

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 9:01 a.m., on Wednesday, April 11, 2018.

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APPEARANCES

- Robert Tanaka, Chairperson
 - Nane Aluli, Vice-Chairperson
 - Leon Bolosan, Commissioner
 - Alberta de Jetley, Commissioner
 - Nicole DeRego, Commissioner
 - Jonathan Todd, Commissioner
 - Leslie-Ann Yokouchi, Commissioner
- STAFF PRESENT:
- Edward Kushi, Jr., First Deputy Corporation Counsel
 - Glenn Mukai, Director
 - Georgette Tyau, Deputy Director
 - Gene Silva, Liquor Control Officer III
 - Karilee Yoshizawa, Liquor Control Officer III
 - Lianne Suzuki, Private Secretary

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1 (Wednesday, April 11, 2018, 9:01 a.m.)

2 * * *

3 CHAIR TANAKA: (Gavel.) Liquor Commission
4 meeting called to order. I want to introduce Alberta de
5 Jetley, our new Commission Member.

6 COMMISSIONER de JETLEY: Good morning,
7 everybody. Thank you.

8 COMMISSIONER BOLOSAN: Welcome.

9 CHAIR TANAKA: Roll call. Kari.

10 MS. YOSHIZAWA: Kari Yoshizawa, Liquor Control.

11 MS. SUZUKI: Lianne Suzuki, Liquor Control.

12 CHAIR TANAKA: Jonathan.

13 COMMISSIONER TODD: Here.

14 CHAIR TANAKA: Alberta.

15 COMMISSIONER de JETLEY: Here.

16 MR. KUSHI: Ed Kushi.

17 CHAIR TANAKA: Good morning. Bob Tanaka.

18 VICE-CHAIR ALULI: Aloha. Nane Aluli.

19 COMMISSIONER BOLOSAN: Aloha. Leon Bolosan.

20 COMMISSIONER YOKOUCHI: Good morning. Leslie
21 Yokouchi.

22 DIRECTOR MUKAI: Glenn Mukai, Liquor Control.

23 MS. TYAU: Georgette Tyau, Liquor Control.

24 MR. SILVA: Gene Silva, Liquor Control.

25 CHAIR TANAKA: Okay. Thank you. You have your

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1 agenda for April 11, 2018. If there's no questions or
2 comments, may I have a motion for approval?

3 VICE-CHAIR ALULI: Move to approve the agenda.

4 COMMISSIONER BOLOSAN: 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: You, also, have your Liquor
11 Commission minutes of March 14, 2018. If there's no
12 questions or comments, may I have a motion for approval?

13 VICE-CHAIR ALULI: Move to approve the minutes.

14 COMMISSIONER YOKOUCHI: Second.

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

17 (Response.)

18 CHAIR TANAKA: Opposed, "no."

19 (No response.)

20 CHAIR TANAKA: Motion carried.

21 Okay. Let's go on to General Licensing Matters.
22 Item A through E. If there's no questions or comments,
23 may I have a motion for confirmation?

24 VICE-CHAIR ALULI: I move to confirm General
25 Licensing Matters A through E.

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1 COMMISSIONER YOKOUCHI: Second.

2 CHAIR TANAKA: Okay. It's moved and seconded.

3 All in favor, say "aye."

4 (Response.)

5 CHAIR TANAKA: Opposed, "no."

6 (No response.)

7 CHAIR TANAKA: Motion carried. Thank you.

8 Okay. Let's go on to Other Licensing Matters,
9 Lahaina Sushi Ko.

10 MR. EGAN: Hi there. Christopher Egan, Lahaina
11 Sushi Ko.

12 CHAIR TANAKA: Thank you. Gene.

13 MR. SILVA: Lahaina Sushi Ko, LLC doing business
14 as Maui Dog House, pursuant to the Rules of the Liquor
15 Commission, is requesting Commission approval to change
16 the existing trade name from Maui Dog House to Lahaina
17 Sushi Ko, LLC. Members of the member-managed limited
18 liability company are listed in the investigator's report.

19 Rules of the Liquor Commission: 08-101-36,
20 Unauthorized use of trade name change.

21 (a), A new licensee or transferee shall have a
22 choice of trade name; however, such trade name must be
23 registered with the State Department of Commerce and
24 Consumer Affairs;

25 (b), Any licensee desirous of changing an

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1 existing trade name shall submit to the Commission a
2 certificate of registration of trade name issued by the
3 State Department of Commerce and Consumer Affairs showing
4 approval of such registration;

5 (c), Use of any trade name without prior
6 approval of the Commission is prohibited. Any publication
7 or advertising or sign with an unauthorized trade name
8 will be considered prima facie evidence of use of such
9 trade name.

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

12 MR. EGAN: Nope. We're just changing name back
13 to --

14 COMMISSIONER TODD: Mr. Chairman?

15 MR. EGAN: -- Lahaina Sushi Ko and --

16 CHAIR TANAKA: Just a minute. I'm gonna open it
17 to the public. Any public testimony on this item? Okay.
18 Seeing none, any questions by the Commissioners?

