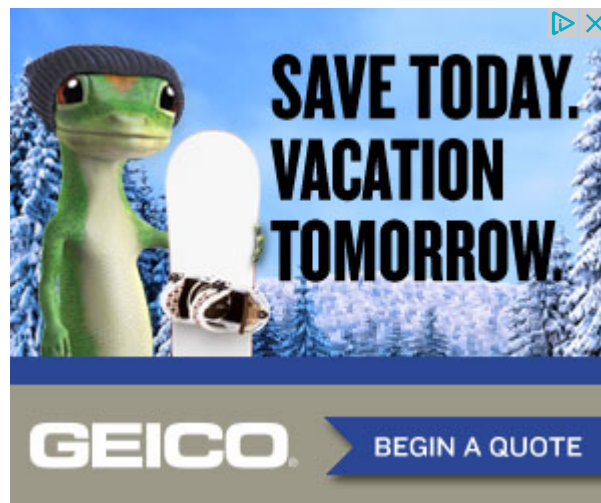


The Maui News

Liquor Commission serves up more rule changes

Panel promises a streamlined nonprofit single-event application

WAILUKU — The chairman of the Maui County Liquor Control Commission promised a simpler application process for nonprofits seeking single-event liquor licenses after a handful of groups complained of more issues during Wednesday's meeting in Wailuku.



"We're trying to make it as easy as possible for everybody so you guys don't have to come to us," Chairman Bob Tanaka said to the groups after public testimony at the David K. Trask Jr. Building.

About a half-dozen nonprofit officials spoke about recent issues they have encountered while setting up events, and provided the commission a list of suggestions to aid the application process. The testimony follows streamlined changes proposed by Maui County Council Member Yuki Lei Sugimura that eliminated stringent requirements such as background

checks, Social Security numbers and fingerprinting that were approved in September.

The commission was not scheduled to take up the nonprofit issue Wednesday, but did unanimously approve several rule changes, including the 24-hour sale of alcohol for room service in hotels and condominiums and giving manufacturers and wholesalers an extra hour in the morning to deliver alcohol, starting at 5 a.m.

Greg Cabating, the Maui branch manager of Anheuser-Busch, said that the earlier delivery time will improve efficiency for wholesalers and retailers, as well as alleviate traffic of large delivery trucks.

“Getting an earlier start time to the first account and starting to deliver really snowballs throughout the day so we can get our guys out of the market and back to the warehouse earlier in the day,” Cabating said.

Tanaka said after the meeting that the commission plans to review the single-event liquor license application during its January meeting.

One of the approved rule changes did apply to nonprofits, and involves the employment and registration of minors *“engaged in charitable entertainment.”*

County Department of Liquor Control Director Glenn Mukai said that nonprofits must submit the names of minors working or *“entertaining”* during a special event. He clarified that minors simply attending the event or providing testimony on the benefits of the nonprofit do not need to be identified.

“All they have to put on the form is list the minors, their ages, who’s the chaperone, they’re complying with all curfew laws and send it in seven days prior,” he said. *“If there’s any change after seven days, just send us an amendment and that’s all they have to do.”*

The issue of minors at events was brought up during November’s commission meeting after former Council Member Don Couch complained that children from the Boys & Girls Club of Maui were not allowed to be in

the dining room to receive cooking awards during the group's Little Chef Big Chef gala at the Grand Wailea. Couch, a board member of the group, said that the club was given a hand-drawn map detailing that the children could not be in the dining room, where alcohol was being served.

The department disputed the claims in a letter signed by Mukai and sent to the club's executive director, which stated that no liquor laws or rules prevented the youths from receiving their awards in the dining room. Couch said he did not know who drew the map, but believed the directive came from the liquor department.

Tanaka defended the department Wednesday by clarifying that there were no restrictions for minors at that event.

"Whatever Don Couch said in the newspaper, I don't know where he got his information from, but they're not restricted from being in the facilities according to our rules," Tanaka said.

It is unclear what the definition of *"entertaining"* is and whether that would have included the *"little chefs,"* who cooked for the event. Some nonprofit groups expressed concerns over the registration of minors and questioned some restrictions.

Wailuku attorney Peter Horovitz, who sits on the board of several nonprofits, submitted a letter to the commission asking for some of the language in the registration of minors section to be loosened to help nonprofits. He said that current language in the law could be interpreted as to prevent minors from appearing at any event not held at a restaurant, hotel or condominium-hotel.

"Many nonprofits hold events at private residences as they cannot afford to rent a hotel ballroom or a restaurant which can cost tens of thousands of dollars," Horovitz wrote.

Charles Spence, a board member for Trinity Episcopal Church By-the-Sea and Cup of Cold Water, said he was unable to secure a special license in time for an upcoming fundraising event in January due to a lengthy

application process. Spence told commissioners that he began the process a couple weeks ago, but realized it needed to be done earlier.

“I went in and got a four-page document that listed tons of stuff that are physically impossible to get,” he said.

Spence said that the application required the nonprofit to get a zoning permit and someone with the church be certified with a liquor license for serving — despite hiring a licensed bar company for the event.

“That’s an exam you have to study 330 pages on your website and then take a 3-hour exam and get certified for a one-time event a year for us,” Spence said. “We’re all volunteers on the board and good people that are just trying to do good for the community for our mission as Christians, and we’re having difficulties trying to meet those requirements.

“My suggestion would be that the commission would look to put more onus on the bar master and serving companies, and rely on them and their licensing more so than the nonprofits.

Sherri Dodson, treasurer for Maui Nonprofit Directors Association, offered a list of suggestions for the department to consider.

Applications and instructions for single-event liquor licenses should be available online with completed samples to review so applicants do not have to physically go to the department, Dodson said. She said many nonprofits are in Hana, Upcountry, Kihei and other faraway communities.

When the application is completed, the applicant should receive a document stating it is complete, or details and supporting documents for what is incomplete with a deadline to resubmit, Dodson said.

“This should be consistently applied and the same standard should be enforced by every liquor department employee,” she said.

The department should not require applicants to comply with other county department rules and regulations such as the fire or health departments, Dodson said. She said if the liquor department is concerned about issues

outside its jurisdiction, officials should report their concerns to the other department, which can take action if needed.

Dodson added that the Maui Nonprofit Directors Association opposed any provisions prohibiting minors.

“We request that the system be simple and transparent,” she said. “We do not have enough resources to spend numerous days and hours securing an alcohol permit for a three- to four-hour charity event.”

Other notable rule changes approved by the commission Wednesday are:

- The acceptance of state and federal tax clearances for new and renewing licenses is extended from 60 days to 90 days.
 - For publicly-traded companies, criminal history record checks are required only for designated primary decision-makers.
 - Direct shipments of wine by wineries require a new \$48 permit.
- * Chris Sugidono can be reached at csugidono@mauinews.com.
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