

Proposal No. 4 – Abolishing Liquor Adjudication Board: Abolish the Liquor Control Adjudication Board and Transfer Its Function to the Liquor Control Commission

Rationale. Abolishing the Liquor Adjudication Board would save the money associated with the costs of having the Board while being unlikely to significantly vary current practices.

In 1964, the First Charter Commission discussed the role of the Liquor Commission in County government as that power was being devolved to the counties by the state government. Mr. Yokouchi suggested that the Liquor Commission be abolished altogether and decisions of a discretionary nature like liquor licenses should be determined by the council: “The council, being elected officers, should be the most responsive group to the people, and all decisions made should be handled by the council.” (Minutes of February 28, 1964) The first motion was to abolish the Liquor Commission and transfer its functions to the Finance Department. It died. The second motion was to abolish the Liquor Commission and transfer its functions to the Police Commission. It died. The third motion was to retain the Liquor Commission appointed by the mayor with council approval. It passed.

In 1990, Mayor Hannibal Tavares proposed that the charter be amended to transfer the liquor enforcement and inspectors to the Police Department so that liquor inspectors and the enforcement of liquor laws would be enlivened by the opportunity for lateral and vertical mobility within the police force as opposed liquor inspectors being stuck in one position throughout one's career. Led by Frank Silva, at the time, senior liquor investigator, the proposal was not submitted to the voters.

Currently, the original functions of the Liquor Commission have been bifurcated into Liquor Control Commission and Liquor Adjudication Board. The original concern was that licensees would get a fair process by having the quasi-judicial functions separated from the more routine licensing

process. However, currently the Liquor Adjudication Board and Liquor Control Commission are primarily composed of members who were previously members of the other Board some alternating in this fashion several times. This eliminates the primary purpose of separating these functions, produces redundancy and inefficiency.