19 COMMISSIONER TODD: I have a potential conflict
20 of interest, just want to state it.

21 CHAIR TANAKA: Okay.

22 COMMISSIONER TODD: Is Robert Bluh still an
23 owner?

24 MR. EGAN: With me, yes. He's one of my
25 business partners.

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1 COMMISSIONER TODD: Okay. I have past
2 consultative and other dealings with that company. So
3 I'll have to make a judgment based on where we go here. I
4 don't think it's gonna matter, but I need to disclose it.

5 CHAIR TANAKA: Okay. Thank you. Any other
6 questions by the Commissioners? If not, may I have a
7 motion?

8 MR. KUSHI: Question. For staff, did they
9 submit a certificate of registration?

10 MR. SILVA: Yeah. We have a certificate of
11 registration, we would have had to.

12 MS. YOSHIZAWA: The requested trade name falls
13 under the entity name, so no registration for DCCA is
14 required.

15 MR. KUSHI: Okay.

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

18 VICE-CHAIR ALULI: I move for approval of the
19 name change.

20 COMMISSIONER de JETLEY: I second.

21 COMMISSIONER BOLOSAN: Second.

22 CHAIR TANAKA: Okay, moved and seconded. All in
23 favor, say "aye."

24 (Response.)

25 CHAIR TANAKA: Thank you. Motion carried.

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1 MR. EGAN: Thank you.

2 CHAIR TANAKA: Okay. Let's go on to
3 Administrative Affairs. Director's Monthly Report.

4 DIRECTOR MUKAI: On the Director's Monthly
5 Report is State legislative update on what bills we have.
6 Senate Bill 2945, which would eliminate the Federal tax
7 clearance requirement; Senate Bill 2612 which allowed
8 Commission to waive requirements for a Class 10 Special
9 License; Senate Bill 2613 which allows for the transfer of
10 Class 2 Restaurant license. All of these bills are
11 referred to conference committee because the House of
12 Representatives put a effective date, they amended all the
13 bills with an effective date of 2050.

14 MR. KUSHI: 2050, 5-0?

15 DIRECTOR MUKAI: Yeah.

16 CHAIR TANAKA: Yeah, I was looking at that.

17 DIRECTOR MUKAI: Yeah. That's to -- supposedly
18 to facilitate a discussion between the Senate and the
19 House. So we would have to wait for the conference
20 committee on what they decide.

21 That's all we have.

22 COMMISSIONER YOKOUCHI: When is the conference
23 meeting?

24 DIRECTOR MUKAI: That is not scheduled yet.

25 CHAIR TANAKA: Before -- before the end of

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1 the --

2 VICE-CHAIR ALULI: Before the legislature,
3 though. Yeah.

4 DIRECTOR MUKAI: The second lateral is Thursday.
5 Then after that, they'll schedule a conference.

6 CHAIR TANAKA: Well, hopefully, they come to
7 their senses. 2050, we not gonna be here.

8 VICE-CHAIR ALULI: Jesus.

9 COMMISSIONER YOKOUCHI: Well, I don't know about
10 you, I might.

11 CHAIR TANAKA: Leslie, I hope -- I hope you do.

12 MR. KUSHI: Right behind me.

13 DIRECTOR MUKAI: And on Item B, we have the
14 Liquor Control Adjudication Board. You have the summary
15 on the Board decision on the April 5th, 2018 meeting.

16 That's all we have.

17 CHAIR TANAKA: Glenn, I get one question on
18 that.

19 DIRECTOR MUKAI: Yes.

20 CHAIR TANAKA: You know this -- one of these --
21 one of these fines over -- oh, that JB one, is that a
22 second offense?

23 DIRECTOR MUKAI: No, I don't believe so.

24 CHAIR TANAKA: No? Because they fine 'em 2,000.
25 Usually, normally, \$2,000 with 1,000 suspended, yeah.

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1 MS. YOSHIZAWA: It's a second offense.

2 CHAIR TANAKA: It is a second offense?

3 MS. YOSHIZAWA: Yes.

4 CHAIR TANAKA: Okay. So that makes sense.

5 DIRECTOR MUKAI: Oh, that was previous out of --

6 CHAIR TANAKA: Okay. Any other questions by the
7 Commission?

8 MR. KUSHI: Question, Mr. Chair. Glenn, what
9 about the one bill that was submitted by a Kahului rep
10 about all the commissioners as well as staff taking
11 criminal records check.

12 DIRECTOR MUKAI: That was held in committee, so
13 it's essentially dead.

14 MR. KUSHI: Okay.

15 CHAIR TANAKA: Who was that?

16 MR. KUSHI: Agaran.

17 DIRECTOR MUKAI: Gil Agaran.

18 CHAIR TANAKA: Okay. Any other questions or
19 comments? If not, may I have a motion for adjournment?

20 VICE-CHAIR ALULI: So moved.

21 CHAIR TANAKA: Any second?

22 COMMISSIONER TODD: Second. Second.

23 CHAIR TANAKA: Second. Moved and seconded. All
24 in favor, say "aye."

25 (Response.)

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CHAIR TANAKA: Meeting adjourned. (Gavel.)
(Meeting adjourned, 9:09 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 May, 2018.

/s/ Tonya McDade

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