

A G E N D A
LIQUOR COMMISSION
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI

DATE & TIME: NOVEMBER 8, 2017, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM
DAVID K. TRASK, JR. OFFICE BUILDING
2145 KAOHU STREET, ROOM 108
WAILUKU, MAUI, HAWAII 96793

I. CALL TO ORDER

II. AGENDA:

- A. Approval of Agenda for November 8, 2017

III. MINUTES:

- A. Approval of Liquor Commission minutes of October 11, 2017
- B. Approval of Executive Session summary of October 11, 2017

IV. PUBLIC TESTIMONY

V. GENERAL LICENSING MATTERS: [For Confirmation of Transient Vessel Licenses, Special Licenses, Temporary Licenses, Cancellation of Licenses, Change in Officers and Directors]

- A. **TV-17**, Intercruises Shoreside & Port Services dba Celebrity Solstice effective September 30, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- B. **TV-18**, Intercruises Shoreside & Port Services dba Celebrity Solstice effective October 1 & 3, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- C. **TV-19**, Intercruises Shoreside & Port Services dba Explorer of the Seas effective October 13, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- D. **TV-34**, Innersea Discoveries LLC dba MV Safari Explorer effective month of November 2017 at Kaunakakai, Molokai; Kaunakakai, Lanai; Manele Harbor, Lanai.

- E. **TV-35**, Innersea Discoveries LLC dba MV Safari Explorer effective month of December 2017 at Kaunakakai, Molokai; Kaunamalapau, Lanai; Manele Harbor, Lanai.
- F. **TV-36**, Innersea Discoveries LLC dba MV Safari Explorer effective month of January 2018 at Kaunakakai, Molokai; Kaunamalapau, Lanai; Manele Harbor, Lanai.
- G. **TV-37**, Innersea Discoveries LLC dba MV Safari Explorer effective month of February 2018 at Kaunakakai, Molokai; Kaunamalapau, Lanai; Manele Harbor, Lanai.
- H. **TV-38**, Innersea Discoveries LLC dba MV Safari Explorer effective month of March 2018 at Kaunakakai, Molokai; Kaunamalapau, Lanai; Manele Harbor, Lanai.
- I. **TV-39**, Innersea Discoveries LLC dba MV Safari Explorer effective month of April 2018 at Kaunakakai, Molokai; Kaunamalapau, Lanai; Manele Harbor, Lanai.
- J. **SP-02**, Maui Academy of Performing Arts dba MAPA effective October 1, 2017 at Yokouchi Family Estate, 2471 Main Street, Wailuku, Maui, Hawaii.
- K. **SP-03**, Friends of Mike White dba Friends of Mike White effective October 26, 2017 at Yokouchi Estate, 2471 West Main Street, Wailuku, Maui, Hawaii.
- L. **TEM-16**, Walgreen of Hawaii, LLC dba Walgreens for a Retail General License, effective October 2, 2017 up to and including January 29, 2018 at 342 Keawe Street, Building D, Lahaina, Maui, Hawaii.
- M. **TEM-17**, Walgreen of Hawaii, LLC dba Walgreens for a Retail General License, effective October 2, 2017 up to and including January 29, 2018 at 700 Waiale Road, Wailuku, Maui, Hawaii.
- N. **TEM-19**, Walgreen of Hawaii, LLC dba Walgreens for a Retail General License, effective October 2, 2017 up to and including January 29, 2018 at 10 East Kamehameha Avenue, Kahului, Maui, Hawaii.

