

NOTICE OF PUBLIC HEARING

Pursuant to Section 91-3(a), Hawaii Revised Statutes, the Liquor Control Commission of the County of Maui (the "agency") hereby provides notice of a public hearing for the purpose of adopting special rules entitled "Special Rules for Year 2022".

The entire text of the proposed special rules is stated below and is further summarized as follows:

SUMMARY

Section 08-101-33(e) of the Liquor Commission's Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui ("Rules") provide that the deadline for applications for renewal of a liquor license is June 15th of each year. Pursuant to Governor David Y. Ige's emergency proclamations related to the COVID-19 pandemic, the Liquor Control Commission adopted an emergency rule that extended the deadlines for such applications to June 30th in 2020 and 2021. As the Governor's emergency proclamations are no longer in effect, the Liquor Control Commission's emergency rules have been repealed. The proposed Special Rule for Year 2022 Relating to the Deadline for Applications for Renewal of a Liquor License would extend the deadline in the year 2022 from June 15, 2022 to June 30, 2022 for applications for renewal of a liquor license.

Section 08-101-70(b) of the Rules provide that "Employee Approved by the Director" Certifications shall be valid for a term of four years from the date of issue. Pursuant to Governor David Y. Ige's emergency proclamations related to the COVID-19 pandemic, the Liquor Control Commission adopted an emergency rule that extended the certification expiration to ninety days after the end of the emergency period provided that the certification has an expiration date between March 1, 2020 to the end of the emergency period. As the Governor's emergency proclamations are no longer in effect, the Liquor Control Commission's emergency rule for extension of expiration has been repealed effective June 23, 2022. The proposed Special Rule for Year 2022 Relating to the Expiration of "Employee Approved by the Director" Certifications would extend expiration of the certifications in the year 2022 to June 30, 2022, provided that the certification has an expiration date between March 1, 2020 and March 25, 2022.

PROPOSED SPECIAL RULES

1. The Special Rules for Year 2022 are adopted to read as follows:
 1. In no case shall any application for renewal of a liquor license be accepted for filing by the department prior to the

1st day of April or after 4:30 p.m. of the 30th day of June next preceding the date of expiration of the existing license. This rule supercedes Section 08-101-33(e) of the Liquor Commission's Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui only for the year 2022 and shall automatically be repealed as of July 1, 2022.

2. The term "employee approved by the director" means a managerial or supervisory employee or the holder of the license who is twenty-one years of age or older, has successfully completed an examination administered by the department on liquor laws and rules of the commission, attended a server training program approved by the department and issued a certificate by the department. The certificate shall be valid for a term of four years from the date of issue and must be in the employee's possession or be readily available on the premises for inspection at all times, while on duty. The expiration date for certifications showing an expiration date between March 1, 2020 and March 25, 2022 shall be extended to June 30, 2022. This rule supercedes Section 08-101-70(b) of the Liquor Commission's Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui only for the year 2022 and shall automatically be repealed as of July 1, 2022.

2. This rule shall take effect ten days after filing with the Office of the County Clerk.

Copies of the proposed special rules may be viewed or downloaded from the Department of Liquor Control web page at <https://www.mauicounty.gov/667/Liquor-Control>. The proposed special rules may also be viewed in person, Mondays through Fridays, excluding holidays, between the hours of 8:00 a.m. and 4:00 p.m., at the Department of Liquor Control, 110 Alaihi Street, Suite 212, Kahului, Maui, Hawaii 96732.

Copies of the proposed special rules will be mailed to any interested person who so requests and pays the required fees for copying and postage. Requests for copies may be made to the Liquor Control Commission, c/o Department of Liquor Control, 110 Alaihi Street, Suite 212, Kahului, Maui, Hawaii 96732, or by calling (808) 244-4666.

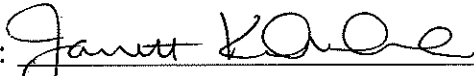
The Liquor Control Commission will conduct a public hearing on the proposed special rules on June 8, 2022 at 9:00 a.m. remotely via BlueJeans

interactive conference technology. To observe the public hearing or provide video testimony by computer or other mobile devices, log onto <https://bluejeans.com> and enter Meeting ID 520 851 401. To listen to the public hearing or provide oral testimony by phone, dial 1-408-915-6290 and enter Meeting ID 520 851 401. Interested persons may also observe the public hearing or provide testimony in-person using audio/visual technology at the conference room of the Department of Liquor Control, 110 Alaihi Street, Suite 212A, Kahului, Maui, Hawaii 96732.

Any interested person may submit oral or written testimony on the proposed special rules to be adopted at the public hearing. Also, written testimony may be submitted via email to liquorcommission@mauicounty.gov; by mail to Liquor Control Commission, c/o Department of Liquor Control, 110 Alaihi Street, Suite 212, Kahului, Maui, Hawaii 96732; or fax to (808) 244-4666, "Attention: Liquor Control Commission". Written testimony must be received by the Liquor Control Commission before the public hearing closes on June 8, 2022.

Any person requesting accommodations due to disabilities must call the Liquor Control Commission at (808) 244-4666 at least three (3) days before the date of the scheduled public hearing.

Please contact the Commission Secretary at (808) 244-4666 if further information is needed.

By: 
JAYNE N. SILVA
For Director
Department of Liquor Control

(MN: May 7, 2022)