

LIQUOR COMMISSION  
DEPARTMENT OF LIQUOR CONTROL  
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS  
REGULAR MEETING

Held at the Department of Liquor Control Conference Room, David K. Trask, Jr. Office Building, 2145 Kaohu Street, Room 108, Wailuku, Maui, Hawaii, commencing at 9:02 a.m., on Wednesday, January 10, 2018.

Reported by: Tonya McDade, CSR, RPR, CRC  
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APPEARANCES

Robert Tanaka, Chairperson  
Darren Lopez, Vice-Chairperson  
Nane Aluli, Commissioner  
Leon Bolosan, Commissioner  
Roy Umeno, Commissioner  
STAFF PRESENT:  
Edward Kushi, Jr., First Deputy Corporation Counsel  
Glenn Mukai, Director  
Layne Silva, Liquor Control Officer III  
Jarrett Kahooohanohano, Liquor Control Officer III  
Sandra Kobayashi, Liquor Control Officer III  
Karilee Yoshizawa, Liquor Control Officer IV

1 (Wednesday, January 10, 2018, 9:02 a.m.)

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3 CHAIR TANAKA: (Gavel.) Liquor Commission  
4 meeting called to order. Let's have roll call. Kari.

5 MS. YOSHIZAWA: Kari Yoshizawa, Liquor Control.

6 COMMISSIONER ALULI: Nane Aluli. Aloha.

7 COMMISSIONER UMENO: Good morning. Roy Umeno.

8 MR. KUSHI: Ed Kushi.

9 CHAIR TANAKA: Good morning. Bob Tanaka.

10 VICE-CHAIR LOPEZ: Good morning. Darren Lopez.

11 COMMISSIONER BOLOSAN: Aloha. Leon Bolosan.

12 DIRECTOR MUKAI: Glenn Mukai, Liquor Control.

13 MR. SILVA: Layne Silva, Liquor Control.

14 MR. KAHOOHANOHANO: Jarrett Kahooohanohano,  
15 Liquor Control.

16 CHAIR TANAKA: Thank you. You have your agenda  
17 for January 10, 2018. If there's no questions or  
18 comments, may I have a motion for approval?

19 VICE-CHAIR LOPEZ: So moved.

20 COMMISSIONER UMENO: Second.

21 CHAIR TANAKA: Moved and seconded. All in  
22 favor, say "aye."

23 (Response.)

24 CHAIR TANAKA: You, also, have your minutes of  
25 December 13, 2017. If there's no questions or comments,

1 may I have a motion for approval?

2 VICE-CHAIR LOPEZ: So moved.

3 COMMISSIONER UMENO: Second.

4 CHAIR TANAKA: Moved and seconded. All in  
5 favor, say "aye."

6 (Response.)

7 CHAIR TANAKA: Okay. Let's go on to General  
8 Licensing Matters, Item A through M. If there's no  
9 comments or questions, may I have a motion for  
10 confirmation?

11 COMMISSIONER UMENO: I move to approve changes  
12 in Items A to M.

13 COMMISSIONER ALULI: Second.

14 CHAIR TANAKA: Confirmation?

15 COMMISSIONER UMENO: Yes.

16 CHAIR TANAKA: Okay, moved and seconded. All in  
17 favor, say "aye."

18 (Response.)

19 CHAIR TANAKA: Opposed, "no."

20 (No response.)

21 CHAIR TANAKA: Motion carried. Thank you.

22 Okay. Let's go on to public hearings. Application Number  
23 33, Capu Maui Corporation.

24 SPEAKER: Good morning.

25 CHAIR TANAKA: State your name and --

1 MS. GARDE: Melanie Garde. I am the Vice  
2 President of Capu Maui Corp.

3 CHAIR TANAKA: Thank you. Okay, Layne.

4 MR. SILVA: Public hearing for Capu Maui Corp.,  
5 Application Number 33. The applicant is Capu Maui Corp.  
6 doing business as Wow-wee Maui's Kava Bar & Grill. The  
7 proposed premises is located at 333 Dairy Road, Number  
8 101A, Kahului, Maui, Hawaii. This is a public hearing for  
9 a new Dispenser General License, Category C(ii).

10 Documents necessary for completing the remaining  
11 application requirements for a liquor license are listed  
12 in the summary report.

13 Notice of public hearing was published in "The  
14 Maui News" on November 15th and 22nd, 2017. There are a  
15 total of 76 owners and lessees situated within 500 feet of  
16 the proposed premises. The Department did not receive any  
17 protests.

18 CHAIR TANAKA: Thank you. Do you have anything  
19 else to add?

20 MS. GARDE: No, sir.

21 CHAIR TANAKA: Okay. Since this is a public  
22 hearing item, I'm gonna open it to the public. Anybody  
23 for or against this application? Okay. Seeing none, any  
24 questions by the Commissioners? Okay. If there's no  
25 questions, may I have a motion?

1           COMMISSIONER UMENO: I move to approve  
2 Application Number 33 upon the -- conditioned upon the  
3 applicant completing the remaining applicant requirements  
4 to the satisfaction of the Liquor Department.

5           COMMISSIONER ALULI: Second.

6           CHAIR TANAKA: Okay, moved and seconded. All in  
7 favor, say "aye."

8           (Response.)

9           CHAIR TANAKA: Opposed, "no."

10          (No response.)

11          CHAIR TANAKA: Motion carried. Thank you.  
12 Application Number 04, Maui Grill Kaanapali.

13          MS. STALEY: Good morning. I'm Susan Staley,  
14 sole member of Maui Grill Kaanapali.

15          CHAIR TANAKA: Thank you. Jarrett.

16          MR. KAHOOHANOHANO: Public hearing for Maui  
17 Grill Kaanapali, Application Number 04. Applicant is Maui  
18 Grill Kaanapali LLC doing business as Maui Grill  
19 Kaanapali. Proposed premises of the location is 2291  
20 Kaanapali Parkway, Kaanapali, Maui, Hawaii. This is for a  
21 new Dispenser license, Category C(ii).

22                 The documents necessary for completing the  
23 remaining application requirements for the liquor license  
24 are listed in the summary report.

25                 Notice of public hearing was published in "The

1 Maui News" on November 22nd and 29th of 2017. There are a  
2 total of 10 owners and lessees situated within the 500  
3 feet of the proposed premises. The Department did not  
4 receive any protests.

5 CHAIR TANAKA: Thank you. Do you have anything  
6 else to add?

7 MS. STALEY: I do not.

8 CHAIR TANAKA: Okay. I'm gonna open it to the  
9 public for any public testimony. Anybody for or against  
10 this application? Okay. Seeing none, any questions by  
11 the Commissioners? I have one question, Glenn.

12 DIRECTOR MUKAI: Yes.

13 CHAIR TANAKA: This is the one the downstairs  
14 included, too?

15 DIRECTOR MUKAI: Yes.

16 CHAIR TANAKA: Yeah.

17 DIRECTOR MUKAI: They -- they complied with the  
18 requirements, so we did an extension --

19 CHAIR TANAKA: Oh.

20 DIRECTOR MUKAI: -- of premises.

21 CHAIR TANAKA: So --

22 DIRECTOR MUKAI: That -- that's included.

23 CHAIR TANAKA: That's included?

24 DIRECTOR MUKAI: Yes.

25 CHAIR TANAKA: Okay. Thank you. Okay. Any

1 questions by the Commissioners?

2 COMMISSIONER ALULI: Yeah. So you're gonna be  
3 responsible for where the hamburger joint used to be  
4 downstairs, too, then, right?

5 MS. STALEY: Yeah.

6 COMMISSIONER ALULI: Is that correct?

7 MS. STALEY: Correct.

8 COMMISSIONER ALULI: And so this liquor license  
9 covers both those, both upstairs and downstairs?

10 MS. STALEY: Yes, it does.

11 CHAIR TANAKA: Okay. Any other questions?  
12 Okay. If not, may I have a motion?

13 COMMISSIONER UMENO: I move to approve  
14 Application Number 04 conditioned upon the applicant  
15 completing the remaining application requirements.

16 COMMISSIONER ALULI: Second.

17 CHAIR TANAKA: Moved and seconded. All in  
18 favor, say "aye."

19 (Response.)

20 CHAIR TANAKA: Opposed, "no."

21 (No response.)

22 CHAIR TANAKA: Motion carried.

23 (No response.)

24 CHAIR TANAKA: Thank you.

25 MS. STALEY: Thank you.



1 CHAIR TANAKA: Application Number 05, Raining  
2 Kind LLC.

3 MR. HARGROVE: Good morning. John Hargrove,  
4 member agent, Raining Kind LLC.

5 CHAIR TANAKA: Thank you. Layne.

6 MR. SILVA: Application Number 05, applicant is  
7 Raining Kind LLC doing business as Las Pinatas of Maui.  
8 The proposed premises is located at 395 Dairy Road, Space  
9 J, Kahului, Maui, Hawaii. This is a public hearing for a  
10 new Restaurant Beer and Wine license, Category A.

11 The documents necessary for completing the  
12 remaining application requirements for a liquor license  
13 are listed in the summary report.

14 Notice of public hearing was published in "The  
15 Maui News" on November 1st and 8th of 2017. There are a  
16 total of 23 owners and lessees situated within 500 feet of  
17 the proposed premises. The Department did not receive any  
18 protests.

19 CHAIR TANAKA: Thank you. Anything else to add?

20 MR. HARGROVE: No, sir.

21 CHAIR TANAKA: Okay. I'm gonna open it to the  
22 public for any public testimony. Anybody for or against  
23 this application? Okay. Seeing none, any questions by  
24 the Commissioners? If there's no questions, may I have a  
25 motion?

1 COMMISSIONER UMENO: I move to approve  
2 Application Number 05 conditioned upon the applicant  
3 completing the remaining application requirements.

4 COMMISSIONER ALULI: Second.

5 CHAIR TANAKA: Okay, moved and seconded. All in  
6 favor, say "aye."

7 (Response.)

8 CHAIR TANAKA: Opposed, "no."

9 (No response.)

10 CHAIR TANAKA: Motion carried. Thank you.  
11 Application Number 07, Sip Sommelier Services.

12 MR. ADKISSON: Good morning. I'm Jonathan  
13 Adkisson, member/agent.

14 CHAIR TANAKA: Thank you. Layne.

15 MR. SILVA: Application Number 07, the applicant  
16 is Sip Sommelier Services LLC doing business as Sip  
17 Sommelier Services LLC. The proposed premises is located  
18 at 71 Baldwin Avenue, Suite C-4, Paia, Maui, Hawaii. This  
19 is a public hearing for a new Retail General license.

20 The documents necessary for completing the  
21 remaining application requirements for a liquor license  
22 are listed in the summary report.

23 Notice of public hearing was published in "The  
24 Maui News" on November 15th and 22nd. There are a total  
25 of 145 owners and lessees situated within 500 feet of the

1 proposed premises. The Department had -- did not receive  
2 any protests.

3 There is an additional investigator's report  
4 attached to this based on the conversation that took place  
5 during the preliminary hearing.

6 CHAIR TANAKA: Okay. Do you have anything else  
7 to add?

8 MR. ADKISSON: Just that I did have an  
9 understanding that, last time we had our preliminary  
10 hearing, we talked about maybe doing a conditional  
11 licensing just because where our situation is, where we're  
12 situated, due to the doors. So I did submit a letter to  
13 Layne showing that we could have the doors completely  
14 available always from 8:00 a.m. to 5:00 p.m., and seeing  
15 if we could have a conditional license only to sell then.  
16 So there would be no hinderance in anything at all.

17 MR. SILVA: Mr. Chair, I have an additional  
18 report that I can read to the Commission.

19 CHAIR TANAKA: Okay, please.

20 MR. SILVA: More information. Application  
21 Number 07, Retail General, applicant Sip Sommelier  
22 Services LLC doing business as Sip Sommelier Services LLC  
23 applying for a Retail General license. Members and agent  
24 of the member-managed LLC are listed in the investigator's  
25 report.

1           The proposed premises is a single-story  
2 structure with one entrance and exit, no windows to the  
3 outside, consisting of approximately 270 square feet.  
4 It's located within the Paia Plaza, 71 Baldwin Avenue,  
5 Suite C-4 Paia, Maui, Hawaii. The premises is situated  
6 within the building in a location that cannot be viewed  
7 from outside of said building.

8           A site inspection was conducted on August 30th,  
9 2017, at which time the investigator had found the  
10 entrance into Paia Plaza was locked. The investigator had  
11 to call Jonathan Wyatt Adkisson, who unlocked the door  
12 from the inside to allow access to the proposed premises.

13           Background information: On November 7, 2017, at  
14 the request of the Department, the applicant submitted a  
15 letter explaining the accessibility of the proposed  
16 premises. The letter states that the building, Paia  
17 Plaza, in which the premises is located, shall remain  
18 unlocked during business hours, identifying those hours as  
19 10:00 a.m. 'til 8:00 p.m., Sunday through Monday, and that  
20 it will be accessible at all times during those hours.  
21 The applicant reported that they have a key that allows  
22 them access to the premises 24 hours a day.