- O. **TEM-20**, AGB Enterprises Inc. dba Tradewinds Mart & Deli for a Retail General License, effective October 13, 2017 up to and including February 9, 2018 at 20 Hauoli Street, Unit 101, Maalaea, Maui, Hawaii.
- P. **TEM-21**, Maui Style Market, LLC dba Maui Style Market for a Retail General License, effective October 1, 2017 up to and including January 28, 2018 at 65 West Kaahumanu Avenue, #3A, 3B, 3C, Kahului, Maui, Hawaii.
- Q. T. Ah Fook, Limited dba Ah Fook's Supermarket notifying the commission of the cancellation of liquor license.
- R. Walgreen of Maui, Inc. dba Walgreens (#384) notifying the commission of the cancellation of liquor license.
- S. Walgreen of Maui, Inc. dba Walgreens (#433) notifying the commission of the cancellation of liquor license.
- T. Walgreen of Maui, Inc. dba Walgreens (#455) notifying the commission of the cancellation of liquor license.
- U. Kyo-ya Hotels & Resorts, LP dba Sheraton Maui Hotel notifying the commission of the change of titles within the general and limited partners.
- V. Kum Corporation dba New Sandy's Lounge notifying the commission of a change of officers and directors within the corporation.
- W. WC Maui Coast LLC dba Maui Coast Hotel (#426) and Nani Gift Shop (#427) notifying the commission of the change of officer within the member.
- X. QSI, Inc. dba Times Super Market (#345 and #367) notifying the commission of the change of officers and titles within the corporation.

VI. LICENSING:

Public Hearings:

- A. **APPL. NO. 32**, Maui Exclusive Partners, LLC dba Ohana Seafood Bar & Grill for a Dispenser General License, Category C(ii) - (premises in which live entertainment or recorded music is provided) at 1945 South Kihei Road, Suite C & D, Kihei, Maui, Hawaii.
- B. **APPL. NO. 06**, Margaret, Inc. dba Nachos Grande for a Dispenser General License, Category C(ii) - (premises in which live entertainment or recorded music is provided) at 3350 Lower Honoapiilani Road, Store Nos. 502 & 503, Honokowai, Maui, Hawaii.

Preliminary Hearings:

- C. **APPL. NO. 33**, Capu Maui Corp. dba Wow-wee Maui's Kava Bar & Grill for a Dispenser General License, Category C(ii) - (premises in which live entertainment or recorded music is provided) at 333 Dairy Road, #101A, Kahului, Maui, Hawaii.
- D. **APPL. NO. 07**, Sip Sommelier Services LLC dba Sip Sommelier Services LLC for a Retail General License at 71 Baldwin Avenue, Suite C-4, Paia, Maui, Hawaii.
- E. **APPL. NO. 12**, Culinaria Restaurant Group Incorporated dba The Pour House Kapalua for a Dispenser General License, Category C(ii) - (premises in which live entertainment or recorded music is provided) at 700 Office Road, Suite A-101, Kapalua, Maui, Hawaii.
- F. **APPL. NO. 13**, AGB Enterprises Inc. dba Tradewinds Mart & Deli for a Retail General License at 20 Hauoli Street, Unit 101, Maalaea, Maui, Hawaii.
- G. **APPL. NO. 15**, Pauwela Store LLC dba Pauwela Store for a Retail General License at 375 West Kuiaha Road, Unit 35, Haiku, Maui, Hawaii.

VII. OTHER LICENSING MATTERS:

- A. Mid Pac Petroleum, LLC dba Mako's Mart (#107 and #340) requesting commission approval to change the existing trade name to nomnom, pursuant to Section 08-101-36 of the Rules

of the Liquor Commission, County of Maui.

- B. Goose's Edge, Inc. dba Dairy Road Express Mart requesting commission approval to change the existing trade name to Dairy Road 76, pursuant to Section 08-101-36 of the Rules of the Liquor Commission, County of Maui.
- C. Freshies Maui Corp. dba Freshies Maui, Dispenser Beer and Wine License, Category C(ii), requesting commission approval to extend their hours of operation to 7:00 a.m., with no liquor service until 8:00 a.m., pursuant to Section 08-101-25 of the Rules of the Liquor Commission, County of Maui.
- D. Lahaina Beverage Management, Inc. dba Safeway, Retail General License, at 277 Pi'ikea Avenue, Kihei, Maui, Hawaii, requesting an extension to exercise the liquor license pursuant to Section 08-101-34(c) of the Rules of the Liquor Commission, County of Maui. License granted by the commission on July 12, 2017; to expire on January 7, 2018.
- E. Lahaina Beverage Management, Inc. dba Safeway, Retail General License, at 170 E. Kamehameha Avenue, Kahului, Maui, Hawaii, requesting an extension to exercise the liquor license pursuant to Section 08-101-34(c) of the Rules of the Liquor Commission, County of Maui. License granted by the commission on July 12, 2017; to expire on January 7, 2018.
- F. Safeway Inc. dba Safeway (#070 and #134) requesting commission approval for a change of stockholder within the corporation.

