

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 9:03 a.m., on Wednesday, March 14, 2018.

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APPEARANCES

- Robert Tanaka, Chairperson
 - Darren Lopez, Vice-Chairperson
 - Nane Aluli, Commissioner
 - Dawn Bicoy, Commissioner
 - Roy Bolosan, Commissioner
 - Nicole Derego, Commissioner
 - Jonathan Todd, Commissioner
 - Roy Umeno, Commissioner
 - Leslie-Ann Yokouchi, Commissioner
- STAFF PRESENT:
- Edward Kushi, Jr., First Deputy Corporation Counsel
 - Glenn Mukai, Director
 - Georgette Tyau, Deputy Director
 - Layne Silva, Liquor Control Officer III
 - Karilee Yoshizawa, Liquor Control Officer IV
 - Gene Silva, Liquor Control Officer III

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1 (Wednesday, March 14, 2018, 9:03 a.m.)

2 * * *

3 CHAIR TANAKA: (Gavel.) Okay. Liquor
4 Commission meeting called to order.

5 We finally got a full Commission.

6 COMMISSIONER ALULI: Yes.

7 CHAIR TANAKA: Jonathan Todd, our new member.
8 Okay. Roll call. Kari.

9 MS. YOSHIZAWA: Kari Yoshizawa, Liquor Control.

10 COMMISSIONER DEREGO: Nicole DeRego.

11 COMMISSIONER ALULI: Aloha. Nane Aluli.

12 COMMISSIONER BICOY: Good morning. Dawn Bicoy.

13 MR. TODD: Aloha. Jonathan Todd.

14 MR. KUSHI: Ed Kushi.

15 CHAIR TANAKA: Good morning. Bob Tanaka.

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

17 COMMISSIONER UMENO: Roy Umeno.

18 COMMISSIONER BOLOSAN: Aloha. Leon Bolosan.

19 COMMISSIONER YOKOUCHI: Good morning. Leslie
20 Yokouchi.

21 DIRECTOR MUKAI: Glenn Mukai, Liquor Control.

22 DEPUTY DIRECTOR TYAU: Georgette Tyau, Liquor
23 Control.

24 MR. GENE SILVA: Gene Silva, Liquor Control.

25 MR. LAYNE SILVA: Layne Silva, Liquor Control.

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1 CHAIR TANAKA: Okay. Thank you. You have your
2 agenda for March 14, 2018. If no comments or questions,
3 may I have a motion for approval?

4 VICE-CHAIR LOPEZ: So moved.

5 COMMISSIONER ALULI: Second.

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

8 (Response.)

9 CHAIR TANAKA: You, also, have your Commission
10 meeting on January 19, 2018. If there's no questions or
11 comments, may I have a motion for approval?

12 VICE-CHAIR LOPEZ: So moved.

13 COMMISSIONER UMENO: Second.

14 COMMISSIONER YOKOUCHI: Second.

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

17 (Response.)

18 CHAIR TANAKA: You, also, have your Liquor
19 Commission Minutes of February 14, 2018. Any questions or
20 comments? If not, may I have a motion for approval?

21 VICE-CHAIR LOPEZ: So moved.

22 COMMISSIONER UMENO: Second.

23 CHAIR TANAKA: Okay. All in favor, say "aye."

24 (Response.)

25 CHAIR TANAKA: Thank you. Let's go on to

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1 General Licensing Matters, Item A through H. If there's
2 no comments or questions, may I have a motion for
3 confirmation?

4 VICE-CHAIR LOPEZ: I move to confirm General
5 Licensing Matters A through H.

6 COMMISSIONER UMENO: Second.

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

9 (Response.)

10 CHAIR TANAKA: Opposed, "no."

11 (No response.)

12 CHAIR TANAKA: Motion carried.

13 Okay. Let's go on to Licensing Matters. Public
14 Hearing, Application Number TA-01.

15 MR. COOK: Good morning, Mr. Chair, Members of
16 the Commission and the Department. Vaughn Cook appearing
17 on behalf of the applicant RCSH Operations, Inc. doing
18 business as Ruth's Chris Steak House. With me is
19 Mr. Jonathan Wastrom, the Restaurant General Manager for
20 the Lahaina restaurant.

21 CHAIR TANAKA: Thank you. Layne.

22 MR. LAYNE SILVA: Application TA-01, the
23 applicant is RSCH [sic] Operations, Inc. doing business as
24 Ruth Chris Steak House. The proposed premises is located
25 at 900 Front Street, Space Number A-3, Lahaina, Maui,

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1 Hawaii. This is a public hearing for a transfer dis --
2 Dispenser General License, Category C(ii).

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

6 Notice of public hearing was published in "The
7 Maui News" on January 17th and 24th, 2018. There are a
8 total of 24 owners and lessees situated within 500 feet of
9 the proposed premises. The Department did not receive any
10 protests.

11 CHAIR TANAKA: Thank you. Do you have anything
12 to add?

13 MR. COOK: Only that we look forward to
14 continuing the long tradition that Ruth's Chris Steak
15 House has brought to the people of Maui, fine dining with,
16 we believe, the best steaks and a great atmosphere. I did
17 have the privilege of dining last night at the Wailea
18 restaurant. And I will give a word of caution, if you do
19 get one of the specials, be careful, don't touch the
20 plates because it is 500 degrees.

21 CHAIR TANAKA: Okay. Since this is a public
22 hearing, I'm gonna open it to the public. Anybody for or
23 against this application? Okay. Seeing none, public
24 hearing closed for this item. Any questions by the
25 Commissioners?

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1 COMMISSIONER DEREGO: Not at this time.

