 702,655	\$ 0	\$ 702,655
Equipment	\$ 27,664	\$ 10,000	\$ 1	\$ 0	\$ 1
Program Total	\$ 904,282	\$ 1,139,306	\$1,230,741	\$ 0	\$1,230,740

APPLICATIONS FOR LIQUOR LICENSES 2019-2020

TYPE	Pending 6/30/19	Filed FY 2019 - 2020	Total Applications	Licenses Issued	Applications Withdrawn	Applications Denied	Applications Pending 6/30/20
RENEWALS		210	210	210			1
NEW	14	8	22	12	1	1	5
CHANGE OF LOCATION							
CHANGE OF CATEGORY		2	2	2			
TRANSFER	2	4	6	5			1
TEMPORARY (INCLUDES RENEWAL)		3	3	3			
TRANSIENT VESSEL:							
ANNUAL		1	1	1			
2-DAY							
1-DAY		54	54	54			
SPECIAL:							
3-DAY GENERAL							
2-DAY GENERAL							
1-DAY GENERAL		8	8	8			
3-DAY BEER & WINE							
2-DAY BEER & WINE							
1-DAY BEER & WINE		1	1	1			
1-DAY BEER							
SOLICITOR'S PERMIT:							
GENERAL		2	2	2			
BEER & WINE							
TOTAL	16	292	307	284			16

IV. BUDGET

**STATEMENT OF REVENUES
FISCAL YEAR 2019-2020**

LIQUOR FUND REVENUES:

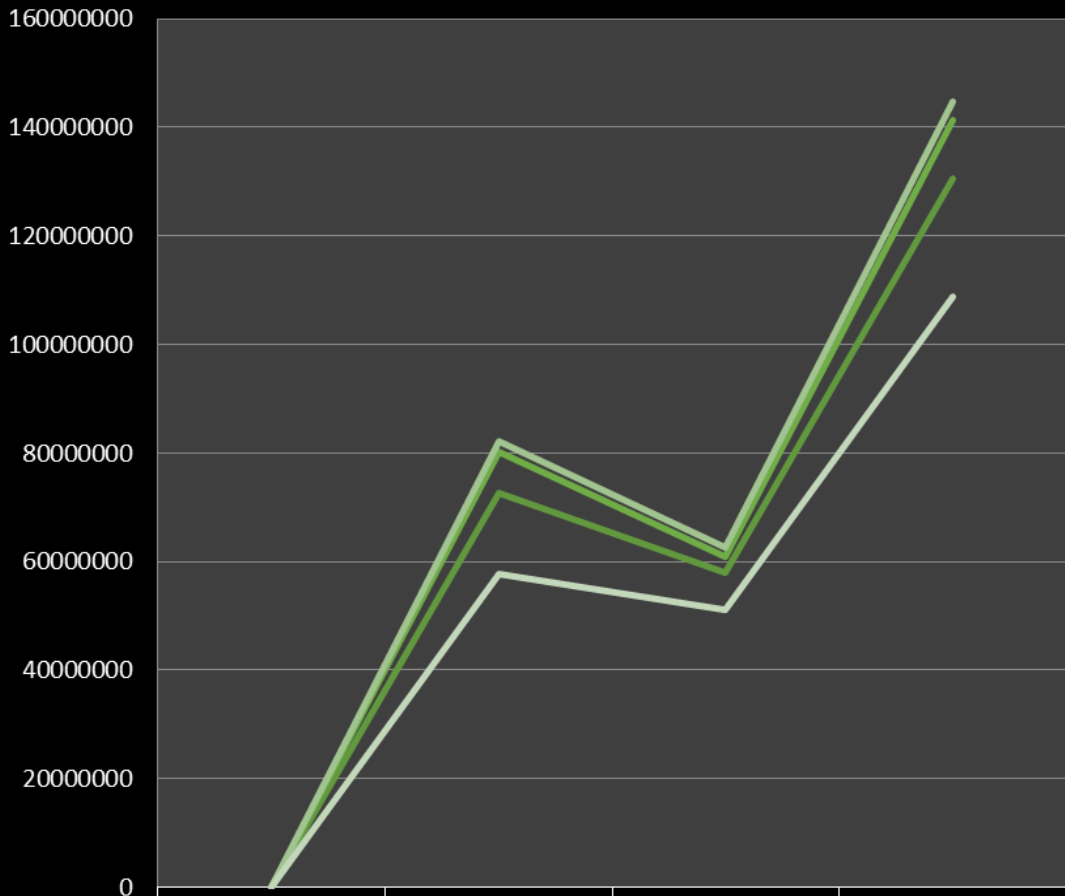
	<u>License</u>	<u>% Fees</u>	<u>Total</u>
Brewpub:	\$ 1,800.00	\$ 5,476.15	\$ 7,276.15
Cabaret:	\$ 600.00	\$ 1,983.26	\$ 2,583.26
Club:	\$ 240.00	\$ 2,475.18	\$ 2,715.18
Dispenser:			
General	\$ 9,120.00	\$ 33,518.73	\$ 42,638.73
Beer & Wine			
Hotel:	\$ 11,700.00	\$ 108,678.18	\$ 120,378.18
Manufacturer:			
Beer			
Wine	\$ 408.00	\$ -	\$ 408.00
Other Liquors	\$ 1,944.00	\$ 27.16	\$ 1,971.16
Restaurant:			
General	\$ 39,560.00	\$ 165,399.14	\$ 204,959.14
Beer & Wine	\$ 900.00	\$ 1,716.95	\$ 2,616.95
Retail:			
General	\$ 31,680.00	\$ 236,513.40	\$ 268,193.40
Beer & Wine	\$ 1,980.00	\$ 4,464.28	\$ 6,444.28
Small Craft Pub:	\$ 900.00	\$ -	\$ 900.00
Tour or Cruise Vessel:	\$ 2,400.00	\$ 2,339.14	\$ 4,739.14
Transient Vessel:	\$ 900.00	\$ -	\$ 900.00
Wholesale:			
General	\$ 8,700.00	\$ -	\$ 8,700.00
Beer & Wine			\$ -
Special:			
General	\$ 132.00	\$ -	\$ 132.00
Beer & Wine			
Temporary:	\$ 120.00	\$ -	\$ 120.00
Solicitor's Permit:	\$ 540.00	\$ -	\$ 540.00
Direct Shipment:	\$ 21,133.00	\$ -	\$ 21,133.00
		LIQUOR FUND REVENUES	<u>\$ 697,348.57</u>

OTHER LIQUOR REVENUES

Filing Fees	\$ 2,600.00	\$ 2,600.00
Fines Imposed	\$ 13,650.00	\$ 13,650.00
Sale of Pamphlets	\$ 144.00	\$ 144.00
Miscellaneous	\$ 160.00	\$ 160.00
	OTHER LIQUOR FUND REVENUES	<u>\$ 16,554.00</u>

TOTAL 2019-2020 LIQUOR FUND REVENUES \$ 713,902.57

GROSS LIQUOR SALES AT CONSUMER LEVEL



	YEAR	ON PREMISE	OFF PREMISE	TOTAL
Series2	2017	\$72,613,842.10	\$57,958,438.49	\$130,572,280.59
Series3	2018	\$80,269,431.38	\$60,989,171.88	\$141,258,603.26
Series4	2019	\$82,238,701.69	\$62,604,531.52	\$144,843,233.21
Series5	2020	\$57,698,298.44	\$51,158,030.89	\$108,856,329.33