23           Within the liquor license application, the  
24 applicant indicated that they will be open for business  
25 from 8:00 a.m. 'til 11:00 p.m.

1           On November 8, 2017, the applicant appeared  
2 before the Liquor Commission for the preliminary hearing.  
3 During the meeting, there were concerns regarding access  
4 to the premises by investigators of the Department of  
5 Liquor Control. During the discussion between the  
6 Commission and Derrin Kaiana Abac, who was representing  
7 the applicant at the time, it was stated that they would  
8 work with the landlord to address the issue of no access  
9 from 10:00 p.m. to 8:00 a.m.

10           Derrin Kaiana Abac stated that he would resolve  
11 the issue with the landlord regarding access to the  
12 premises prior to the public hearing.

13           The Commission agreed to take up the matter at  
14 the public hearing and may consider placing conditions  
15 requiring access to the proposed premises.

16           On January 2nd, 2018, at about 1:19 p.m., the  
17 Department received a letter signed by Jonathan Adkisson,  
18 not the landlord, stating that the main entrance to the  
19 building is a double door entrance and that it shall  
20 remain unlocked during business hours of 8:00 a.m. to 5:00  
21 p.m.

22           The letter received prior to the preliminary  
23 hearing was from the landlord, which mentioned the times  
24 of 10:00 a.m. 'til 8:00 p.m., Sunday through Monday. And  
25 the letter received on January 2nd, 2018, signed by the

1 applicant, now indicates that the entrance will be  
2 unlocked between the hours of 8:00 a.m. to 5:00 p.m.,  
3 which is a substantial reduction to the times that the  
4 Department would have access to the proposed premises and  
5 conflicts with what was submitted from the landlord.

6           Again, this situation is unique in a way that no  
7 other licensed premises within Maui County is located  
8 within a secured building. The Department would not have  
9 access to and the ability to conduct inspection --  
10 inspections of said premises from 5:00 p.m. 'til 8:00 a.m.  
11 daily.

12           The rules and laws regarding the requirement is  
13 HRS Section 281-20, general right of inspection, states:  
14 Any investigator may, at all times, without notice and  
15 without any search warrant or other legal process, visit  
16 and have immediate access to every part of the premises of  
17 every licensee for the purpose of making any examination  
18 or inspection thereof, or inquiry into the books and  
19 records therein, to ascertain whether all of the  
20 conditions of the licensee and all provisions of this  
21 chapter and Chapter 244D are being complied with by the  
22 licensee.

23           HRS, Section 281-79, entry for examination;  
24 obstructing liquor commission operations; and penalty,  
25 states: Every investigator shall, and any officer having

1 police power may, at all time -- at all reasonable times,  
2 and at any time whatsoever if there is any reasonable  
3 ground for suspicion that the conditions of any license  
4 are being violated, without warrant, enter into and upon  
5 any licensed premises and inspect the same and every part  
6 thereof, and any books or records therein, to ascertain  
7 whether or not all conditions of the license and all  
8 provisions of this chapter and Chapter 244D are being  
9 complied with by the licensee.

10           If any investigator or officer, or any person  
11 called by the investigator or officer to the  
12 investigator's or officer's aid, is threatened with the  
13 use of violence, force or physical interference or  
14 obstacle, or is hindered, obstructed or prevented by any  
15 licensee, the licensee's employees, or any other person,  
16 from entering into any such premises, or whenever any  
17 investigator or officer is by any licensee, the licensee's  
18 employees, or any other person opposed, obstructed or  
19 molested in the performance of the officer's duty in any  
20 respect, the licensee, the licensee's employee, or any  
21 other person, shall be fined not more than \$2,000 or  
22 imprisoned not more than one year, or both.

23           Whenever any investigator or officer, having  
24 demanded admittance into any licensed premises and  
25 declared the investigators or officer's name and office,

1 is not admitted by the licensee or the person in charge of  
2 the premises, it shall be lawful for the investigator or  
3 officer to forcibly, and, in any manner, to break into and  
4 enter the premises.

5 The Department is recommending that the  
6 Commission disapprove this application unless the  
7 applicant can provide the Department unrestricted access  
8 to the premises.

9 CHAIR TANAKA: Do you have any comments to --

10 MR. ADKISSON: Yeah. The reason why I wrote the  
11 letter with the hours changing, because the double doors  
12 that we do have, I assumed that it would be better for me  
13 to shorten my hours. So, that way, it was more -- a  
14 better chance that the doors would always remain unlocked.  
15 Because there are several businesses that are honest, the  
16 doors should stay open, no matter what, from 8:00 a.m. to  
17 8:00 p.m., but that's not always guaranteed because some  
18 of these offices close early. But it is guaranteed to be  
19 open from 8:00 to 5:00 p.m., which is why I submitted the  
20 letter saying that's why we would change our hours. Just  
21 we are being -- the -- the type of retail that we are --  
22 we are trying to do in this -- in this area isn't so much  
23 volume as it is quality. So we're trying to secure  
24 hard-to-get wines and things like that. So we don't need  
25 to be open for an extreme amount of time because it's more



1 a specific clientele that we're reaching out to. And so  
2 that's kind of why we chose this location. And we'll do  
3 anything we need to, to make sure that this can be  
4 approved, but I was just trying to make sure, with a  
5 different letter, that all covers are based -- or --  
6 all -- everything was covered.

7 CHAIR TANAKA: Thank you. Since this is a  
8 public hearing item, I'm gonna open it to the public.  
9 Anybody for or against this application? Okay. Seeing  
10 none, I get a question. You're saying that now your  
11 business hours is from 8:00 a.m. to 5:00 p.m.?

12 MR. ADKISSON: Yeah.

13 CHAIR TANAKA: You want to close at 5:00 p.m.?

14 MR. ADKISSON: Yeah, I want to close at 5:00  
15 p.m.

16 CHAIR TANAKA: You're gonna open at 8:00.?

17 MR. ADKISSON: Open at 8:00.

18 CHAIR TANAKA: Okay. And the sales of alcohol  
19 is between 6:00 and --

20 MR. SILVA: 6:00 a.m. and 11:00 p.m.

21 CHAIR TANAKA: Any other questions by the  
22 Commissioners? Okay. Glenn.

23 DIRECTOR MUKAI: Yes.

24 CHAIR TANAKA: If he says that he gonna open at  
25 8:00 and close at 5:00, then the Department has no

1 problems with going into the premise and inspect after  
2 those hours, yeah? He gotta close, anyway, right?

3 DIRECTOR MUKAI: We have no access. We can't  
4 verify that he's closed.

5 CHAIR TANAKA: How you gonna --

6 MR. ADKISSON: Well, the doors should remain --  
7 remain open 'til 8:00 p.m. So that's why I figure if I  
8 close at 5:00, if they want to come in and see if I was  
9 closed, the doors would be open.

10 CHAIR TANAKA: So the access will be open?

11 MR. ADKISSON: Yeah. I guess what I was saying  
12 was that, no matter what, in my letter, I must -- I may  
13 have written it incorrectly. I figure if we shorten our  
14 hours to that point in time, they would have time to come  
15 in after hours and see that we're, actually, closed.  
16 Because there is double doors to the building. I -- I  
17 submitted a floor plan. So, that way -- because whenever  
18 I let Layne in the first time, I brought him to the back  
19 door which was -- I didn't understand it was the back at  
20 the time. So my thought and my idea was that if we close  
21 at 5:00, they show up, the double doors will still remain  
22 unlocked, but, by 8:00 p.m., they -- security comes and  
23 makes sure everything is locked. So they would have the  
24 opportunity to come in and make sure that we were closed.

25 CHAIR TANAKA: Okay. Any -- any other

1 questions?

2 VICE-CHAIR LOPEZ: Yeah, I get one. So there  
3 was a conflicting time with you and the landlord. Is  
4 there any -- you came to an agreement that you will be --  
5 because he stated 10:00, the landlord, right?

6 MR. ADKISSON: 10 -- 10:00 a.m., yeah.

7 VICE-CHAIR LOPEZ: You're saying 8:00?

8 MR. ADKISSON: 8:00, yeah, because the double  
9 doors on the very front have business hours 8:00 a.m. to  
10 5:00 p.m. for the business that are there, but the doors  
11 are opened at 8:00 a.m. The back door is accessible  
12 always. It's just you have to open it from the inside.  
13 So from 8:00 a.m. to 8:00 p.m., the doors are available,  
14 someone can always walk through. It's just that security  
15 comes at 8:00 p.m. and makes sure everything is locked.

16 COMMISSIONER UMENO: For all the tenants?

17 MR. ADKISSON: For all the tenants, yeah, make  
18 sure that the alarm is on. And there's always a security  
19 as well after 8:00 p.m. until -- until 8:00 a.m.

20 CHAIR TANAKA: Okay.

21 MR. KUSHI: Mr. Chair, if I may, whatever the  
22 tenant and the landlord agrees, I guess, is up to them,  
23 but it seems, from the Department's report, their concern  
24 is that they can't have access from 5:00 p.m. to the  
25 following 8:00 a.m. daily. Maybe you should question the

1 Department why should they, you know, inspect the premises  
2 at 1:00 a.m. when the whole building is closed.

3 MR. SILVA: Well, it's because the hours allowed  
4 for the sale and service are from 6:00 a.m. to 11:00 p.m.  
5 So --

6 MR. KUSHI: But they cutting their hours down.

7 MR. SILVA: And that's what's -- was stated in  
8 his letter, yes.

9 MR. KUSHI: So if they cut their hours down, you  
10 guys still disagree?

11 MR. SILVA: Well, I cannot say if we disagree or  
12 agree.

13 CHAIR TANAKA: Question. You're saying that  
14 your business hours gonna be 8:00 to 5:00?

15 MR. ADKISSON: Yes.

16 CHAIR TANAKA: You cannot deviate from that  
17 because the Commission has to approve your hours of  
18 operation, whether you sell alcohol or not.

19 MR. ADKISSON: Right.

20 CHAIR TANAKA: You agree -- agree with that?

21 MR. ADKISSON: Yeah, absolutely.

22 CHAIR TANAKA: Okay. And -- and the Department  
23 can go in there 'til --

24 MR. ADKISSON: 'Til 8:00 p.m. is whenever the --  
25 the building will be closed. I mean, if they came in and

1 said who they were, security would, most likely, let them  
2 in anytime of the night, as long as they knew. Because we  
3 were a security officer that -- that's patrolling there as  
4 well. But I figured, for -- for everybody's benefit, as  
5 long as everything is clear, we make this, it would be a  
6 little bit easier for -- for everybody.

7 MR. KUSHI: But you won't be there. You won't  
8 be even there because you close at 5:00.

9 MR. ADKISSON: No. Yeah, we close at 5:00. We  
10 won't be there.

11 CHAIR TANAKA: Okay. If you close after 5:00,  
12 you know you're in violation?

13 MR. ADKISSON: Absolutely.

14 CHAIR TANAKA: Even though you're not selling  
15 alcohol.

16 MR. ADKISSON: Right.

17 CHAIR TANAKA: I don't see any problem with  
18 that. I think the Commission can give him that exemption.  
19 Yeah. Any other questions by the Commissioners?

20 COMMISSIONER UMENO: Are we going to put that  
21 condition on?

22 CHAIR TANAKA: Yeah, as a condition.

23 MR. KUSHI: Just their hours.

24 CHAIR TANAKA: Just the hours.

25 COMMISSIONER UMENO: I move to approve

1 Application Number 07 with -- with the condition that the  
2 hours of operation is from 8:00 a.m. to 5:00 p.m.

3 COMMISSIONER ALULI: Second.

4 COMMISSIONER UMENO: And completing the  
5 remaining application requirements.

6 COMMISSIONER ALULI: I'll second.

7 CHAIR TANAKA: Okay, moved and second. All in  
8 favor, say "aye."

9 (Response.)

10 CHAIR TANAKA: Opposed, "no."

11 (No response.)

12 CHAIR TANAKA: Motion carried.

13 MR. ADKISSON: Thank you so much.

14 CHAIR TANAKA: Now, don't sell after 5:00.

15 MR. ADKISSON: Yes, sir.

16 CHAIR TANAKA: Okay. Let's go on to Application  
17 Number 12, Culinaria Restaurant Group.

18 MR. NAKAMURA: Good morning, Mr. Chair, Members  
19 of the Commission. Happy new year. Craig Nakamura,  
20 attorney on behalf of the applicant. And this is  
21 Mr. Morris Levy -- Levy who is the sole officer and  
22 director and shareholder of the corporation.