2 CHAIR TANAKA: Any questions? If there's no
3 questions -- go ahead.

4 COMMISSIONER UMENO: Do we take TA-01 and 02?

5 CHAIR TANAKA: No. Different location, that's
6 why. Okay. If there's no questions, may I have a motion?

7 COMMISSIONER UMENO: I move to approve
8 Application TA-01 conditioned upon the applicant
9 completing the remaining application requirements to
10 satisfaction of the Liquor Control.

11 VICE-CHAIR LOPEZ: 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 MR. COOK: Thank you.

19 CHAIR TANAKA: Application Number TA-02.

20 MR. COOK: Good morning. Vaughn Cook appearing
21 on behalf of the applicant. With me is Mr. Randy Spencer,
22 Manager of the Wailea Ruth's Chris restaurant.

23 CHAIR TANAKA: Thank you. Gene.

24 MR. GENE SILVA: Application Number TA-02, the
25 applicant is RSCH [sic] Operations, Inc. doing business as

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1 Ruth Chris Steak House. The proposed premises is located
2 at 3750 Wailea Alanui Drive, Space A-34, Wailea, Maui,
3 Hawaii. This is a public hearing for a transfer of a
4 Dispenser General License, Category C(ii).

5 The documents necessary for completing the
6 remaining application requirements for a liquor license
7 are listed in the summary report.

8 Notice of public hearing was published in "The
9 Maui News" on January 17th and 24th, 2018. There are a
10 total of 139 owners and lessees situated within 500 feet
11 of the proposed premises. The Department did not receive
12 any protests.

13 CHAIR TANAKA: Thank you. You get anything else
14 to add?

15 MR. COOK: Nothing further to add. This, again,
16 is -- the purpose of the transfer request is because the
17 former franchisee has sold the business back to the
18 corporate office. And the corporate office will continue
19 to operate the Ruth's Chris as it has been operated for
20 many years.

21 CHAIR TANAKA: The plate is still the same
22 temperature?

23 MR. COOK: Still the same temperature. Don't --
24 don't touch.

25 CHAIR TANAKA: Okay. Since this is a public

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1 hearing item, I'm gonna open it to the public. Anybody
2 for or against this application? Okay. Seeing none,
3 public hearing closed for this item. Any questions by the
4 Commissioners?

5 COMMISSIONER ALULI: Yeah. I just want to
6 reconfirm because I -- if I remember from the last time
7 you were here, there is a kamaaina discount at Ruth's
8 Chris, is that right?

9 MR. SPENCER: Sunday, Monday, yeah.

10 COMMISSIONER DEREGO: Sunday and Monday.

11 COMMISSIONER ALULI: Okay. Good. Just wanna
12 reconfirm that.

13 CHAIR TANAKA: Nane -- you go there, Nane?

14 COMMISSIONER ALULI: Yeah, I love it.

15 MR. COOK: I would, also, add that there is a
16 special called Prime Time between 5:00 and 6:00 p.m. And
17 although Ruth's Chris normally serves al a carte, the
18 Prime Time special has everything, right, a salad, a steak
19 or main dish, as well as a side dish and a dessert.

20 CHAIR TANAKA: Both sides, Wailea and Lahaina?

21 MR. SPENCER: Both sides.

22 CHAIR TANAKA: Both sides?

23 MR. COOK: Yes.

24 VICE-CHAIR LOPEZ: Can the sides be like lobster
25 tail?

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1 MR. SPENCER: Extra \$50.

2 MR. TODD: 45 with the discount.

3 CHAIR TANAKA: Okay. So any other questions?

4 If not, may I have a motion?

5 COMMISSIONER UMENO: I move to approve
6 Application Number TA-02 conditioned upon the applicant
7 completing the remaining application requirements --

8 VICE-CHAIR LOPEZ: Second.

9 COMMISSIONER UMENO: -- to the satisfaction.

10 CHAIR TANAKA: Okay, moved and seconded. All in
11 favor, say "aye."

12 (Response.)

13 CHAIR TANAKA: Opposed, "no."

14 (No response.)

15 CHAIR TANAKA: Motion carried. Thank you.

16 MR. COOK: Thank you.

17 CHAIR TANAKA: Okay. Application Number 14,
18 Maui Style Market.

19 MS. FRAZER: Good morning.

20 CHAIR TANAKA: Good morning. State your name,
21 Michelle.

22 MS. FRAZER: Michelle Frazer, Maui Style Market.

23 CHAIR TANAKA: Okay. Thank you. Layne.

24 MR. LAYNE SILVA: Application Number 14, Maui
25 Style Market, LLC doing business as Maui Style Market.

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1 The proposed premises is located at 65 West
2 Kaahumanu Avenue, Suites 3A, 3B and 3C, Kahului, Maui,
3 Hawaii.

4 This is a public hearing for a new Retail
5 General license.

6 The documents necessary for completing the
7 remaining application requirements for a liquor license
8 are listed in the summary report.

9 Notice of public hearing was published in "The
10 Maui News" on January 17th and 24th, 2018. There are a
11 total of 29 owners and lessees situated within 500 feet of
12 the proposed premises. The Department did not receive any
13 protests.

14 CHAIR TANAKA: Thank you. Michelle, you get
15 anything else to add?

16 MS. FRAZER: I don't. Thank you.

17 CHAIR TANAKA: Okay. Since this is a public
18 hearing, I'm gonna open it to the public. Anybody for or
19 against this application? Okay. Seeing none, public
20 hearing closed. Any questions by the Commissioners?
21 Okay. If there's no questions, may I have a motion?

22 COMMISSIONER UMENO: I move to approve
23 Application Number 14 conditioned upon the applicant
24 completing the remaining application requirements.

25 COMMISSIONER BOLOSAN: Second.

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1 CHAIR TANAKA: Moved and seconded. All in
2 favor, say "aye."

3 (Response.)

4 CHAIR TANAKA: Opposed, "no."

5 (No response.)