The Commission anticipates that it may convene in executive session on the above items pursuant to Sections 92-4 and 92-5(a)(4), Hawaii Revised Statutes, to consult with its attorney on the Commission's powers, duties, privileges, immunities, and liabilities.

VIII. ADMINISTRATIVE AFFAIRS:

- A. Department's proposed rule amendments for Commission consideration and processing in accordance with Section 08-102-11 of the Rules Governing Administrative Practices and

Procedures of the Liquor Commission and Liquor Control Adjudication Board of the County of Maui:

1. Section 08-101-5: Definitions.
 - Adds and amends definition of
 - Establishment gross revenues
 - Industry member
2. Section 08-101-25(a)(3) and (a)(5): Hours for the sale, service, and consumption of liquor in licensed premises.
 - for hotel and condominiums, amends hours to 6:00 a.m. to 4:00 a.m., the following day, and any hour of the day for room service
 - for manufacturers and wholesalers, amends hours from 5:00 a.m. to 9:00 p.m.
3. Section 08-101-30(b): Application.
 - Amends the acceptance of state and federal tax clearances from 60 days to 90 days
4. Section 08-101-33(a): Renewal of license.
 - Amends the acceptance of state and federal tax clearances from 60 days to 90 days
5. Section 08-101-41 (a) and (f): Criminal history record check.
 - For publicly-traded companies, requires criminal history record checks only of designated primary decision-makers
 - Provides licensees the option of using the department's electronic livescan fingerprinting service or the Field Print Hawaii services
6. Section 08-101-50 (c)(7) and (8), (f): Fees for liquor license, temporary license, duplicate license; solicitors' and representatives' permits; certificate for registration of employee approved by the director, minor, employee of class 5, category D, or any duplicate thereof; and others and terms.

- Requires new fee for a Rule Book or List of Licensees
 - Requires new fee for permit for direct shipment of wine by wineries
 - Provides that the filing fee deposited with an application be credited towards the license fee
7. Section 08-101-73(i) and (j): Employment and registration of minors.
- Establishes new subsections to expedite processing of minors engaged in charitable entertainment
8. Section 08-101-107: Manufacturer or wholesaler; special license exception.
- Amends title to Industry member.

The Commission anticipates that it may convene in executive session on the above items pursuant to Sections 92-4 and 92-5(a)(4), Hawaii Revised Statutes, to consult with its attorney on the Commission's powers, duties, privileges, immunities, and liabilities.

- B. Annual review and evaluation of the performance of the Director of the Department of Liquor Control.

The Commission anticipates that it may convene in executive session pursuant to HRS §§ 92-4 and 92-5(a)(4) to consult with its attorney on the Commission's powers, duties, privileges, immunities, and liabilities; and pursuant to HRS §§ 92-4 and 92-5(a)(2) to consider the evaluation of an officer or employee where consideration of matters affecting privacy will be involved.

- C. Director's Monthly Report:
1. State Conference
 2. Small Business Review and Advisory Committee
 3. GPS
- D. Approval of Forms:

1. DLC-001, License Application Checklist
2. DLC-006, Personal History Statement of Applicant
3. DLC-016, Application for Special Liquor License
4. DLC-030, Special License Application Checklist

- E. Liquor Control Adjudication Board:
1. No November Meeting

IX. ADJOURNMENT

NEXT LIQUOR COMMISSION MEETING WILL BE HELD ON DECEMBER 13, 2017, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 108, WAILUKU, MAUI, HAWAII.

Persons interested in presenting written testimony of any agenda item shall submit the signed written testimony to the Director, Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, at or prior to the time of the hearing.

If you require an auxiliary aid or accommodation due to a disability, please contact the Director three working days prior to the scheduled hearing. The request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, or by calling 243-7753.