23 CHAIR TANAKA: Thank you. Okay. Jarrett.

24 MR. KAHOOHANOHANO: This is a public hearing for  
25 Culinaria Restaurant Group Incorporated, Application

1 Number 12. The applicant is Culinaria Restaurant Group  
2 Incorporated doing business as The Pour House Kapalua.  
3 The proposed premises is located at 700 Office Road, Suite  
4 A-101, Kapalua, Maui, Hawaii. This is a public hearing  
5 for a new Dispenser General License, Category C(ii).

6 Notice of public hearing was published in "The  
7 Maui News" on November 15th and 22nd, of 2017. There are  
8 a total of 162 owners and lessees situated within 500 feet  
9 of the proposed premises. The Department did not receive  
10 any protests.

11 CHAIR TANAKA: Thank you. Anything else to add?

12 MR. NAKAMURA: Nothing further at this time,  
13 Mr. Chair.

14 CHAIR TANAKA: Okay. Since this is a public  
15 hearing item, I'm gonna open it to the public. Anybody  
16 for or against this application? Okay. Seeing none, any  
17 questions by the Commissioners?

18 COMMISSIONER ALULI: Yeah, I just got one  
19 question. Is this the location that used to have that  
20 wine --

21 MR. NAKAMURA: Wine Palette.

22 COMMISSIONER ALULI: Palette.

23 MR. NAKAMURA: Wine Palette.

24 COMMISSIONER ALULI: Okay. Same location?

25 MR. NAKAMURA: Yes, same location.

1 COMMISSIONER ALULI: Different ownership, then?

2 MR. NAKAMURA: Different owners. Thank you.

3 CHAIR TANAKA: Okay. Any other questions? If  
4 not, may I have a motion?

5 COMMISSIONER UMENO: I move to approve  
6 Application Number 12 conditioned upon the applicant  
7 completing the remaining application requirements.

8 COMMISSIONER ALULI: Second.

9 CHAIR TANAKA: Moved and seconded. All in  
10 favor, say "aye."

11 (Response.)

12 CHAIR TANAKA: Opposed, "no."

13 (No response.)

14 CHAIR TANAKA: Motion carried.

15 MR. NAKAMURA: Thank you very much.

16 CHAIR TANAKA: Application Number 13, AGB  
17 Enterprises Inc.

18 MS. IDE: Good morning. My name is Rungtiwa  
19 Ide, I'm the President of AGB Enterprises Inc.

20 CHAIR TANAKA: Thank you. Layne.

21 MR. SILVA: Application Number 13, the applicant  
22 is AGB Enterprises Inc. doing business as Tradewinds Mart  
23 & Deli. The proposed premises is located at 20 Hauoli  
24 Street, Unit 101, Maalaea, Maui, Hawaii. This is a public  
25 hearing for a new Retail General license.



1           The documents necessary for completing the  
2 remaining application requirements for a liquor license  
3 are listed in the summary report.

4           Notice of public hearing was published in "The  
5 Maui News" on November 15th and 22nd, 2017. There are a  
6 total of 412 owners and lessees situated within 500 feet  
7 of the proposed premises. The Department did not receive  
8 any protests.

9           CHAIR TANAKA: Thank you. You get anything else  
10 to add?

11           MS. IDE: No, sir.

12           CHAIR TANAKA: Okay. Since this is a public  
13 hearing item, I'm gonna open it to the public. Anybody  
14 for or against this application? Okay. Seeing none, any  
15 questions by the Commissioners? If there's no questions,  
16 may I have a motion?

17           COMMISSIONER UMENO: I move to approve  
18 Application Number 13 conditioned upon the applicant  
19 completing the remaining application requirements.

20           COMMISSIONER ALULI: Second.

21           CHAIR TANAKA: Moved and seconded. All in  
22 favor, say "aye."

23           (Response.)

24           CHAIR TANAKA: Opposed, "no."

25           (No response.)

1 CHAIR TANAKA: Motion carried. Thank you.

2 MS. IDE: Thank you.

3 CHAIR TANAKA: Application Number 15, Pauwela  
4 Store.

5 MR. NAKAMURA: Good morning again, Mr. Chair.  
6 Craig Nakamura, attorney on behalf of the applicant. This  
7 is Mr. Michael Grier who is the member, manager and agent  
8 of the LLC.

9 CHAIR TANAKA: Thank you. Layne.

10 MR. SILVA: Application Number 15, the applicant  
11 is Pauwela Store LLC doing business as Pauwela Store. The  
12 proposed premises is located at 375 West Kuiaha Road, Unit  
13 35, Haiku, Maui, Hawaii. This is a public hearing for a  
14 new Retail General license.

15 The documents necessary for completing the  
16 remaining application requirements for a liquor license  
17 are listed in the summary report.

18 Notice of public hearing was published in "The  
19 Maui News" on November 22nd and 29th, 2017. There are a  
20 total of 66 owners and lessees situated within 500 feet of  
21 the proposed premises. The Department did not receive any  
22 protests.

23 The Department did receive three letters in  
24 support of the application from property owners within a  
25 500-foot radius, and 163 letters in support from people

1 outside of the 500-foot radius.

2 CHAIR TANAKA: Thank you. Anything else to add,  
3 Craig?

4 MR. NAKAMURA: This is a small market in Pauwela  
5 Cannery. They've been open for about six months. And  
6 they thought to serve the community, for the convenience  
7 of the people, it would be good to have a liquor license.  
8 And you can see from the letters of support that the  
9 community does want this. So we appreciate your support.  
10 Thank you.

11 CHAIR TANAKA: Okay. Thank you. Since this is  
12 a public hearing item, I'm gonna open it to the public.  
13 Anybody for or against this application? Okay. Seeing  
14 none, any questions by the Commissioners? Okay. If  
15 there's no questions, may I have a motion?

16 COMMISSIONER UMENO: I move to approve  
17 Application Number 15 conditioned upon the applicant  
18 completing the remaining application requirements.

19 COMMISSIONER ALULI: Second.

20 CHAIR TANAKA: Moved and seconded. All in  
21 favor, say "aye."

22 (Response.)

23 CHAIR TANAKA: Opposed, "no."

24 (No response.)

25 CHAIR TANAKA: Motion carried. Thank you.

1 MR. NAKAMURA: Thank you very much. Thank you.

2 CHAIR TANAKA: Okay. Let's go on to Preliminary  
3 Hearings. You know what, I'm gonna take Application TA-01  
4 and TA-02 together since they're the same applicant and  
5 same request, but, at the public hearing, we'll hold it  
6 separately. Okay?

7 MR. COOK: Thank you. Good morning and Happy  
8 new year, Mr. Chairman, Commission Members. Vaughn Cook,  
9 attorney appearing on behalf of the applicants -- or the  
10 applicant RCSH Operations, Inc. doing business as Ruth's  
11 Chris Steak House. For both restaurants, Lahaina and  
12 Wailea, with me right now is Jonathan Wascom, Restaurant  
13 General Manager for the Lahaina restaurant.

14 CHAIR TANAKA: Thank you. Jarrett.

15 MR. KAHOOHANOHANO: This is a preliminary  
16 hearing for a transfer of Dispenser General License,  
17 Application Number TA-01. The applicant is RCSH  
18 Operations, Inc. doing business as Ruth's Chris Steak  
19 House applying for a transfer of a Dispenser General  
20 License, Category C(ii) from Maui Steak House LLC doing  
21 business as Ruth's Chris Steak House.

22 The officers, director and stockholders of the  
23 corporation are listed in the investigator's report.

24 The applicant has submitted an executed  
25 assignment of lease by and between Maui Steak House LLC, a

1 Hawaii limited liability company, and RCSH Operations,  
2 Inc., dated December 12, 2017.

3 Consent to transfer: The applicant has  
4 submitted a Transferor's Endorsement of Transfer signed by  
5 Walter Randall Schoch, Manager of Desert Island  
6 Restaurants, LLC, and sole member/trustee of Schoch  
7 Revocable Trust, dated October 30th, 2017.

8 The proposed premises is located within the  
9 Lahaina Center, consisting of approximately 6,939 square  
10 feet, located at 900 Front Street, Space Number A-3,  
11 Lahaina, Maui, Hawaii.

12 Lahaina United Methodist Church is located  
13 within a radius of 500 feet. There are four Restaurant  
14 General and one Retail General store located within a  
15 radius of 500 feet. There are 121 licensees of this class  
16 and kind currently issued within Maui County.

17 Maui Steak House LLC doing business as Ruth's  
18 Chris Steak House was granted a Dispenser license on  
19 August 13, 1988.

20 Applicant initially plans to be open seven days  
21 a week from 5:00 p.m. to 10:00 p.m.

22 A site inspection was conducted and -- of the  
23 proposed premises on December 5th, 2017.

24 In the opinion of this investigator, the  
25 applicant appears to be fit and proper, and does not

1 appear to be disqualified by any provisions as stated  
2 within Section 281-56 of the HRS from obtaining or  
3 exercising a license.

4 All documents necessary for the issuance of this  
5 liquor license have -- I'm sorry -- have not been  
6 submitted. Those items are listed in the investigator's  
7 report.

8 CHAIR TANAKA: Thank you. Got anything else to  
9 add?

10 MR. COOK: Yes, Mr. Chairman. Thank you for  
11 considering our application for this transfer. We have  
12 reviewed the investigator's report and have no changes.  
13 The reason for the application is that the corporate  
14 office of Ruth's Chris Steak House has taken over  
15 management of all the Ruth's Chris Steak Houses in Hawaii.  
16 They were all formerly operated as franchises. We  
17 anticipate no noticeable changes. It will continue to be  
18 a Ruth's Chris Steak House. And we look forward to  
19 continuing to bring the best steaks to the people of Maui  
20 where each steak is seared to perfection, finished with  
21 butter and freshly chopped parsley and served sizzling on  
22 a 500-degree plate.

23 MR. NAKAMURA: Sample. Sample.

24 MR. COOK: Please approve our license  
25 application and allow us to proceed to the public hearing.

1 CHAIR TANAKA: That's why it tastes good,  
2 though.

3 UNIDENTIFIED SPEAKER: Yeah.

4 CHAIR TANAKA: Okay. I'm gonna open to the  
5 public. Any public testimony on this item? Okay. Seeing  
6 none, any questions by the Commissioners?

7 VICE-CHAIR LOPEZ: No. But I like to  
8 say that --

9 MR. SILVA: Excuse me, Mr. Chairman, there's a  
10 second report that should be read into the minutes as  
11 well.

12 CHAIR TANAKA: Well, everything is same, yeah?

13 MR. SILVA: Very similar except for the location  
14 and the premises.

15 CHAIR TANAKA: Okay. Can you read the location,  
16 Jarrett? That -- that would be enough.

17 MR. KAHOOHANOHANO: Just the location?

18 CHAIR TANAKA: Just the location.

19 MR. KAHOOHANOHANO: Okay. Let me see. Where is  
20 it? Oh. The proposed premises is located within the  
21 Shops of Wailea, consisting of approximately 5,031 square  
22 feet, located at 3750 Wailea Alanui Drive, Space A-34,  
23 Wailea, Maui, Hawaii.

24 CHAIR TANAKA: Thank you. Okay. Any questions  
25 by the Commissioners?

1           VICE-CHAIR LOPEZ: I frequent Ruth Chris and I  
2 commend you guys on your food quality and seafood and your  
3 steaks. I'm more of a seafood eater, but your steaks are  
4 great, too. And your service is --

5           COMMISSIONER ALULI: Excellent.

6           VICE-CHAIR LOPEZ: Is excellent.

7           COMMISSIONER ALULI: I would only ask that a  
8 kamaaina discount (inaudible). Something to think about.

9           MR. COOK: I know --

10          COMMISSIONER ALULI: Something to consider.

11          MR. COOK: I understand there is something  
12 called -- what do you have, the special?

13          MR. WASCOM: We have kamaaina and Prime Time

14          MR. COOK: There is kamaaina and Prime Time.  
15 Prime Time is, actually, a good option if you want to  
16 bring family because it includes -- well, I'll have my  
17 manager explain.

18          MR. WASCOM: Our Prime Time menu is advertised  
19 from 5:00 to 6:00, but it's available any time on request.  
20 It's a three-course meal with salad, entree and a side  
21 for --

22          MR. KUSHI: Senior discount?

23          MR. WASCOM: -- \$54.95. And we do 15 percent  
24 kamaaina.

25          COMMISSIONER ALULI: Oh.



1 COMMISSIONER BOLOSAN: That's okay.

2 MR. COOK: Make sure you mention that you are  
3 kamaaina.

4 VICE-CHAIR LOPEZ: Yeah. Didn't know that.

5 COMMISSIONER ALULI: Thank you.

6 CHAIR TANAKA: Now we know all the secrets.

7 COMMISSIONER ALULI: Okay.

8 CHAIR TANAKA: Okay. Any other questions?  
9 Okay. If not, may I have a motion?

10 COMMISSIONER UMENO: I move to approve  
11 Application Number TA-01 and TA-02 for public hearing and  
12 to process the application for publication.