6 CHAIR TANAKA: Motion carried. Thank you.

7 MS. FRAZER: Thank you.

8 CHAIR TANAKA: Okay, let's go on to Preliminary
9 Hearings. Application 19, Champagne, Inc.

10 FEMALE SPEAKER: Good morning. My name is Marni
11 Aina and I'm with Champagne, Inc. dba Hana Dry Goods.

12 CHAIR TANAKA: Thank you. Gene.

13 MR. GENE SILVA: Application Number 19,
14 Champagne, Inc., a registered Hawaii corporation doing
15 business as Hana Dry Goods applying for a Retail General
16 license.

17 Officers, directors and stockholders of the
18 corporation are listed in the investigator's report.

19 Applicant has submitted a copy of an amendment
20 to management agreement by and between Heavenly Hana, LLC,
21 Hana Town Center, LLC, and Hana Pit Stop, LLC, each a
22 Colorado limited liability company, collectively "Owner",
23 and Champagne, Inc., a registered Hawaii corporation,
24 "Manager", collectively the "Parties", dated December 7,
25 2017.

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1 The proposed premises contains approximately 800
2 square feet of floor space located at 5031 Hana Highway,
3 Retail Number 1, Hana, Maui, Hawaii.

4 Saint Mary Church is located within a radius of
5 500 feet.

6 There are no schools located within a radius of
7 500 feet.

8 There are no licenses of the same class and kind
9 located within a radius of 500 feet.

10 There's one Hotel license located within a
11 radius of 500 feet.

12 There are 139 licenses of this class and kind
13 currently issued within Maui County.

14 Applicant initially plans to be open Monday
15 through Sunday from 6:00 a.m. to 11:00 p.m.

16 CHAIR TANAKA: Thank you. Do you have anything
17 else to add?

18 MR. GENE SILVA: No. I get some more.

19 CHAIR TANAKA: Oh.

20 MR. GENE SILVA: Almost there.

21 CHAIR TANAKA: You don't read fast enough.

22 MR. GENE SILVA: Yeah, yeah. That's why I
23 opened up the page.

24 Jason Michael Lucas is an officer and director,
25 and Erin Page Little is an officer of Champagne, Inc.

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1 doing business as Travaasa Hotel Hana, License 413, Hotel.
2 Original license issued on January 7, 2011.

3 Jason Michael Lucas is an officer and director,
4 and Erin Page Little is an officer of Champagne, Inc.
5 doing business as Hana Gas, License 407, Retail Beer and
6 Wine. Original license issued on January 7, 2011.

7 Jason Michael Lucas is an officer and director,
8 and Erin Page Little is an officer of Champagne, Inc.
9 doing business as Hana Ranch Restaurant, License 406,
10 Restaurant General, Category B(ii). Original license
11 issued on January 7, 2011.

12 There were no reports of liquor law violations
13 at these locations. A copy of their past history is
14 attached.

15 A site inspection was conducted at the proposed
16 premises on January 29th, 2018. The investigator found
17 that the premises was inconsistent with the floor plan
18 submitted with the application.

19 In the opinion of this investigator, the
20 applicant appears to be fit and proper, and does not
21 appear to be disqualified by any provisions as stated
22 within Section 281-56 of the Hawaii Revised Statutes from
23 obtaining or exercising a license.

24 All documents necessary for the issuance of a
25 liquor license have not been submitted. Those items are

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1 listed in the investigator's report.

2 CHAIR TANAKA: Okay. Do you have anything else
3 to add?

4 MS. AINA: No. Thank you.

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

8 VICE-CHAIR LOPEZ: Yeah, I have one question.
9 I'm looking at the plans, the floor plan over here, I
10 don't see a -- any restrooms. Where are the restrooms
11 located at?

12 MS. AINA: They're located right across the hall
13 from the retail space.

14 CHAIR TANAKA: This is a retail --

15 VICE-CHAIR LOPEZ: Oh, retail. I'm sorry. I
16 apologize.

17 CHAIR TANAKA: Any other questions?

18 MR. TODD: I do.

19 CHAIR TANAKA: Go ahead.

20 MR. TODD: The new boy here, so I'm treading
21 lightly. But what -- what do they want to sell and how
22 does the dressing room affect that? I've never seen a
23 closed area that can be closed before a purchase where the
24 alcohol might go if -- is this plan correct?

25 MS. AINA: Yes. There is a dressing room. It's

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1 an existing retail store that, also, has a clothing
2 purchase option.

3 CHAIR TANAKA: They sell all kind things.

4 MS. AINA: Yeah.

5 MR. TODD: So do you have beer and wine?

6 MS. AINA: Yes.

7 MR. TODD: The dressing room bring up an issue
8 for anybody for public safety?

9 CHAIR TANAKA: No, I don't think so.

10 MR. TODD: Okay. I said I was the new guy.

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

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

16 VICE-CHAIR LOPEZ: Second.

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

19 (Response.)

20 CHAIR TANAKA: Opposed, "no."

21 (No response.)

22 CHAIR TANAKA: Motion carried. Thank you.

23 MS. AINA: Thank you.

24 CHAIR TANAKA: Application Number 21, Maui
25 Tacos.

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1 MR. JORGENSEN: Good morning, Chairman Tanaka,
2 Members of the Commission, staff. My name's Dave
3 Jorgensen, I'm the attorney for the applicant Maui Tacos
4 H6, Inc. doing business as Maui Tacos. With me this
5 morning is Alfonso Navarro, one of the managers of the
6 operation.

7 CHAIR TANAKA: Thank you. Layne.

8 MR. NAVARRO: Morning.

9 CHAIR TANAKA: Morning.

10 MR. LAYNE SILVA: Application for Dispenser
11 General License, Application Number 21, Maui Tacos H6,
12 Inc. doing business as Maui Tacos applying for Dispenser
13 General License, Category C(ii).

14 Officer, director and stockholder of the
15 corporation is listed in the investigator's report.

16 Applicant has submitted a copy of a shopping
17 center lease by and between Puunene Shopping Center, LLC,
18 "Landlord", and Maui Tacos H6, Inc., "Tenant", dated
19 October 3rd, 2016. The term of the lease is 10 years.

20 The proposed premises is a one-story building
21 within the Puunene Shopping Center consisting of
22 approximately 1,202 square feet, located at 100 Hookele
23 Street, Space 520, Building 5, Kahului, Maui, Hawaii.

24 There are no schools or licenses of the same
25 class and kind located within a radius of 500 feet.

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1 The First Assembly of God (King's Cathedral) and
2 Shinnyo-En Hawaii are churches located within a radius of
3 500 feet.

4 There are two Retail General licenses located
5 within a radius of 500 feet.

6 There are 123 licenses of this class and kind
7 currently issued within Maui County.

8 Applicant initially plans to be open seven days
9 a week from 9:00 a.m. to 10:00 p.m.

10 Jeffrey Kenneth Endervelt is an officer and
11 director of Maui Tacos H4, Inc. doing business as Maui
12 Tacos, License Number 373, Dispenser General, Category
13 C(ii). Original license issued on November 18th, 2011.
14 There were no reports of liquor law violations at this
15 location. And a copy of the past history is attached.

16 Site inspection was conducted of the proposed
17 premises on February 22nd, 2018. The investigator found
18 that the floor plan submitted was inconsistent with the
19 floor plan submitted within the application. The premises
20 is currently undergoing construction.

21 In the opinion of this investigator, the
22 applicant appears to be fit and proper, and does not
23 appear to be disqualified by any provision as stated
24 within Section 281-56 HRS from obtaining or exercising a
25 license.

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1 All documents necessary for the issuance of a
2 liquor license have not been submitted. Those items are
3 listed in the investigator's report.

4 CHAIR TANAKA: Thank you. Dave, you get
5 anything else to add?

6 MR. JORGENSEN: Just as the report says, the
7 premises are under construction and there's been a couple
8 bumps in the road as far as permits with the County, but,
9 hopefully, that's being resolved this week so they can
10 move forward and get the premises built and open. So
11 we're available for any questions.

12 CHAIR TANAKA: Okay. I'm gonna open it to the
13 public. Any public testimony on this item? Okay. Since
14 there's no testimony, any questions by the Commissioners?

15 MR. JORGENSEN: And our plates are not hot.
16 You're not gonna burn yourself on our plates, for the
17 record.

18 CHAIR TANAKA: What about kamaaina discount?

19 COMMISSIONER ALULI: No, they don't do that.

20 CHAIR TANAKA: Okay. If there's no questions,
21 may I have a motion?

22 COMMISSIONER UMENO: I move to approve
23 Application 21 conditioned upon the applicant completing
24 the remaining application requirements.

25 COMMISSIONER BOLOSAN: Second.

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1 CHAIR TANAKA: Okay, moved and seconded. All in
2 favor, say "aye."

3 (Response.)

4 CHAIR TANAKA: Opposed, "no."

5 (No response.)

6 CHAIR TANAKA: Motion carried. Thank you.

7 MR. JORGENSEN: Thank you very much. Have a
8 good day. Thank you.

9 CHAIR TANAKA: Okay. Let's go on to Other
10 Licensing Matters. West Side Charters L.L.C.

11 MR. LAPRADE: Aloha.

12 CHAIR TANAKA: Hello. State your name, please.

13 MR. LAPRADE: Zachary LaPrade, Member, West Side
14 Charters L.L.C.

15 CHAIR TANAKA: Thank you. Layne.

16 MR. LAYNE SILVA: West Side Charters L.L.C.

17 doing business as Quicksilver, Tour or Cruise Vessel
18 License, Category B.

19 Members, organizers and agent of the
20 member-managed LLC are listed in the investigator's
21 report.

22 The nature of the request: They're requesting
23 Commission approval to extend their hours of operation to
24 7:30 a.m. There will be no liquor service until 8:00 a.m.

25 Rules of the Liquor Commission: 08-101-25,

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1 Hours for sale, service and consumption of liquor in
2 licensed premises. (a), Hours during which licensed
3 premises may be open for the transaction of business shall
4 be as follows:

5 (1), Dispensers, restaurants, clubs, transient
6 vessels, tour or cruise vessels, and specials: Any hour
7 of the day from 8:00 a.m. to 2:00 a.m. the following day.

8 There shall be -- (c) There shall be no sale,
9 service or consumption of liquor on or within any licensed
10 premises before or after the hours prescribed by the
11 Commission.

12 (e), Licensee may operate or be open for
13 business for other than the sale, service or consumption
14 of liquor prior to or beyond the hours prescribed by the
15 Commission upon submitting an application and obtaining
16 prior approval from the Commission.

17 CHAIR TANAKA: Do you have anything else to add?

18 MR. LAPRADE: No, sir.

19 CHAIR TANAKA: Okay. I'm gonna open it to the
20 public for any public testimony. Okay. Seeing none, any
21 questions by the Commissioners?

22 VICE-CHAIR LOPEZ: So what is your hours of
23 operation now? Why are you asking that -- you just
24 want --

25 MR. LAPRADE: We begin boarding at 7:30. And,

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1 you know, we don't serve liquor until after the second
2 snorkel site, which is usually around 11:00, but we are
3 boarding before the time, between 8:00 and 6:00, that is
4 permitted by the statute. So they are on board and they
5 are receiving services, though it's not alcohol, at 7:30.
6 So we're seeking a permit in order to allow our people to
7 board at 7:30.

8 VICE-CHAIR LOPEZ: But not to serve alcohol?

9 MR. LAPRADE: No, we don't serve until after
10 they're done snorkeling.

11 CHAIR TANAKA: What is the hours of operation
12 right now?

13 MR. LAYNE SILVA: Well, the allowed hours of
14 operation would be from 8:00 a.m. to 2:00 a.m. So they're
15 going half an hour before liquor service.