13 COMMISSIONER ALULI: Second the motion.

14 CHAIR TANAKA: Okay. Moved and seconded. All  
15 in favor, say "aye."

16 (Response.)

17 CHAIR TANAKA: Opposed, "no."

18 (No response.)

19 CHAIR TANAKA: Motion carried.

20 MR. COOK: Thank you very much.

21 CHAIR TANAKA: Okay. Application Number 14,  
22 Maui Style Market.

23 MS. FRASER: Good morning. I'm Michele Fraser,  
24 Maui Style Market.

25 CHAIR TANAKA: Thank you. Okay. Layne.

1 MR. SILVA: Application Number 14, Maui Style  
2 Market, LLC doing business as Maui Style Market applying  
3 for a Retail General license.

4 The manager, member and agent of the  
5 manager-managed LLC are listed in the investigator's  
6 report.

7 The applicant has submitted a copy of a retail  
8 space lease between Kahului Town Center, LLC, as landlord  
9 and Maui Style Market, LLC, as tenant, at Kahului Shopping  
10 Center, dated September 28, 2017. The lease term to  
11 commence on October 1st, 2017 and ending 72 months  
12 thereafter on the calendar day in such month that  
13 immediately precedes the calendar day of the commencement  
14 date. The proposed premises contains approximately 6,641  
15 square feet of floor space, located at 65 West Kaahumanu  
16 Avenue, Suite 3A, 3B and 3C, Kahului, Hawaii.

17 There are no schools located within a radius of  
18 500 feet.

19 The Lord's Team Ministries Word of Truth Church  
20 is a church located within a radius of 500 feet.

21 There are no licensees -- licenses of the same  
22 class and kind located within a radius of 500 feet. There  
23 are two Dispenser General, one Restaurant General, one  
24 Restaurant Beer and Wine, and one Retail Beer and Wine  
25 licenses located within a radius of 500 feet. There are

1 138 licenses of this class and kind and currently issued  
2 within Maui County.

3 CHAIR TANAKA: Thank you. Michele, anything  
4 else to add?

5 MS. FRASER: No. I'm -- thank you.

6 CHAIR TANAKA: Thank you. Okay. I'm gonna open  
7 it to the public for any public testimony. Okay. Seeing  
8 none, any questions by the Commissioners? If there's no  
9 questions, may I have a motion?

10 COMMISSIONER UMENO: I move to approve  
11 Application Number 14 for public hearing and to process  
12 the application for publication.

13 COMMISSIONER ALULI: Second.

14 CHAIR TANAKA: Okay, moved and seconded. All in  
15 favor, say "aye."

16 (Response.)

17 CHAIR TANAKA: Opposed, "no."

18 (No response.)

19 CHAIR TANAKA: Motion carried. Thank you.

20 MS. FRASER: Thank you.

21 CHAIR TANAKA: Okay. Let's go on to Other  
22 Licensing Matters. Hyatt Corporation.

23 MR. NAKAMURA: Good morning, Mr. Chair, Members  
24 of the Commission. Craig Nakamura, attorney on behalf of  
25 the licensee. This is Mr. Michael Steinwender who is the

1 Director of Food and Beverage for the Hyatt Regency Maui  
2 hotel.

3 CHAIR TANAKA: Thank you. Layne.

4 MR. SILVA: Hyatt Corporation doing business as  
5 Hyatt Regency Maui requesting Commission approval for a  
6 condition to be placed on its liquor license effective  
7 upon the issuance of a liquor license to JAS Restaurants  
8 II LLC doing business as Son'z Steakhouse, Maui. That it  
9 will have conclusive control of the restaurant floor space  
10 with the exception of the kitchen, bar and wine room areas  
11 as planned -- as plans submitted, from 2:01 a.m. to 2:00  
12 p.m. daily.

13 CHAIR TANAKA: Okay. Thank you. Anything else,  
14 Craig?

15 MR. NAKAMURA: Nothing further.

16 CHAIR TANAKA: I thought -- I thought this was  
17 already --

18 COMMISSIONER ALULI: It was.

19 CHAIR TANAKA: -- out of --

20 MR. NAKAMURA: Maybe I can explain. Maybe I  
21 could explain, Mr. Chair, very quickly. You might  
22 remember, about a month ago, we came in for the Son'z  
23 application.

24 CHAIR TANAKA: Yeah, but prior to that, we  
25 didn't --

1 MR. NAKAMURA: There was some confusion about  
2 what we did before, but now we're -- we are moving ahead  
3 to place this condition on the Hotel license for the --  
4 you know, it's kind of the counterpart to the -- to the  
5 Restaurant license. So we're fine with that.

6 CHAIR TANAKA: Uh-huh. Okay.

7 MR. NAKAMURA: It should be made effective upon  
8 the issuance of the license to Son'z.

9 CHAIR TANAKA: Any public testimony? I  
10 thought -- I thought that was automatic already because  
11 once we set aside that hours for Son'z, you guys no can go  
12 in there.

13 MR. NAKAMURA: Right. I understand.

14 CHAIR TANAKA: Okay. This makes it clearer,  
15 then. Any other questions by the Commissioners? If not,  
16 may I have a motion?

17 MR. SILVA: Mr. Commission --

18 CHAIR TANAKA: Yeah.

19 MR. SILVA: Apparently, at the -- at the last  
20 hearing when the discussion and the motion was made in  
21 regards to Son'z --

22 CHAIR TANAKA: Yeah.

23 MR. SILVA: -- the motion wasn't really clear as  
24 to what the actual conditions are gonna be based on the --  
25 the times. So that's something that you -- you -- you may

1 want to consider while making the motion today, to make  
2 sure that we make a -- a clear motion in regards to the  
3 times.

4 CHAIR TANAKA: I thought it was what it  
5 specifically states, instead of this 2:00 a.m. to 2:00  
6 p.m. Wasn't -- wasn't that a condition of that Son's  
7 application?

8 MR. NAKAMURA: Yeah, we intended that to be the  
9 condition, Mr. Chair.

10 CHAIR TANAKA: Yeah. That's what I thought,  
11 too. Okay. So if we approve this guys, then automatic  
12 the other side, right, Glenn?

13 DIRECTOR MUKAI: If you make a motion for both.  
14 And, that way, it's really clear that Hyatt is from 2:00  
15 a.m. to 2:00 p.m., and Son's will be from 2:01 p.m. to --

16 UNIDENTIFIED SPEAKER: 2:01 a.m.

17 DIRECTOR MUKAI: -- 2:00 a.m.

18 CHAIR TANAKA: 2:00 a.m.

19 COMMISSIONER ALULI: 2:00 a.m.

20 DIRECTOR MUKAI: Yes.

21 CHAIR TANAKA: Okay. We can make that motion  
22 and make it clear. Do we have a motion? Can I have a  
23 motion? See, you confuse everybody.

24 COMMISSIONER UMENO: Change in condition.

25 CHAIR TANAKA: Okay. Basically, Hyatt

1 Corporation --

2 COMMISSIONER UMENO: Hyatt would be responsible

3 2 -- 2:01 a.m. to --

4 CHAIR TANAKA: Yeah.

5 COMMISSIONER UMENO: -- 2:00 p.m.

6 CHAIR TANAKA: Yeah. And Son'z --

7 COMMISSIONER UMENO: And thereafter, Son'z -

8 CHAIR TANAKA: 2:01 p.m. to 2:00 a.m.

9 COMMISSIONER UMENO: 2:01 a.m.

10 CHAIR TANAKA: That's the motion. Any second to

11 that motion?

12 COMMISSIONER ALULI: Second.

13 CHAIR TANAKA: Moved and seconded. All in

14 favor, say "aye."

15 (Response.)

16 CHAIR TANAKA: Okay. Opposed, "no."

17 (No response.)

18 CHAIR TANAKA: Motion carried.

19 MR. NAKAMURA: Thank you very much.

20 CHAIR TANAKA: Now we settled it.

21 MR. NAKAMURA: Thank you.

22 CHAIR TANAKA: Now, don't forget your one -- one

23 minute, now, back and forth. Okay. Let's go on to Item

24 B, Kattwood. Jarrett. I understand that the applicant is

25 not here.

1           DIRECTOR MUKAI: Yes. The applicant is in the  
2 mainland, so he couldn't come here to -- but according to  
3 our Commission -- the rules, 08-102-26(b), it allows the  
4 Commission to proceed without the licensee being here  
5 since he's been properly noticed.

6           CHAIR TANAKA: Okay. And, basically, all he's  
7 asking for is an extension.

8           COMMISSIONER ALULI: So we can vote on that,  
9 then, right?

10          CHAIR TANAKA: Oh, yeah.

11          COMMISSIONER ALULI: Yeah.

12          CHAIR TANAKA: Yeah. Yeah. We --

13          COMMISSIONER UMENO: No time period.

14          CHAIR TANAKA: We normally would defer it,  
15 but --

16          VICE-CHAIR LOPEZ: Yeah, the specify --

17          CHAIR TANAKA: I see -- I see --

18          VICE-CHAIR LOPEZ: -- time periods or do we just  
19 impose a time period on our own or what? There's no  
20 specific time he's asking.

21          COMMISSIONER ALULI: This says that it expires  
22 on the -- on the 6th of February, right, the extension?

23          VICE-CHAIR LOPEZ: Yeah.

24          CHAIR TANAKA: Yeah, normally, it's a one-year  
25 extension.



1 VICE-CHAIR LOPEZ: Okay.

2 CHAIR TANAKA: Yeah.

3 VICE-CHAIR LOPEZ: To give him the one year. We  
4 propose --

5 CHAIR TANAKA: You can add that in the motion.  
6 Okay. So since he's not here to explain why, but I can  
7 see where the problem's coming from. Cannot get his CO, I  
8 think. Any -- any questions? Can I have a motion?

9 COMMISSIONER UMENO: I move to approve the  
10 extension of a year.

11 CHAIR TANAKA: Yeah.

12 VICE-CHAIR LOPEZ: Yeah.

13 COMMISSIONER UMENO: On -- on his license.

14 COMMISSIONER ALULI: Second.

15 CHAIR TANAKA: Okay, moved and seconded. All in  
16 favor, say "aye."

17 (Response.)

18 CHAIR TANAKA: Opposed, "no."

19 (No response.)

20 CHAIR TANAKA: Motion carried. Okay. Let's go  
21 on to Mr. Ichikawa, a letter.

22 MR. ICHIKAWA: Good morning Mr. Chair, Members  
23 of the Commission, Mr. Mukai. Robert Ichikawa on behalf  
24 of Lahaina Beverage Management, Inc.

25 CHAIR TANAKA: Okay. Layne.

1 MR. SILVA: A letter dated December 15, 2017,  
2 from Robert K. Ichikawa regarding management agreements  
3 for Lahaina Beverage Management, Inc. doing business as  
4 Safeway.

5 DIRECTOR MUKAI: Basically, the letter was  
6 submitted at the request of former Commission Brenda Lee  
7 to clarify the relationship between Safeway, Inc. and  
8 Lahaina Beverage Management, Inc.

9 CHAIR TANAKA: Yeah. I was kind of confused why  
10 you come in.

11 MR. ICHIKAWA: I'm just here to --

12 CHAIR TANAKA: Can you explain your --

13 MR. ICHIKAWA: Yeah. It's a management  
14 agreement with Lahaina Beverage who's responsible for the  
15 licensing matters. Each license number is the one that is  
16 responsible under the license. Lahaina Beverage has a  
17 president who is local, based out of Honolulu. So they  
18 just thought that it would be good to have a -- you know,  
19 a company that would be present here that will just manage  
20 the license.

21 CHAIR TANAKA: Okay. Anybody have any questions  
22 for Robert? If not, can I have a motion for approval?

23 COMMISSIONER UMENO: Approval for?

24 CHAIR TANAKA: Management agreement.

25 COMMISSIONER UMENO: Oh, for the management

1 agreement. I move to approve the --

2 DIRECTOR MUKAI: No, it's not for management  
3 agreement. He's just submitting a letter to notify the  
4 Commission on --

5 CHAIR TANAKA: Explaining the management  
6 agreement.

7 COMMISSIONER UMENO: So we --

8 COMMISSIONER ALULI: You don't need a motion on  
9 that, then?

10 CHAIR TANAKA: Yeah, don't need a motion.

11 MR. ICHIKAWA: It was just more for  
12 clarification.

13 CHAIR TANAKA: Okay. Just for clarification,  
14 then?

15 MR. ICHIKAWA: Yeah.

16 CHAIR TANAKA: Okay. Thank you. We're  
17 clarified.

18 MR. ICHIKAWA: Thank you.

19 CHAIR TANAKA: Okay. Before we go  
20 Administrative Affairs, let's have a 10-minute recess.

21 (Recess, 9:47 a.m. to 9:56 a.m.)