16 COMMISSIONER ALULI: That's for the -- that's
17 for the dispensing of alcohol?

18 CHAIR TANAKA: Yeah.

19 COMMISSIONER ALULI: Right?

20 CHAIR TANAKA: Yeah, alcohol.

21 MR. LAYNE SILVA: Yes.

22 CHAIR TANAKA: So you -- right now, you operate
23 only between 8:00 and 2:00, then?

24 MR. LAPRADE: Eight -- 8:00 a.m. and 2:00.

25 CHAIR TANAKA: A.m.?

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1 MR. LAPRADE: Yeah.

2 VICE-CHAIR LOPEZ: So you're specifically asking
3 just to board with no alcohol consumption until 8:00,
4 anyway?

5 MR. LAPRADE: Right. Well, really, no -- no
6 alcohol consumption until much after that, but that's --

7 VICE-CHAIR LOPEZ: Yeah. I mean, that's what is
8 here, yeah.

9 CHAIR TANAKA: You -- you won't have a situation
10 where you might need it earlier than 7:30?

11 MR. LAPRADE: That's our -- that's our departure
12 time. No, we don't usually leave before 7:30, ever.
13 Passengers arrives at 6:45, and we depart at 7:30.

14 CHAIR TANAKA: If I was you, I would ask for 24
15 hours. Well, that's beside --

16 MR. LAPRADE: Can I amend it and -- verbally?
17 Or -- it makes more sense, but -- I mean, we do -- you
18 know, crew -- crew is on board slightly before that, but
19 not usually.

20 CHAIR TANAKA: Well, that's your call.

21 COMMISSIONER UMENO: Can we move it to 7:00?

22 CHAIR TANAKA: You can -- yeah, we can change it
23 and move it to --

24 VICE-CHAIR LOPEZ: (Inaudible).

25 CHAIR TANAKA: I would think it's --

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1 COMMISSIONER DEREGO: It would make more sense.
2 Yeah.

3 MR. LAPRADE: That's fine. Could we do that
4 now?

5 CHAIR TANAKA: Commission can -- Commission can
6 change the hours.

7 MR. LAPRADE: Okay.

8 MR. KUSHI: No.

9 MR. LAPRADE: No?

10 MR. KUSHI: If he wants to do it, apply again.
11 Because this is published, public doesn't know, the public
12 notice says 7:30.

13 MR. LAPRADE: Well, can I re-file again. If we
14 end up doing it beforehand, I mean, I keep a close eye on
15 it, so --

16 CHAIR TANAKA: Okay. Fine. Any other
17 questions? If not, may I have a motion?

18 COMMISSIONER UMENO: Are we confirming the 7:30?

19 CHAIR TANAKA: Yeah.

20 COMMISSIONER ALULI: Yes.

21 COMMISSIONER UMENO: I move to approve the
22 extension of hours to 7:30 a.m.

23 COMMISSIONER ALULI: Second.

24 CHAIR TANAKA: Okay, moved and second. All in
25 favor, say "aye."

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1 (Response.)

2 CHAIR TANAKA: Opposed, "no."

3 (No response.)

4 CHAIR TANAKA: Motion carried.

5 MR. LAPRADE: Thank you.

6 CHAIR TANAKA: Okay. Let's go on to Item D,
7 Cowboy Built, Inc. The applicant asked to withdraw his
8 request for an extension due to the fact that he got all
9 his government completion items and he was issued a
10 license. So may I have a motion to accept his withdrawal?

11 COMMISSIONER UMENO: So moved.

12 VICE-CHAIR LOPEZ: Second.

13 CHAIR TANAKA: Okay. All in favor, say "aye."

14 (Response.)

15 CHAIR TANAKA: Opposed, "no."

16 (No response.)

17 CHAIR TANAKA: Motion carried. Thank you.

18 Let's go on to Item E, Kum Corporation doing business as
19 New Sandy's.

20 MR. ING: Good morning, Mr. Chairman, Members of
21 the Commission. I'm Lawrence Ing representing the
22 licensee. With me is Sun Mi Lee who is the sole officer
23 and director of the corporation.

24 CHAIR TANAKA: Thank you. Layne.

25 MR. LAYNE SILVA: Kum Corporation doing business

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1 as New Sandy's Lounge, License Number 139, pursuant to the
2 Rules of the Liquor Commission, is requesting Commission
3 approval to change the existing trade name to Sunny's
4 Lounge.

5 Officer, director and stockholder of the
6 corporation is listed in the investigator's report.

7 Rules of the Liquor Commission: 08-101-36,
8 Unauthorized use of trade name; change.

9 (a), A new licensee or transferee shall have a
10 choice of trade name; however, such trade name must be
11 registered with the State Department of Commerce and
12 Consumer Affairs.

13 (b), Any licensee desirous of changing an
14 existing trade name shall submit to the Commission a
15 certificate of registration of trade name issued by the
16 State Department of Commerce and Consumer Affairs, showing
17 approval of such registration.

18 (c), Use of any trade name without prior
19 approval of the Commission is prohibited. Any publication
20 or advertising or sign with an unauthorized trade name
21 will be considered prima facie evidence of use of such
22 trade name.

23 CHAIR TANAKA: Thank you. Larry, anything else
24 to add?

25 MR. ING: I want to thank Layne for his

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1 excellent report.

2 MR. LAYNE SILVA: You're welcome.

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

6 VICE-CHAIR LOPEZ: Yeah. We gotta pull you back
7 out of retirement, Larry. See your face a little more.

8 CHAIR TANAKA: Okay. If there's no questions,
9 may I have a motion?

10 COMMISSIONER UMENO: I move to approve the trade
11 name change.

12 COMMISSIONER ALULI: Second.

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

15 (Response.)

16 CHAIR TANAKA: Opposed, "no."

17 (No response.)

18 CHAIR TANAKA: Motion carried. Thank you.

19 MR. ING: Thank you.

20 CHAIR TANAKA: Okay. Item F, Umami Corporation.

21 MS. TSUKIYAMA: Good morning, everyone.

22 Tsukiyama representing Umami Corporation. And with me is
23 the President and Director, Keiko Inoue.

24 CHAIR TANAKA: Thank you. Gene.

25 MR. GENE SILVA: Umami Corporation doing

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1 business as Izakaya Genbe requesting Commission approval
2 for a change in stockholder and notifying the Commission
3 of a change of officers and director within the
4 corporation.

5 Kyoko Segawa Sakugawa withdrew as an officer and
6 director of the corporation. Keiko Inoue was admitted as
7 an officer and director within the corporation.

8 Kyoko Segawa Sakugawa transferred 100 percent of
9 the outstanding capital stock of the corporation to Keiko
10 Inoue, effective January 23rd, 2018.

11 Officer, director and stockholder of the
12 corporation are listed in the investigator's report.

13 Applicant has submitted a corporate
14 certification for Umami Corporation, a Hawaii corporation,
15 dated January 23rd, 2018, which reflects the changes.

16 In the opinion of the investigator, the
17 applicant appears to be fit and proper, and does not
18 appear to be disqualified by any provisions as stated
19 within Section 281-56 of the HRS from obtaining or
20 exercising a license.

21 CHAIR TANAKA: Do you have anything else to add?

22 MS. TSUKIYAMA: Not at this time. Thank you.

23 CHAIR TANAKA: Okay. I'm gonna open it to the
24 public. Any public testimony on this item? Okay. Seeing
25 none, any questions by the Commissioners? If there's no

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1 questions, may I have a motion?

2 COMMISSIONER UMENO: I move to approve the
3 change in stockholder, officer and directors.

4 COMMISSIONER ALULI: Second.

5 CHAIR TANAKA: 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 MS. TSUKIYAMA: Thank you very much.

12 CHAIR TANAKA: Okay. Aumakua Holdings Inc.

13 MS. OXLEY: Good morning. My name is Melanie
14 Oxley, COO of Aumakua Holdings doing business as Maui
15 Brewing Company.

16 CHAIR TANAKA: Thank you. Layne.

17 MR. LAYNE SILVA: Aumakua Holdings Inc. doing
18 business as Maui Brewing Company is requesting Commission
19 approval to manufacture wine.

20 Officers, director and stockholder of the
21 corporation are listed in the investigator's report.

22 Nature of the request: At the time the
23 application was filed, the applicant had not submitted any
24 federal clearances for the manufacture of wine. Applicant
25 is requesting approval to manufacture wine. The applicant

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1 has submitted a basic permit from the Department of the
2 Treasury, Alcohol and Tobacco Tax and Trade Bureau to
3 produce and blend wine.

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

6 MS. OXLEY: I don't. Thank you.

7 CHAIR TANAKA: Okay. I'm gonna open it to the
8 public. Any public testimony? Okay. Seeing none, any
9 questions by the Commissioners?

10 COMMISSIONER ALULI: Yeah. I'm curious, where
11 are you gonna be doing this, at your new facility in the
12 tech center?

13 MS. OXLEY: Yeah. We've been there about three
14 years, but it would be at the brewery.

15 COMMISSIONER ALULI: Are you importing your
16 grapes?

17 MS. OXLEY: Technically, we need to have a wine
18 license in order to do ciders. Currently, we do not have
19 any intentions of doing wine, and we would never limit
20 ourselves, but, really, this is just a way for us to do
21 ciders initially. Yeah.

22 CHAIR TANAKA: Okay.

23 MS. OXLEY: So we won't -- we won't be using
24 grapes initially. We won't -- we won't be making wine as
25 of now.

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1 COMMISSIONER ALULI: Okay.

2 CHAIR TANAKA: Any other questions?

3 COMMISSIONER ALULI: So is there a different
4 process or -- for approval if it's cider and wine? I'm
5 not really familiar with those.

6 CHAIR TANAKA: No.

7 COMMISSIONER ALULI: -- different --

8 MR. LAYNE SILVA: I believe it all falls under
9 that same permit, yes.

10 COMMISSIONER ALULI: Okay.

11 MS. OXLEY: Yeah.

12 CHAIR TANAKA: Well, you may need it. You may
13 be so successful that you're going to start producing
14 wine.

15 MS. OXLEY: Well, that might be a little more
16 laborious than what we want to get into, but, yeah. Plus,
17 we've got a great winery on the island. So we're kind of
18 trying to do things that aren't already being done.

19 CHAIR TANAKA: Okay. Any other questions?

20 MR. TODD: Will you export this?

21 MS. OXLEY: Would we export it?

22 MR. TODD: Yes.

23 MS. OXLEY: Probably not initially. It probably
24 just would be something made for in state. I mean,
25 depending on how that brand grows, it -- it could get

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1 exported, as our beers do.

2 MR. TODD: Okay.

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

5 COMMISSIONER UMENO: I move to approve the
6 manufacture of wine.

7 COMMISSIONER ALULI: Second.

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

10 (Response.)

11 CHAIR TANAKA: Opposed, "no."

12 (No response.)

13 CHAIR TANAKA: Motion carried. Thank you.

14 MS. OXLEY: Thank you. Have a great day.

15 COMMISSIONER DEREGO: You, too.

16 CHAIR TANAKA: Okay. Let's go on to Item H,
17 Capu Maui Corporation. Before you, you have a letter from
18 the applicant stating that she want to withdraw her
19 request for an extension. So may I have a motion to
20 approve the request?