22 CHAIR TANAKA: Liquor Commission meeting called  
23 back to order. Let's go into Administrative Affairs. We  
24 got Unfinished Business, annual review and evaluation of  
25 the performance of Department of Liquor Control. Because

1 this involves privacy, and we're gonna have to confer with  
2 our Corp Counsel here, I'm gonna ask the Commission to go  
3 into exec session. So may I have a motion to go into exec  
4 session?

5 COMMISSIONER UMENO: So moved.

6 VICE-CHAIR LOPEZ: Second.

7 CHAIR TANAKA: Okay, moved and seconded. All in  
8 favor, say "aye."

9 (Response.)

10 CHAIR TANAKA: Okay, let's go into exec session.

11 (Executive Session, 9:57 a.m. to 10:12 a.m.)

12 CHAIR TANAKA: Okay. Regular Session back in  
13 order. The Commission evaluated and reviewed the  
14 Director's evaluation. A letter to the Mayor will be  
15 forthcoming.

16 Let's go on to Director's Monthly Report.

17 DIRECTOR MUKAI: First on the Director's Monthly  
18 Report is approved -- approval for the Department budget  
19 for Fiscal Year 2019.

20 CHAIR TANAKA: I seen the budget here. This the  
21 budget?

22 DIRECTOR MUKAI: Yeah. A brief recap of the  
23 budget in front of you, Commission, is under A Account, on  
24 salaries and wages, there will be a increase of \$24,983  
25 from the last fiscal. The increase is through bargaining

1 agreements, so we have no control on the increase.

2 In the B Account, on the operation, there is an  
3 increase of \$30,996. That includes overhead charges of  
4 \$17,488.

5 As the Commission is aware, any increase in the  
6 A Account, the salary account, through civil litigation  
7 with the Hotel Association, 70 percent of the A Account is  
8 created to the overhead charges.

9 And, basically, operation increase is -- we're  
10 asking \$4,000 for notice of public hearing due to the  
11 amount of petitions and advertisement we have to do in  
12 "The Maui News" and "Advertiser" for public hearings. And  
13 professional service at \$8,000. Basically, it's for court  
14 reporting. You know, we had increase of hearings. And  
15 \$1,508 for the Wailuku lease, the increase of lease for  
16 this building.

17 On C Account, under equipment, there's an  
18 increase of \$39,000 from last fiscal. But, basically,  
19 majority is for the audio recording system that we have  
20 here for the recording Commission and Board minutes. And  
21 it has been dying. And, also, we were notified one of the  
22 frequency will be taken away. And this is one of those  
23 things, so it will cost additional money to operate it.  
24 So we proposing that we're gonna do the complete overhaul.  
25 Also, we're asking for three vehicles, which will cost

1 \$90,000, \$30,000 each. As the Commission was aware, last  
2 year, we asked for five vehicles. And for the five  
3 vehicles, they provided \$12,500 vehicle, which was not  
4 sufficient to purchase even one vehicle each. So through  
5 working with the management and, also, with the Budget  
6 Director, we were able to purchase two vehicles for  
7 \$25,000. So this three is those that's, you know, not  
8 operational. That we are going back to ask to purchase  
9 new vehicles to replace these.

10 That's the recap of the Fiscal '19 budget.

11 CHAIR TANAKA: What kind increase between '19  
12 and '18? What -- what kind of increase you get during '19  
13 and --

14 DIRECTOR MUKAI: Basic -- the total budget  
15 increase is \$94,972. The \$24,000, the increase in pay by  
16 bargaining unit, is \$24,000. The B account is \$30,000,  
17 which include the overhead charges as we are required to  
18 provide, plus operation with the advertisement,  
19 professional service, rentals. And the C account, it's  
20 \$39,000 which will include the \$25,000 for upgrading all  
21 of our audio system and for purchase of cars.

22 CHAIR TANAKA: Okay. Any questions to the  
23 Director? We get no choice, yeah.

24 DIRECTOR MUKAI: So, basically, if the  
25 Commission approve this budget, it will be sent to the

1 Mayor. And the Mayor will make -- in the budget, will  
2 make their own adjustment for the proposed budget  
3 submitted to the Council.

4 CHAIR TANAKA: Glenn, I get one question over  
5 here.

6 DIRECTOR MUKAI: Yes.

7 CHAIR TANAKA: The budget don't include a Deputy  
8 Director?

9 DIRECTOR MUKAI: It does.

10 COMMISSIONER ALULI: Yeah, it does.

11 COMMISSIONER BOLOSAN: It does, yeah.

12 CHAIR TANAKA: Where?

13 COMMISSIONER ALULI: The second page.

14 COMMISSIONER BOLOSAN: Second page, NC.

15 CHAIR TANAKA: Oh, okay. (Inaudible) my  
16 glasses. No can see. Okay. Okay. Any questions by the  
17 Commissioners?

18 COMMISSIONER ALULI: Yeah. Glenn, where's the  
19 expense for the new vehicles?

20 DIRECTOR MUKAI: It's on the big packet in the  
21 back.

22 COMMISSIONER ALULI: Oh.

23 DIRECTOR MUKAI: This is the same packet that  
24 was presented to the Commission last year.

25 COMMISSIONER ALULI: Last year.

1           DIRECTOR MUKAI: And, also, in the back of  
2 your -- the packet, you see, for the Liquor Education  
3 Fund, it's a special fund we have for liquor education.

4           CHAIR TANAKA: Got \$20,000.

5           DIRECTOR MUKAI: \$62,680. It's exactly the same  
6 thing that the Council approved this year, I believe, in  
7 December.

8           CHAIR TANAKA: Okay. Any other questions? If  
9 not, may I have a motion for approval?

10          COMMISSIONER UMENO: So moved.

11          COMMISSIONER ALULI: Second.

12          CHAIR TANAKA: Okay, moved and seconded. All in  
13 favor, say "aye."

14          (Response.)

15          CHAIR TANAKA: Opposed, "no."

16          (No response.)

17          CHAIR TANAKA: Motion carried. Thank you.

18 Okay. Next item.

19          DIRECTOR MUKAI: The Small Business Review and  
20 Advisory Committee. At the last Small Business Review and  
21 Advisory Committee, the Maui Hotel Association informed  
22 the committee that they will be introducing a bill to  
23 Senator Gilbert Keith-Agaran to repeal the Federal tax  
24 clearance requirement for liquor license. As the  
25 Commission is aware, this has been causing problems for



1 renewal.

2           And Debbie Cabebe of the -- Executive Director  
3 of MEO and Maui Nonprofit Directors Association will,  
4 also, be -- touch bases with Senator Keith-Agaran to  
5 introduce the bill to reinstate Section 281-32.3, for  
6 one-day special license for fundraising. And, you know,  
7 we discussed that a lot. Ever since it's repealed, you  
8 know, the Commission no longer can give the nonprofit  
9 waivers. So -- and the Department inform this individual  
10 that the Department will be sending letters of support  
11 when the bill comes up. And I, also, contacted other  
12 liquor administrators. And they're in concurrence that we  
13 will support these two bills.

14           And on the State Liquor Administrators Quarterly  
15 Meeting, on December 15th, we met in Honolulu. And we  
16 were informed that Hawaii Compliance Express sends a  
17 communication that -- the web page for the Hawaii  
18 Compliance Express tax clearances for liquor license  
19 application, they would want a test phase effective  
20 January, mid-January, and will have it online by March,  
21 before March. And that will be perfect for our renewal  
22 period. So they can get a Federal and tax -- Federal and  
23 State tax clearance online like last year, but this will  
24 be just dedicated for liquor license applications.

25           But the -- the negative news, they also

1 included -- seemed like the Federal IRS has some issues  
2 with the current Hawaii Compliance Express clearances. So  
3 they are, let's say, proposing that they will put down  
4 wording that it will be not valid for liquor license  
5 application. But the directors felt that, until they put  
6 that notice, we will continue to accept the tax clearance  
7 from Hawaii Compliance Express.

8           And the fourth item we have, the FBI will be  
9 conducting a random audit of Department of Liquor Control  
10 on January 29th. Basically, it's for fingerprinting, the  
11 secure room, the storage of the fingerprints and the  
12 information.

13           And as you well know, Lianne Suzuki was  
14 appointed as the new Private Secretary. She was a legal  
15 assistant for Larry Ing for over 20 years and with Dave  
16 Jorgensen for six and-a-half years. And we will be  
17 interviewing the applicants for position of Secretary to  
18 Boards and Commission and Liquor Control Auditor next  
19 week. Hopefully, those position will be on board by  
20 February 1st.

21           The Mayor signed the rule amendments that was  
22 passed by the Commission on January 3rd, and was filed  
23 with the County Clerk office January 4th. So 10 days  
24 after filing, they should become effective.

25           We have included a parking -- where you can

1 park, Commission and Board Members. There were some  
2 questions on where they may park. And the Commission and  
3 Board Members are having hard time finding parking. And  
4 the gravel lot across Ichiban is a County parking lot and  
5 there is space. So you may park there, also, as well as  
6 all the blue areas indicated on the map.

7 Leslie Ann Yokouchi appears to have been  
8 confirmed by the Council to replace Brenda Lee for the  
9 Commission, Liquor Commission, but we haven't received  
10 notification yet from the Mayor office, official  
11 notification. So, hopefully, we will receive it before  
12 the next Liquor Commission meeting so we can do the  
13 orientation and she can be on board.

14 Item C, approval of registration of minors for  
15 entertainment, DLC-025. This form was developed because  
16 the Commission did pass Rule 08-101-73 in the rule  
17 amendments for minors to be able to entertain and work on  
18 licensed premises, the nonprofit. So it simplifies the  
19 form. When you just fill out the form, you send it to us  
20 and it's good for one year. That way, you don't have to  
21 come to the Department to register, to be -- I mean  
22 register, pay the \$10 and -- and all that things. So you  
23 eliminate all that. And, basically, you know, that what  
24 the licensees and the nonprofits and, also, the other  
25 people requested.

1           That's all I have for the Director's Monthly  
2 Report.

3           CHAIR TANAKA: Okay. Thank you.

4           The -- the form, registration for minors for  
5 entertainment employment form, what was the changes made?

6           MR. KUSHI: It's a new form.

7           DIRECTOR MUKAI: It's a new form.

8           CHAIR TANAKA: It is a new form?

9           MR. SILVA: Yes.

10          CHAIR TANAKA: It is a new form?

11          MR. SILVA: Yes.

12          CHAIR TANAKA: Okay. Question. I get one  
13 question.

14          DIRECTOR MUKAI: Yes.

15          CHAIR TANAKA: Name of minors.

16          DIRECTOR MUKAI: Uh-huh.

17          CHAIR TANAKA: There was one testimony at one  
18 time complaining that why didn't he put the full middle  
19 name of the minors or whoever the chaperones, whatever.  
20 Can't they put just their initial?

21          MR. SILVA: Well, according to -- I believe  
22 state law requires full legal names in any applications  
23 that are submitted to the Department.

24          CHAIR TANAKA: Jr., middle -- as -- as far as  
25 I'm concerned, middle initial is your full name, you know,

1 but I don't know how you going issue that. And that's --  
2 that's beside the point, but I know there was a testimony  
3 made at one time about putting the middle name.

4 Commission -- Commission can waive that?

5 DIRECTOR MUKAI: Well, in the past, the  
6 Department had problems without the middle name because  
7 some --

8 CHAIR TANAKA: Initial.

9 COMMISSIONER UMENO: For minors. For minors.

10 DIRECTOR MUKAI: You know, even -- so it's  
11 better that we have the full legal name, especially with  
12 the middle name, especially if they have the same name.

13 CHAIR TANAKA: You know what I thinking about,  
14 try look at nowadays kids' name, the middle names.  
15 Sometimes, Jesus, longer than the alphabet, yeah.

16 VICE-CHAIR LOPEZ: My son's first name is like  
17 that.

18 CHAIR TANAKA: Yeah, I see the middle name, wow.

19 MR. KUSHI: Well, you know, my -- my comment is  
20 this: For this minors one, I mean, how are you gonna  
21 check 'em? Unlike the other applications for like a  
22 regular license, name of the --

23 COMMISSIONER ALULI: Right.

24 MR. KUSHI: -- list of corporations, you would  
25 check it off, I guess, the State registry, but this minors

1 one, how you gonna check 'em? You gonna have them present  
2 IDs of some sort? Then we'll get into another round of  
3 comments.

4 DIRECTOR MUKAI: No. We want to keep it simple  
5 and easy.

6 CHAIR TANAKA: I -- I would say -- well --

7 COMMISSIONER ALULI: Yeah, for minors. Yeah.  
8 Jeez.

9 CHAIR TANAKA: Yeah, as far as I'm concerned --

10 COMMISSIONER ALULI: Yeah. If you're going for  
11 a license, it's a whole different issue.

12 CHAIR TANAKA: Yeah. Instead of put 'em, we  
13 just maybe direct the Department to just accept the  
14 middle --

15 COMMISSIONER ALULI: Yeah.

16 CHAIR TANAKA: -- initial. If they put the full  
17 name, fine, but accept the middle initial, too.

18 COMMISSIONER ALULI: Yeah.

19 CHAIR TANAKA: You get -- nowadays, the kind of  
20 names they giving the kids, holy -- okay. Any other  
21 questions? Okay. If not, may I have a motion for  
22 approval?

23 VICE-CHAIR LOPEZ: So moved.

24 COMMISSIONER ALULI: Second.

25 CHAIR TANAKA: Okay, moved and second. All in

1 favor, say "aye."

2 (Response.)

3 CHAIR TANAKA: Opposed, "no."

4 (No response.)

5 CHAIR TANAKA: Motion carried. Okay. Let's go  
6 on to Unfinished Business, Approval of Forms. We have one  
7 testifier here. Madge, you wanna test -- do your  
8 testimony here before --

9 MS. SCHAEFER: I would appreciate it.

10 CHAIR TANAKA: -- we discuss it?

11 MS. SCHAEFER: Yeah, I would appreciate it.

12 Thank you.

13 I -- I should say I come in peace.

14 MR. KUSHI: Happy new year.

15 COMMISSIONER ALULI: Yeah.

16 MS. SCHAEFER: So I what I want to talk to you  
17 about is the application for a special liquor license.

18 I, also, want to comment that, you know, in the  
19 past, we have some history of me having difficulty getting  
20 information. And when this -- I saw this on the agenda, I  
21 sent an email to the Department. And I am delighted to  
22 say I received a speedy response and all the information  
23 that I asked for in just a matter of hours. And I really  
24 do appreciate that as an interested member of the public.  
25 So certainly I commend Kari for her assistance.

1           So I'd like to talk specifically about this  
2 application. And I'm presuming you all have this -- have  
3 this in your packets, the application itself?

4           CHAIR TANAKA: Yeah, we have it. Go ahead.

5           MS. SCHAEFER: Okay. So the first page is -- is  
6 fine. The second page is fine. The third page, where it  
7 asks for full legal names of officers, directors, I did  
8 receive a correction that, apparently, members, managers  
9 should be deleted, or that was proposed to be deleted and  
10 it just didn't show on the form.

11           And I think that's important because what -- if  
12 you're asking for the names of members of an organization,  
13 that may be a long, long list.

14           CHAIR TANAKA: Let me get my glasses on.

15           COMMISSIONER UMENO: This is members --

16           CHAIR TANAKA: Where -- where you --

17           COMMISSIONER UMENO: -- of the LLC.

18           CHAIR TANAKA: What --

19           MS. SCHAEFER: Okay. I'm looking at this.

20           MR. KUSHI: Application.

21           MS. SCHAEFER: The application, Page 3 of 4.

22           CHAIR TANAKA: Application.

23           VICE-CHAIR LOPEZ: Third page.

24           MR. KUSHI: DLC-016, at the bottom?

25           MS. SCHAEFER: Yeah. So it's -- it's not that



1 first two pages, it's the third page. And, apparently, my  
2 numbering is a little different. Okay. So it says  
3 corporation, LLC and then it says employees. Got it?  
4 Okay. So members and managers should be deleted. And  
5 we're back to, you know, the full legal name, title, these  
6 are for the board of directors. And the date of birth has  
7 been added.

8           So, again, we're back to why do you need a date  
9 of the birth? I understand, when there was a criminal  
10 check, you needed the date of birth. But there are some  
11 women, like me, who serve on board of directors who I  
12 wouldn't tell you my birthdate on a bet. So you're making  
13 me put it on a form that everybody is going to see. So if  
14 only for vanity sake, you should delete that. All right.  
15 So that would be my suggestion, that -- that it just be  
16 the legal name, first, last, and middle initial would be  
17 acceptable in view of your last discussion. Okay.

18           The next -- the next category is listing of  
19 employees who will be serving liquor at the function. So  
20 here's the problem: If you are -- if an organization is  
21 contracting for liquor service, those contractors use  
22 employees of the hotels or whatever. It's -- it's extra  
23 work -- it's extra work for them. So they don't know  
24 three weeks in advance who's going to be available to work  
25 the event. So this is, apparently, new to the

1 application.

2           And I'm -- I have some input from someone who  
3 went through the application process recently. And it  
4 says, "We run into problems listing all bartenders and  
5 their card numbers two to three months prior to the event  
6 as we may not know at the time of the application who will  
7 be working the event. We hire out our catering and bar  
8 service. Our bartenders are typically staff from hotels  
9 and restaurants who are not working that evening."

10           On the -- on the initial application page, it  
11 asks for the name of the employee designate -- okay --  
12 name of the contract party. So that needs to be resolved  
13 so that it is -- it works. If you have a contract with a  
14 company to provide licensed bartenders and servers, and  
15 they can't provide the information, it holds up the whole  
16 thing for the nonprofit. So I think that's something that  
17 needs to be worked out to facilitate, you know, you all  
18 have the information that you need and the nonprofit being  
19 able to move ahead with their -- with their permit.

20           On the next page, the past history, those are  
21 fine. There -- there were two things. The past history  
22 is fine.

23           The -- I think everything -- the rest of that  
24 is -- is fine. There's some deletions. And I think those  
25 are appropriate.

1           Then when we get into the Special License  
2 Application Checklist, lots of problems here. The  
3 requirement -- first of all, it says "If applicable." Who  
4 determines that? Authorized agent. And "if applicable"  
5 runs through the whole -- all these boxes, items required  
6 for filing. Who determines that?

7           The State of Hawaii Department of Commerce and  
8 Consumer Affairs verification, articles of incorporation,  
9 et cetera, that is issued once a year by -- by the  
10 Department. If you have to go back in to get another one,  
11 then they charge for that. And for the nonprofit, you  
12 know, every penny counts, so why isn't it acceptable for  
13 that yearly -- to -- to accept that yearly statement if  
14 it's in the current year?

15           Current certificate, the next thing, State of  
16 Hawaii Department of Commerce and Consumer Affairs,  
17 current certificate of good standing not over 60 days old.  
18 I -- I don't understand why you need that.

19           On the -- the fifth item, corporation minutes  
20 containing legal names and official titles, secretary's  
21 certificate, members at large, manage liability, how does  
22 that apply to nonprofits? It doesn't seem like it applies  
23 to nonprofits.

24           The -- the last portion of that -- that category  
25 is deleted. And I think that's what Council Member Yuki

1 Lei Sugimura was concerned about. And I know she'll be  
2 happy to see if that was deleted, but I don't understand  
3 why the corporation minutes, et cetera, apply to  
4 nonprofits, that category.

5 The Internal Revenue thing, I think you -- you  
6 addressed that. I think that's what we're talking about  
7 when -- that you said there's gonna be possibly a change.

8 Okay. And then on -- the next is items required  
9 for filing application. It's my 2 and 3. I'm not --  
10 Kari, what is it?

11 MS. YOSHIZAWA: Page 2.

12 MS. SCHAEFER: 2 of 3, okay. So there was --  
13 there's a whole section, Personal History down to the  
14 Hawaii Criminal Justice Data. I -- I support that  
15 deletion, absolutely.

16 I don't understand the executed copy of an  
17 agreement of sale, lease, rental agreement, which states  
18 the applicant has the use and exclusive control of the  
19 property for sale. I'm not sure what -- usually, for  
20 instance, at the MAPA party, I'm presuming the Yokouchis  
21 just say it's okay to use the property and there's no  
22 lease. Maybe in other situations.

23 Okay. Delighted to see that the auction stuff  
24 is out.

25 Move down to the site plan drawn to scale.

1 Okay. The site plan, now it's no longer drawn to scale,  
2 and that's -- that's user friendly, but it should be  
3 either the site plan or the floor plan. And, again, I go  
4 back to the -- Pacific Cancer had an outdoor event on a  
5 large property, they were not using the house at all,  
6 there was no connection, no -- nothing going on in the  
7 house. And, yet, they had to do a floor plan for the  
8 house. So it was a private home. And it seems like you  
9 should either have to do one or the other. If you're  
10 using outside, you need a site plan. If you're doing --  
11 using the house, too, you need to do both. But if you're  
12 just doing one or the other, you just need to do one site  
13 plan for one or the other. And I'm referring back to --  
14 yeah, basically, it was just she had to do a detailed  
15 floor plan even though the house wasn't being used at all.

16           Again, the -- on the next page, additional items  
17 required for filing, delighted to see the deletion of the  
18 auction items.

19           When an application is submitted -- okay. Well,  
20 I think I'll go back to that.

21           So required items for issuance of a special  
22 liquor license. This is down -- this is Page 3 of 3. So  
23 the building permit for tents or other structures, the  
24 exemption letter from Public Works Director.

25           I called them and asked them, what do they need.

1 And, again, the "if applicable." Who decides that,  
2 whether you need to get an exemption letter or not, that  
3 should be done in the beginning. I have asked them to  
4 provide me a letter that outlines everything an applicant  
5 would have to do to -- to get an exemption letter.

6 And then I talked to the fire clearance people.  
7 They provided me all the information. It's just a  
8 one-page form. Fire Prevention. Okay. So easy form.  
9 Mostly, they're interested in the site map.

10 Then I talked to wastewater clearance. And the  
11 person who knows everything about this is on vacation, so  
12 I have nothing to share with you there.

13 On the health clearance, I talked to the State  
14 of Hawaii Department of Health. I talked to Antonia who  
15 said to me -- when I told her, "I'm calling because I  
16 would like to know as a nonprofit what we need to do," she  
17 sighed and said, "How many times do I have to tell you  
18 people? We only do liquor dispensers only. We do not do  
19 temporary licenses." And she sounded really frustrated.  
20 So I think the health clearance is -- should be taken off  
21 this form because you don't have to do it and it shortens  
22 the list by one. Okay.

23 The -- what I envisioned by doing this was to  
24 facilitate that a notebook be created in the Department  
25 that has a sample of all the things, all the forms, what

1 you need to do. It was a good start, I think, to have --  
2 I don't know whether the phone numbers were on the old  
3 one. Were they? Okay. I think that's a really good  
4 thing. That starts the ball rolling. But these are  
5 volunteers that, mostly, apply for these. And they're so  
6 intimidated. I talked to a fellow at my church who --  
7 they are not doing the dinner this year because, he said,  
8 it's just overwhelming to -- to do this. So take the  
9 health clearance off because the Health Department only  
10 does liquor dispensaries only.

11           Okay. So I'd like to go back to the  
12 corporations and the full name of officers. I would like  
13 to tell you the experience -- and she would have been  
14 here, but she had a long-planned vacation. And she asked  
15 me to speak on her behalf. She said: My application took  
16 seven trips to the Liquor Department. Each time, they  
17 would revisit every document. If a document was fine the  
18 first five times, suddenly they would want it changed. It  
19 became a ridiculous game. Couldn't they accept the packet  
20 and send you back only to complete the items -- or items  
21 in question. Could a follow-up item be sent electrically.  
22 I had one letter which was a list of my board members and  
23 they picked it apart every time. I would make the  
24 requested edit and bring it back only to have it changed  
25 again. Each time, I had to track down the board secretary

1 to sign the letters. Mostly, it centered around the  
2 language that said, attached is a list of our board of  
3 directors, and they didn't like the language and they  
4 wanted it changed. When she put attached is a list of  
5 our -- the board of directors, including our managing  
6 director, the employee, they said, who are you exempting,  
7 what are you hiding. This is not a good way to deal with  
8 this. So the final accepted language was these are the  
9 board of directors.

10 I don't tell you that because I want anybody to  
11 get in trouble; I tell you that about what the experience  
12 is for these cherished people who volunteer to do this  
13 kind of application. And so what -- in -- in an ideal  
14 world, what I would like to see is for you all to say  
15 let's do a clean version of this application and -- and  
16 come back, bring it back to you. I mean, I'd like to see  
17 you approve the deletions and make the -- the changes that  
18 are necessary in this form and that have been suggested,  
19 and maybe throw in a couple of mine, but get a clean copy  
20 that can be looked at so that we have a user-friendly  
21 document.

22 And I will be happy to provide the information  
23 from the other agencies that -- so that you -- the  
24 Department has a sample that helps get through this  
25 process. Because that's really what you want, you just



1 want people to get a license. They just want a license  
2 for their event. And it's -- you want to reduce the  
3 hassle. I can't say that I didn't look at the -- I didn't  
4 look at the dispensary and restaurant and bar. That -- I  
5 just didn't even go there. I just thought if -- if -- for  
6 volunteers and nonprofits to have to jump through all  
7 these hoops, I cannot imagine what it is to get a liquor  
8 license in this -- in this state.