21 COMMISSIONER UMENO: So moved. So move.

22 VICE-CHAIR LOPEZ: I just had a question.

23 (Inaudible).

24 CHAIR TANAKA: Because, basically, the law says
25 you cannot have any more extension.

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1 VICE-CHAIR LOPEZ: Oh, okay.

2 CHAIR TANAKA: So she --

3 VICE-CHAIR LOPEZ: She exhausted her --

4 CHAIR TANAKA: She exhausted her temporary
5 license.

6 COMMISSIONER DEREGO: So they're no longer
7 selling?

8 CHAIR TANAKA: Yeah.

9 COMMISSIONER DEREGO: Okay.

10 CHAIR TANAKA: Okay. There's a motion.

11 VICE-CHAIR LOPEZ: Second.

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

20 (Recess, 9:36 a.m. to 9:48 a.m.)

21 CHAIR TANAKA: Okay. Liquor Commission meeting
22 called back to order. Let's go. Administrative Affairs,
23 Approval of Form. Layne.

24 MR. LAYNE SILVA: Okay. We're introducing a
25 gross sales report form for a small craft producer, it's a

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1 Class 18, because there are now two licenses of that class
2 in Maui County. And getting this ready and prepared for
3 this year's renewals.

4 CHAIR TANAKA: Okay. This is a new form, then?

5 MR. LAYNE SILVA: Yes.

6 CHAIR TANAKA: Okay. So no changes. Any
7 questions by the Commissioners? Okay. If not, may I have
8 a motion for approval?

9 COMMISSIONER UMENO: So moved.

10 COMMISSIONER ALULI: Second.

11 CHAIR TANAKA: Moved and seconded. All in
12 favor, say "aye."

13 (Response.)

14 CHAIR TANAKA: Motion carried. Director's
15 Monthly Report.

16 DIRECTOR MUKAI: We have State Legislature,
17 Senate Bill 2945 which eliminate the tax clearance
18 requirement for applicants and licensees. It has to cross
19 over from the State Senate to the House of
20 Representatives. So it will be heard before the Consumer
21 Protection and Finance Committees. The Liquor Directors
22 and administrator from all four counties have been
23 tracking it and submitted testimony in support of the
24 bill.

25 CHAIR TANAKA: So what's the possibility of that

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1 being enacted before renewal time?

2 DIRECTOR MUKAI: I believe slim to none because,
3 normally, they have to pass the bill, and they pass it and
4 goes to the Governor for him to review. And, normally, he
5 signs off on the bills in -- usually in July.

6 CHAIR TANAKA: Yeah.

7 DIRECTOR MUKAI: But if we can just get this
8 passed, it will be a win situation for all licensees.

9 CHAIR TANAKA: Yeah. Yeah, they don't have to
10 get tax clearance. But I was thinking if they can get it
11 before the renewal, then it would help everybody,
12 Department and all. Department don't have to worry about
13 it, too.

14 DIRECTOR MUKAI: Yes. As you know, this is one
15 of the --

16 CHAIR TANAKA: Humbug.

17 DIRECTOR MUKAI: -- humbug things that -- that
18 always affect the renewals and, also, for applicants.

19 CHAIR TANAKA: Yeah.

20 DIRECTOR MUKAI: And like I said, this is the
21 only state that require tax -- federal tax clearance. The
22 rest of the state doesn't require it.

23 CHAIR TANAKA: One -- one question.

24 COMMISSIONER DEREGO: Why is that?

25 CHAIR TANAKA: What's that?

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1 COMMISSIONER DEREGO: Why are we the only one
2 that requires it and all the other states --

3 DIRECTOR MUKAI: Because the State Legislature
4 passed a law that stated that it's a requirement.

5 COMMISSIONER DEREGO: Just for Maui?

6 DIRECTOR MUKAI: No.

7 UNIDENTIFIED SPEAKER: The state.

8 UNIDENTIFIED SPEAKER: The state.

9 COMMISSIONER DEREGO: Oh.

10 CHAIR TANAKA: We -- we -- at one of our
11 meetings, we extended that federal tax thing, yeah?

12 DIRECTOR MUKAI: Yes, to the end of June.

13 CHAIR TANAKA: To the end of June?

14 DIRECTOR MUKAI: Yes.

15 CHAIR TANAKA: So let's say if like, hopefully,
16 the Governor can sign 'em early, then even if these guys
17 don't have their federal tax clearance and they're within
18 that -- within that time, then they automatically can get
19 renewed.

20 DIRECTOR MUKAI: Yes. And, also, we have been
21 working with our Hawaii Compliance Express.

22 CHAIR TANAKA: Yeah.

23 DIRECTOR MUKAI: Where they can, online, get
24 their federal and state tax clearance. It helped a lot
25 last year, but, still, the federal tax clearance was a

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1 bummer for some applicants.

2 CHAIR TANAKA: It was a pain. It was a pain.

3 COMMISSIONER BICOY: Could you repeat the bill
4 number again?

5 DIRECTOR MUKAI: Senate Bill 2945. Because the
6 Hotel Association and the rest of the industry --

7 COMMISSIONER BICOY: Because I'm not -- because
8 it's not coming up on the legislative website. All right.

9 COMMISSIONER ALULI: Robert, to minimize that
10 complication, the Commission can extend that time period,
11 though, right? So that they -- it does fall in line with
12 the --

13 CHAIR TANAKA: Yeah, yeah.

14 COMMISSIONER ALULI: Because it's only like 30
15 days, right?

16 CHAIR TANAKA: Yeah.

17 COMMISSIONER ALULI: So we could -- the
18 Commission could extend that time period to --

19 CHAIR TANAKA: Could extend 'em, yeah, right.

20 COMMISSIONER ALULI: -- ease that process,
21 couldn't we?

22 CHAIR TANAKA: Uh-huh.

23 COMMISSIONER ALULI: Yeah.

24 CHAIR TANAKA: We did extend 'em.

25 COMMISSIONER ALULI: Yeah, we extended --

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1 CHAIR TANAKA: Yeah.