9           So I hope that -- and I appreciate you taking  
10 the time to hear me. I hope that you will take into  
11 consideration getting a cleaned-up form and having an  
12 opportunity to look at -- look at that again. And --  
13 and -- and including deleting the Department of Health so  
14 poor Antonia will quit being so frustrated.

15           Thank you.

16           CHAIR TANAKA: Thank you. We'll look in to it.

17           MS. SCHAEFER: Okay.

18           CHAIR TANAKA: Glenn, I get a question.

19           DIRECTOR MUKAI: Yes.

20           CHAIR TANAKA: You know, what Madge says makes  
21 sense on certain items. You know, this site plan and  
22 floor plan?

23           DIRECTOR MUKAI: Yes.

24           CHAIR TANAKA: The staff don't have the  
25 authority to say, okay, this is not applicable?

1           DIRECTOR MUKAI: Well, we would need to know  
2 where the proposed --

3           CHAIR TANAKA: No.

4           DIRECTOR MUKAI: -- licensed premises is.

5           CHAIR TANAKA: A good example is you're gonna  
6 have a function in one yard, for example, and no -- no  
7 building is involved --

8           DIRECTOR MUKAI: Yes.

9           CHAIR TANAKA: -- but the checklist says you  
10 gotta provide that.

11          DIRECTOR MUKAI: All they do is show the area,  
12 the site where the licensed premise is. Just gonna be in  
13 the yard.

14          CHAIR TANAKA: It's gonna be the yard, so --

15          DIRECTOR MUKAI: And the floor plan is going to  
16 show where they going to put all the bars and the music  
17 and entertainment.

18          MR. KUSHI: In the yard?

19          DIRECTOR MUKAI: In the yard. We never did --  
20 on Pundy's place, we never did ever require the house be  
21 drawn in or put in because it's not part of the premises.

22          CHAIR TANAKA: So -- so -- so, basically, the  
23 site plan going show the -- the site plan and the floor  
24 plan can be one in the same?

25          DIRECTOR MUKAI: Yes.

1 CHAIR TANAKA: Yeah. So -- so that means --  
2 that means the -- the staff get the authority. They don't  
3 have to draw two plans?

4 MS. SCHAEFER: They had to. In the case of  
5 Pacific Cancer Foundation, they had to draw two plans,  
6 even though the house --

7 CHAIR TANAKA: No. That's what we're trying to  
8 now say.

9 MS. SCHAEFER: Yeah.

10 CHAIR TANAKA: That --

11 COMMISSIONER ALULI: Don't need.

12 CHAIR TANAKA: -- (inaudible) the authority to  
13 say it's not applicable, you know.

14 COMMISSIONER ALULI: Yeah.

15 CHAIR TANAKA: And don't have to.

16 DIRECTOR MUKAI: Oh, I stand corrected. Layne.

17 MR. SILVA: The site plan and the floor plan  
18 are, actually, two separate things. The floor plan is  
19 what's going to show the actual licensed premises. Now,  
20 if -- in a situation where -- like in Pundy's place where,  
21 if they're not utilizing the house as part of the licensed  
22 premises, then the house would not be part of the floor  
23 plan. Just what is gonna be considered the licensed  
24 premises.

25 CHAIR TANAKA: Okay. So I think -- I think you

1 and I get a different interpretation of site plan and  
2 floor plan.

3 MR. SILVA: Well, site plan is more -- it's more  
4 relative to allowing our invest -- it's more like a map  
5 how you get there. So it's -- it's showing a larger area.  
6 It's more to -- for our investigators to utilize to get to  
7 the function. If -- it could possibly show the house, but  
8 we still wouldn't ask for the internal floor plan.

9 COMMISSIONER ALULI: Diagram of the house  
10 itself, right.

11 MR. SILVA: Yeah. It's just showing us how to  
12 get there.

13 CHAIR TANAKA: So -- so you --

14 MS. SCHAEFER: But they did.

15 CHAIR TANAKA: You don't have to show -- I mean  
16 make two plans, then?

17 MR. SILVA: Well, the site plan and the floor  
18 plan are two separate things. The floor plan shows us the  
19 actual layout of the -- where the bars are located.

20 COMMISSIONER ALULI: Right.

21 MR. SILVA: Where the music and entertainment  
22 might take place and things of --

23 COMMISSIONER ALULI: So they --

24 MR. SILVA: And the boundary.

25 CHAIR TANAKA: They can show that on the site

1 plan.

2 COMMISSIONER ALULI: Yeah. For the instance up  
3 at Pundy's place, one of the functions that I attended,  
4 all the cooking stations and the bars were out on the  
5 yard, nothing was in the house.

6 DIRECTOR MUKAI: Yeah.

7 COMMISSIONER ALULI: So if you submitted the  
8 site plan with the layout of where all the food stations  
9 and liquor stations were, wouldn't that be sufficient?

10 MR. SILVA: It could be considered, sure, but --

11 COMMISSIONER ALULI: Yeah, because --

12 MR. SILVA: -- the Department --

13 COMMISSIONER ALULI: -- the inspector --

14 MR. SILVA: Yeah.

15 COMMISSIONER ALULI: But all the --

16 MR. SILVA: You're --

17 COMMISSIONER ALULI: -- inspector needs --

18 MR. SILVA: -- looking at it like two separate  
19 things, yeah.

20 COMMISSIONER ALULI: Correct.

21 MR. SILVA: And for --

22 COMMISSIONER ALULI: But it --

23 MR. SILVA: For separate purpose.

24 COMMISSIONER ALULI: But it -- it gives the  
25 inspector the ability to understand what the access points

1 are and where all the different stations are, which is  
2 ultimately what that inspector is looking for, correct?

3 MR. SILVA: I would agree.

4 COMMISSIONER ALULI: So it would make sense that  
5 the submission of that one site plan, including all the  
6 stations, when no -- nothing is being used of the house  
7 premises itself, provides the inspector and the Department  
8 with the information they need.

9 MR. SILVA: I would agree, but then, at the same  
10 time, it's kind of like something that you have to look at  
11 on a case-by-case --

12 COMMISSIONER ALULI: By case basis, correct.

13 MR. SILVA: We shouldn't be --

14 COMMISSIONER ALULI: Because not everything is  
15 going to be at Pundy's house.

16 MR. SILVA: Exactly.

17 COMMISSIONER ALULI: So --

18 MR. SILVA: Exactly.

19 CHAIR TANAKA: No. That's why I saying if you  
20 guys get the authority, if I submit a site plan and  
21 showing where the thing gonna be, that you don't need a  
22 floor plan. So if they get -- you guys get the authority  
23 to say, okay, not applicable, not applicable, you get the  
24 site plan showing everything, you know. Because,  
25 otherwise, it seems like you guys requiring a site plan

1 and the same plan where -- where the stations are. It's  
2 two -- two separate plans.

3 DIRECTOR MUKAI: The site plan, also, help  
4 identify the -- the actual place that they going hold  
5 something.

6 CHAIR TANAKA: Yeah.

7 DIRECTOR MUKAI: Because a lot of time it's in  
8 different buildings --

9 CHAIR TANAKA: I think --

10 DIRECTOR MUKAI: -- and everything else.

11 CHAIR TANAKA: I think -- I think -- I think the  
12 interpretation of the site plan and floor plan, the  
13 description is different because what you guys looking  
14 for, two separate things. When we draw -- when we draw  
15 engineering plans, we show the site and we show where the  
16 improvements gonna be or whatever as one site plan. And  
17 that's an improvement plan or the full plan. So it's one  
18 in a -- one plan that shows two. So if you guys can  
19 accept 'em on that basis, then they don't have to make two  
20 plans, yeah.

21 MR. SILVA: The exception would be, like you're  
22 saying, if -- if a function was taking place inside of a  
23 building, then their floor plan would be limited to --

24 CHAIR TANAKA: Oh, yeah. Yeah.

25 MR. SILVA: -- the exterior walls and

1 foundation.

2 COMMISSIONER ALULI: That's a different  
3 situation. Right.

4 CHAIR TANAKA: That is -- that is, you know --  
5 you can explain, you know, part of the floor plan, or site  
6 plan. Site is the whole site, but you can show -- show  
7 the facilities on the site plan.

8 DIRECTOR MUKAI: Yeah. If it's detailed enough  
9 and if we can blow it up. Because, at times, you know,  
10 when these nonprofits holds their function in the hotel  
11 grounds as a Class 10, we gotta know exactly where that  
12 is, between which building --

13 CHAIR TANAKA: Oh, yeah.

14 DIRECTOR MUKAI: -- what lawn.

15 CHAIR TANAKA: They can --

16 DIRECTOR MUKAI: And they can show all the  
17 buildings and exactly where.

18 MS. SCHAEFER: So the fire -- Mr. Chairman, the  
19 fire -- I think you make a very valid point. The Fire  
20 Department, also, has a requirement. The most important  
21 thing they want is a site plan so they can see where, for  
22 instance --

23 COMMISSIONER ALULI: Access points are. Access  
24 points.

25 MS. SCHAEFER: -- if they're --



1 COMMISSIONER ALULI: Absolutely

2 MS. SCHAEFER: -- deep-frying food, where those  
3 stations are, how -- what the fire access is.

4 MR. KUSHI: That's a floor plan.

5 MS. SCHAEFER: And -- well, it's not a floor  
6 plan because they -- I specifically asked -- you know I'm  
7 relentless. And I asked, I said, "So I wanna understand."  
8 And he said, look, what we need, this is the -- the  
9 Captain --

10 COMMISSIONER ALULI: Haake.

11 MS. SCHAEFER: -- Haake. I have trouble with  
12 that. Sorry. He was who I talked to. And he, also,  
13 said, by the way, that people could just email their  
14 application, there was no need for them to show up, and he  
15 would email it back when it was -- with a sign-off. So --  
16 but he said they just needed a general map, not to scale,  
17 that just showed access, where the -- where the potential  
18 cooking sites were going to be. It -- it was -- it's  
19 pretty general.

20 CHAIR TANAKA: Yeah, it's the same thing what  
21 we --

22 MS. SCHAEFER: Yeah, exactly. So --

23 CHAIR TANAKA: And the staff get a site plan to  
24 show where it is and whatever the facilities.

25 MS. SCHAEFER: Right.

1 CHAIR TANAKA: I think they're looking more for  
2 where you can escape fire or whatever.

3 MS. SCHAEFER: Right.

4 CHAIR TANAKA: You know.

5 MS. SCHAEFER: Yeah, exactly. But it requires  
6 the same kind of site plan. And the thing is, when this  
7 item is -- when these items are handed out -- when this  
8 application is handed out to a group, are they gonna mark  
9 off you don't need this because you're holding it outside,  
10 or are you going to -- you know what I'm saying? Are they  
11 going to say this is isn't applicable, this isn't  
12 applicable, at the first, when they first --

13 DIRECTOR MUKAI: Yes.

14 MS. SCHAEFER: -- come in, their first contact?

15 DIRECTOR MUKAI: Yes. Yes.

16 MS. SCHAEFER: Good. Thank you.

17 MR. KUSHI: Mr. Chair. Layne?

18 MR. SILVA: Yes.

19 MR. KUSHI: Is a site plan -- can a -- can a  
20 site plan be described as an expanded TMK map?

21 MR. SILVA: Not necessarily, no.

22 MR. KUSHI: You know the parcel is located on  
23 this -- this property, TMK.

24 MR. SILVA: Yes.

25 MR. KUSHI: You make a --

1 COMMISSIONER ALULI: Right.

2 MR. KUSHI: -- expanded TMK map to include the  
3 surrounding properties and the streets, then your  
4 inspectors know where this event is going to be held.

5 MR. SILVA: That's, more or less, the goal.

6 MR. KUSHI: The goal, right?

7 MR. SILVA: It is -- where it is and what's  
8 around.

9 MR. KUSHI: Versus a -- a room within a hotel.  
10 Then you need a expanded site plan, right?

11 MR. SILVA: Yes. At that point, we would know  
12 to know how to navigate through the hotel to --

13 MR. KUSHI: Correct.

14 MR. SILVA: -- get to where the function is  
15 taking place, yes.

16 MR. KUSHI: Whereas the floor plan details where  
17 the stations would be, where the bathrooms would be, et  
18 cetera?

19 MR. SILVA: Yes. And the boundaries and  
20 details, yes.

21 CHAIR TANAKA: Right -- right now, let's say the  
22 function is at Pundy's old house, you guys expect the site  
23 plan and a floor plan even though the function is out in  
24 the yard only?