2 COMMISSIONER ALULI: -- a couple times. Right.

3 CHAIR TANAKA: Yeah. Because they had to get
4 it -- how many days before the renewal they had to get it
5 before?

6 MR. LAYNE SILVA: The tax clearances, at this
7 time right now, is good for 90 days --

8 CHAIR TANAKA: 90 days.

9 MR. LAYNE SILVA: -- from the day they receive
10 it.

11 CHAIR TANAKA: Yeah. It was 60 days, yeah?

12 DIRECTOR MUKAI: Yes.

13 CHAIR TANAKA: Yeah. Commission can --

14 COMMISSIONER ALULI: Yeah, we can do that. It
15 helps. Because we can't change that, our date, right? Or
16 can we? Or does that have to be some legislative process?

17 MR. LAYNE SILVA: Well, all licensees are still
18 going to be required to submit a tax clearance to renew.

19 COMMISSIONER ALULI: Right.

20 MR. LAYNE SILVA: But once they get it, it'll --
21 it'll be good for 90 days, just like for all applicants as
22 well.

23 CHAIR TANAKA: Well, and with this law change,
24 then they don't have to re-submit.

25 COMMISSIONER ALULI: Submit it.

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1 CHAIR TANAKA: Federal tax clearance, yeah.

2 Well, hopefully, hopefully they pass 'em, yeah. Okay.

3 DIRECTOR MUKAI: And, also, the National
4 Conference for State Liquor Administrator will be held
5 June 17 to 20th, 2018, at Hilton Waikoloa, Hawaii. All
6 members of the Liquor Commission are invited to attend.
7 Please make your hotel reservations and inform Kari if you
8 plan to attend so she can make the travel arrangement.

9 That's all we have.

10 CHAIR TANAKA: Question. Liquor Adjudication --

11 DIRECTOR MUKAI: Yes.

12 CHAIR TANAKA: -- they sure sock it to the guy.

13 DIRECTOR MUKAI: Well, that's the Board
14 decision.

15 CHAIR TANAKA: Yeah. They had prior convictions
16 on -- on that? No prior convictions?

17 MR. LAYNE SILVA: I don't know. We would have
18 to verify with the blue card. Enforcement took care of
19 that.

20 CHAIR TANAKA: I thought maybe they had prior
21 convictions, that's why they sock it to 'em.

22 MR. LAYNE SILVA: Yeah, they have had prior
23 convictions.

24 CHAIR TANAKA: They have, yeah.

25 Okay. Let's go on to Item D, Resolution

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1 honoring Darren Lopez.

2 MS. TYAU: Okay. Resolution honoring Mr. Darren
3 Lopez, Liquor Commission. The Liquor Commission proposes
4 to adopt this Resolution in honor of Mr. Darren Lopez for
5 his exemplary services as a member of the Liquor
6 Commission; and

7 Whereas, Mr. Lopez has served as a member of the
8 Liquor Commission of the County of Maui for a period from
9 April 2013 to March 2018, as well as its Vice-Chairperson
10 from April 2014 to March 2018; and

11 Whereas, the Members of the Liquor Commission,
12 as well as the staff of the Department of Liquor Control,
13 have enjoyed the valuable services rendered by Mr. Lopez
14 in said capacities; and

15 Whereas, the County of Maui and its citizenry
16 have greatly benefited from the unselfish and responsible
17 services rendered by Mr. Lopez during said period; and

18 Whereas, his expertise, thoughtful and
19 cooperative manner and conduct have been the source of
20 much inspiration and help to the fellow members of the
21 Liquor Commission; now

22 Therefore, be it resolved that the Members of
23 the Liquor Commission do hereby express their sincere
24 appreciation to Mr. Lopez for the competent leadership and
25 service as a member of the Liquor Commission of the County

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1 of Maui and do hereby wish him much success in his future
2 undertakings; and

3 Be it further resolved that this Resolution be
4 entered upon the minutes of this Commission and be
5 forwarded to Mr. Lopez. Adopted this 14th day of March,
6 2018.

7 CHAIR TANAKA: Thank you. Speech, speech,
8 speech.

9 VICE-CHAIR LOPEZ: I just wanna thank everybody
10 in this body and the Department for you guys' friendship,
11 (inaudible). And it was fun, it was fun being on this
12 Commission. It's been -- hopefully, I get back on again.

13 CHAIR TANAKA: Thank you, Darren, for all your
14 hard work. We're gonna miss you.

15 VICE-CHAIR LOPEZ: Yeah.

16 CHAIR TANAKA: Yeah. And -- but don't forget us
17 guys when we go to Lanai, though.

18 VICE-CHAIR LOPEZ: Any time you guys in Lanai,
19 just give me a call.

20 CHAIR TANAKA: Okay. Let's go on to the last
21 item, election of Liquor Commission Chairperson and
22 Vice-Chairperson for the period April 2018 to March 2019.
23 May I have a nomination?

24 VICE-CHAIR LOPEZ: Yeah, I nominate Nane for
25 Vice and status quo on the Chairman of Bob Tanaka.

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1 CHAIR TANAKA: Any other nominations? If not,
2 may I have a motion to that effect?

3 COMMISSIONER UMENO: So moved.

4 COMMISSIONER BOLOSAN: Second.

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

7 (Response.)

8 CHAIR TANAKA: Thank you very much.

9 COMMISSIONER BICOY: Congratulations.

10 CHAIR TANAKA: Congratulations. If there's no
11 other comments, Commission meeting is adjourned. (Gavel.)

12 (Meeting adjourned, 9:58 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 2nd day of April, 2018.

Tonya McDade
Certified Shorthand Reporter #447
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Reporter