25 MR. SILVA: Yes. Typically, that is a

1 requirement for all of --

2 CHAIR TANAKA: So what I'm saying is can you  
3 combine the two and you guys accept 'em on that basis?

4 MR. SILVA: Again, that would have to be seen on  
5 a case-by-case situation to --

6 CHAIR TANAKA: No.

7 MR. SILVA: -- see if it meets --

8 CHAIR TANAKA: We're --

9 MR. SILVA: -- the requirements.

10 CHAIR TANAKA: -- talking about Pundy's, Pundy's  
11 one, where they using only the yard.

12 MR. SILVA: I believe you could probably  
13 accomplish that.

14 CHAIR TANAKA: But -- but the problem -- the  
15 problem may be that because it's eight and-a-half by 11,  
16 you guys gonna get hard time see it --

17 MR. SILVA: Yes.

18 CHAIR TANAKA: -- you know. Because I can make  
19 one plan 24 by 36 and reduce to eight and-a-half by 11.  
20 And --

21 MR. SILVA: And, see, that is what becomes the  
22 issue with the difference between the site plan and the  
23 floor plan. Because when you try to, you know, put the  
24 surrounding area back down to that eight and-a-half by 11,  
25 now you're losing detail in what we're gonna consider the

1 floor plan.

2 CHAIR TANAKA: Then I give you guys a mic -- a  
3 magnifying glass.

4 MS. SCHAEFER: So, Mr. Chairman, the event  
5 that -- that -- that I was talking about, Pacific Cancer  
6 Foundation, was held at Pundy's. And it says, I had to  
7 have a detailed floor plan of the house even though it was  
8 outside the concession area. And that's the objection. I  
9 don't -- you know, you draw an outline of the house, fine,  
10 but to have to do an individual floor plan -- and if it's  
11 at a private home, you know, in Wailea or someplace, they  
12 may not want their --

13 CHAIR TANAKA: Well, that's what -- that's what  
14 we trying to resolve --

15 MS. SCHAEFER: Yeah.

16 CHAIR TANAKA: -- now.

17 MS. SCHAEFER: Exactly. Thank you.

18 UNIDENTIFIED SPEAKER: (Inaudible).

19 CHAIR TANAKA: Saying -- saying that the site  
20 plan and the floor plan can be one in the -- one in the  
21 same --

22 MS. SCHAEFER: Yeah.

23 CHAIR TANAKA: -- you know.

24 MS. SCHAEFER: Without the detail on the house  
25 if it's --

1 COMMISSIONER ALULI: If the house isn't being  
2 used.

3 CHAIR TANAKA: The house is not involved,  
4 anyway.

5 MS. SCHAEFER: Yeah.

6 CHAIR TANAKA: So --

7 DIRECTOR MUKAI: Mr. Chair, Kari will address  
8 this issue.

9 CHAIR TANAKA: Yeah, Kari.

10 MS. YOSHIZAWA: In regards to the Pacific Cancer  
11 one, it was proposed to the Department that they were  
12 going to be offering liquor where the guests were gonna be  
13 pulling up for their cars at the front of the house and  
14 then they were going to be offered wine and they could  
15 take the wine and then go through the hallway of the house  
16 and then go to the outside event area. So they were going  
17 through just the passageway. And that's what they just  
18 had to show, is just the passageway through the house, not  
19 the rooms or anything like that, because consumption was  
20 gonna take place within that hallway.

21 CHAIR TANAKA: Well, that's a different  
22 situation now because they utilizing the house for  
23 consumption. So --

24 MS. SCHAEFER: Didn't.

25 CHAIR TANAKA: Yeah. But what we -- what I'm

1 trying to say is the function like -- Yuki Lei had one  
2 there, and she used only the front yard. And then the --  
3 the people cooking and serving alcohol was in the -- in  
4 the same locale where everybody was standing, yeah. So I  
5 would think that could be shown on one plan, site plan,  
6 that way. Maybe -- maybe -- maybe the staff gotta  
7 instruct those people accordingly. If you're using the  
8 house, you got to get two plans, if not, we can squeeze  
9 'em -- I don't know how you --

10 MS. SCHAEFER: Yeah. Yeah.

11 CHAIR TANAKA: Trying to save them time and  
12 money, because somebody gotta draft 'em. Okay. Any --  
13 any other questions? You get any other comments, Madge?

14 MS. SCHAEFER: No. I just --

15 CHAIR TANAKA: I'm gonna cut you off already,  
16 now.

17 MS. SCHAEFER: Oh, no, no, no. Oh, they've  
18 tried for years to do that, never been successful. Ask  
19 Mr. Kushi.

20 CHAIR TANAKA: Okay.

21 MS. SCHAEFER: No. I just would appreciate if  
22 you would, also, revisit -- you -- you make excellent  
23 points about the site plan. I wish you would revisit the  
24 list of how the board of directors need to be listed and  
25 the date of birth issue because -- we had a discussion --

1 I had a discussion with staff about this. And they said,  
2 well, you know, what if there was a felon on the board.  
3 Well, you wouldn't know because you're not doing criminal  
4 background checks. And, you know, I -- I just can't think  
5 of any reason why you need to be intrusive. In this day  
6 and age, when we're all worried about identity theft and  
7 being -- having to be so careful, why would you require  
8 people to do this? It just -- I think the date of birth  
9 ought to be taken out and just the first, middle initial  
10 and last name and title, and leave it at that. And --  
11 and, also, please revisit the issue of the contractor  
12 services and how they can't do that -- provide those  
13 certificates within three weeks.

14 Thank you.

15 CHAIR TANAKA: Okay. We'll take your  
16 suggestions under advisement. Okay. Any -- any other  
17 questions? Okay. Let's -- let's -- let's go on to  
18 approval of forms. DLC-001, Layne, license application  
19 checklist.

20 MS. KOBAYASHI: Chair, I'm --

21 CHAIR TANAKA: What the changes are.

22 MS. KOBAYASHI: DLC-001, the first changes can  
23 be found on Page 2 of 5, third section down, regarding  
24 corporation for each officer, we are adding to the form  
25 the section on Livescan fingerprinting. The underlying



1 section -- the underlying area is what is designating as  
2 new, an insertion of criteria. So we're adding in the  
3 Livescan fingerprinting.

4 DLC-008, certified check or money order payable  
5 to and the amount. Also, adding in, or they can, also, go  
6 Field Print Hawaii. And information for Field Print  
7 Hawaii is below that.

8 Moving on to Page 3 of 5, second section where  
9 they talk about State and Federal tax clearances or  
10 certificate of compliance. Basically, it's just adding on  
11 the website for the applicant to quickly go and access the  
12 certificate of compliance registration.

13 There, also, is, I believe, in your packet, a  
14 printout from the -- straight from the Department of  
15 Accounting and General Services website. This is what the  
16 applicant would see when they go to the -- to the website.  
17 They would have to follow the instructions on how to  
18 register.

19 MR. SILVA: And we, also, will provide copies of  
20 this to the applicants while we meet with them in issuing  
21 them the paperwork. We provide them this document that  
22 gives them the information, where to receive it and a  
23 sample, also, of what it will look like when they obtain  
24 it.

25 CHAIR TANAKA: Okay. Any questions by the

1 Commissioners? Any comments, Madge?

2 MS. SCHAEFER: No. I'm staying out of this one.

3 CHAIR TANAKA: Okay. Let's go on to Personal  
4 History Statement Form.

5 MS. KOBAYASHI: Personal history statement, the  
6 applicant. The change on this form is on Page 4 of 4, the  
7 last page. We are deleting, under the criminal history  
8 statement, the area of "or paid a fine over \$25. Include  
9 traffic items." We're deleting that.

10 On the bottom, we are adding on for  
11 certification, "Print full legal name."

12 CHAIR TANAKA: Okay. Any questions?

13 MR. KUSHI: Mr. Chair, if I may. Staff, for the  
14 application checklist as well as the -- the form itself,  
15 Personal History Statement, you know, the Commission  
16 passed the rules allowing publicly-traded corporations to  
17 just vet one, right, one officer, if it's a  
18 publicly-traded corporation. And how does it incorporate  
19 in these forms?

20 DIRECTOR MUKAI: What would happen when they  
21 apply?

22 MR. KUSHI: When they apply.

23 DIRECTOR MUKAI: If they identified the person,  
24 who well aware of the law, identify the person, then that  
25 person will be waived from --

1 MR. KUSHI: So --

2 DIRECTOR MUKAI: That person is the only one  
3 that would do the fingerprinting and everything else.

4 CHAIR TANAKA: Only one.

5 DIRECTOR MUKAI: But the rest of 'em still have  
6 to do a personal history.

7 MR. KUSHI: What?

8 DIRECTOR MUKAI: It doesn't -- the State law  
9 doesn't require -- I mean, it's too -- doesn't waive.

10 MR. KUSHI: You gonna vet the national  
11 corporation all of -- all of their officers?

12 CHAIR TANAKA: Only the -- I thought only the  
13 manager.

14 DIRECTOR MUKAI: They just have to identify one  
15 person that we can vet.

16 MR. KUSHI: Right. You don't have to list --  
17 none of the national officers need to be listed, right?

18 DIRECTOR MUKAI: It doesn't say that.

19 COMMISSIONER UMENO: So you're requiring it?

20 DIRECTOR MUKAI: Yes.

21 COMMISSIONER ALULI: Wow.

22 CHAIR TANAKA: But you're vetting --

23 DIRECTOR MUKAI: Oh.

24 CHAIR TANAKA: -- only one.

25 DIRECTOR MUKAI: No. We don't vet everyone.

1 CHAIR TANAKA: You -- yeah.

2 DIRECTOR MUKAI: But once they ID one person  
3 that's in charge of the liquor sales and everything --

4 CHAIR TANAKA: Yeah, it's a vet.

5 DIRECTOR MUKAI: Only that one.

6 CHAIR TANAKA: Yeah. Okay. So only one.

7 Before, you used to vet everybody?

8 DIRECTOR MUKAI: Yes. And like the Department  
9 previously stated, we think that's kind of discriminatory  
10 because they are only doing it for the public traded  
11 companies, but on Maui and the rest of the Hawaii, I think  
12 about 60, 70, 80 percent of the people, they not public  
13 traded company, our licensees. So now all of them have to  
14 be all vetted. Well --

15 MR. KUSHI: But that --

16 DIRECTOR MUKAI: State law --

17 MR. KUSHI: -- has not changed. That has not  
18 changed.

19 DIRECTOR MUKAI: Yeah. So I been urging the  
20 licensees to go back to legislature and --

21 COMMISSIONER ALULI: And get them to change  
22 that.

23 DIRECTOR MUKAI: -- for everybody.

24 CHAIR TANAKA: Yeah. That makes sense.

25 DIRECTOR MUKAI: Across the board.

1 CHAIR TANAKA: Across the board, yeah. Vet only  
2 one guy.

3 COMMISSIONER ALULI: Yeah.

4 CHAIR TANAKA: You don't gotta vet everybody.  
5 Because that's the guy who is responsible. Okay.

6 We discussed Application for Special Liquor  
7 License and Special License Application Checklist. Okay.  
8 Any -- any comments by the Commissioners? Okay. The  
9 Chair -- the Chair would recommend that DLC-01 and 06,  
10 Personal History Statement, be approved as is. And  
11 Application DLC-016 and -- gotta put my glasses -- 030,  
12 you know, let's re-review and see what we can have --  
13 yeah, defer those two items. I like to see the staff  
14 contact some of these people, like Madge says, and see  
15 what we can do to eliminate some of the requirements.  
16 Okay. So may I have a motion on DLC-01 and 06?

17 VICE-CHAIR LOPEZ: So moved.

18 COMMISSIONER UMENO: Second.

19 CHAIR TANAKA: Okay, moved and seconded. All in  
20 favor, say "aye."

21 (Response.)

22 CHAIR TANAKA: Opposed, "no."

23 (No response.)

24 CHAIR TANAKA: Motion carried.

25 Item DLC-016 and DLC-030 will be deferred until

1 we get some answers from the Department. Okay.

2 MR. KUSHI: Mr. Chair, the new -- new form for  
3 minors, did you --

4 CHAIR TANAKA: Oh, we did that already.

5 MR. KUSHI: You did that?

6 CHAIR TANAKA: Yeah. Okay. So Liquor  
7 Adjudication Board.

8 DIRECTOR MUKAI: The Commission have in front of  
9 them the Liquor Adjudication Board hearing that was held  
10 and the fines.

11 CHAIR TANAKA: Okay. So if there's no other  
12 questions or comments, may I have a motion for  
13 adjournment?

14 COMMISSIONER UMENO: So moved.

15 COMMISSIONER BOLOSAN: Second.

16 CHAIR TANAKA: Moved and seconded. All in  
17 favor, say "aye."

18 (Response.)

19 CHAIR TANAKA: Meeting adjourned. Thank you.

20 (Gavel.)

21 (Meeting adjourned, 11:11 a.m.)

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CERTIFICATE

I, TONYA MCDADE, Certified Court Reporter of the State of Hawaii, do hereby certify that the proceedings contained herein were taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney nor an employee of any of the parties hereto, nor in any way concerned with the cause.

DATED this 7th day of February, 2018.

/s/ Tonya McDade

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Tonya McDade  
Certified Shorthand Reporter #447  
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