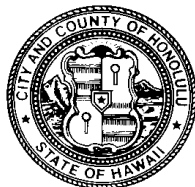


**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq • E-MAIL: liquor@honolulu.gov



RICK BLANGIARDI
MAYOR

SETH T. BUCKLEY
CHAIRPERSON

JEFFREY HONG
VICE CHAIRPERSON

DUANE R. MIYASHIRO
COMMISSIONER

DILLON HULLINGER
COMMISSIONER

ADMINISTRATOR

ANNA C. HIRAI
ASSISTANT ADMINISTRATOR

February 21, 2023

The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama, Vice Chair
and Members of the Committee on Judiciary & Hawaiian Affairs
House of Representatives
State Capitol, Room 325
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

**SUBJECT: House Bill No. 17 HD1
Relating to Liquor Licenses**

The Liquor Commission, City and County of Honolulu (Commission), appreciates the opportunity to submit testimony **providing comments** on the above-referenced measure. As a matter of principle, the Commission fully supports legislation that enables our licensees to successfully operate their businesses but also gives reasonable oversight to regulators in addressing the dynamic nature of the liquor industry as the industry strives to meet customer demand.

The principal thrust of the proposed measure is to give county liquor commissions the ability to reinstate the "cocktails to go" that was permitted under Governor Ige's emergency proclamation(s). During and post-COVID, licensees claimed that this capability was an important economic ability as the industry struggled to retain and reclaim its viability. In terms of regulatory impact, the Commission had no complaints or other compliance problems with this activity during COVID, but will be alert to complaints of irresponsible delivery if this measure is passed out of committee and becomes law.

Thank you for the opportunity to provide testimony on House Bill 17 HD1.

Sincerely,

Anna C. Hirai
Assistant Administrator

ACH:



Testimony of Leo Sandoval-Reyes
Director of Liquor Control, County of Kaua'i

Before the
House Committee on Judiciary & Hawaiian Affairs
February 23, 2023, at 2:00 pm
Room 325 & Via Videoconference

In consideration of
HB 17 HD1
Relating to Liquor Licenses

Honorable Chair Tarnas, Vice-Chair Takayama, and Committee Members:

The County of Kauai Department of Liquor Control appreciates the opportunity to submit testimony **providing comments** on the above-referenced measure. The Department does fully support legislation that enables our licensees to successfully operate their businesses.

This measure is to authorize county liquor commissions the ability to allow licensees to sell unopened beer, wine, and prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off-premises. This method of operation was permitted on Kauai during the pandemic as authorized under the Emergency Proclamation. At that time, the Department did not receive any complaints or allegations of compliance issues related to this activity. Our Department is committed to promoting the responsible service of alcohol and will work diligently on enforcement efforts if this measure is passed out of committee and becomes law.

Thank you for the opportunity to provide testimony on HB17 HD1.

Sincerely,

Leo Sandoval-Reyes

Director

CRAFT *Ohana*

February 22, 2023

House Committee on Judiciary & Hawaiian Affairs
HB17 HD1 Relating to Liquor
Thursday, February 9th, 2023 at 2pm, Conference Room 329

Re: **IN OPPOSITION OF HB17 HD1**

Aloha Chair Representative Tarnas, Vice Chair Representative Takayama, and members of the Committee,

My name is Garrett W. Marrero, I live in Kihei, HI. Maui Brewing Co. has locations on Maui in Lahaina and Kihei, and on Oahu in Waikiki and Kailua. We distribute across the Hawaii, 23 other States, and 4 countries. We began in 2005 with 26 team members and have added more than 400 team members across Hawaii. I was selected as the National Small Business-Person of the year in 2017 for my work at Maui Brewing Co.

I am writing on behalf of myself and our local family-operated business in opposition to **HB17 HD1** which gives county Liquor Commission the ability to authorize the sale of unopened beverages for off-premises consumption. We support and encourage the responsible sale and consumption of beverage alcohol and specifically "to go beverages". Furthermore, we support HB16 which gives this right to licensees via State law. We are opposed to the idea that this right would be subject to the various liquor departments to approve or deny at-will. This will be a further burden to the F&B operators to apply for permission, attend hearings for the same, and spend money on lawyers to accomplish what should be afforded universally. Additionally, this will add burden to the liquor departments whom all seem to be over-burdened and under-staffed already. Applications will need to be created, processes determined, no doubt place further restrictions and ultimately take years to complete. This process would be repeated for each county as we do not have a uniform system for application of State law. I would be happy to expand on occurrences as recent as this week as to why placing more authority in the various departments is a bad idea.

We appreciate the Legislature considering this bill as it we need common sense and responsible changes to our system. We do however believe that passing **HB16 HD1** would be a better way to accomplish supporting the local food & beverage operators in Hawai'i without adding to the powers, and burden, of the various liquor commissions.

Thank you for the opportunity to offer these comments in opposition of the passage of **HB17 HD1, and encourage support of HB 16 HD1** a commonsense bill that supports the local craft beverage industry across Hawai'i.

Sincerely,



Garrett W. Marrero
CEO/Founder

MAUI
HARD SELTZER

*Modern
Times*
BEER

MAUI
BREWING CO

*Modern
Times*
COFFEE

KUPU
— SPIRITS —



To: The Honorable Representative David Tarnas, Chair
The Honorable Representative Gregg Takayama, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

Re: Opposition to HB17 HD1, Relating to Liquor Licenses.

Hrg: Thursday, February 23rd, 2023, at 2:00pm, House Conference Room 325

Position: Opposition

Aloha, my name is Rick Collins, the Director of the Hawai'i Alcohol Policy Alliance (Alliance). The Hawai'i Public Health Institute fiscally manages the Alliance. I am submitting testimony on behalf of the Alliance in OPPOSITION of HB17 HD1, which expands the county liquor commissions to allow licensees to sell alcohol for delivery and takeout.

Below are some of the reasons why we oppose the delivery and takeout of alcohol at bars and restaurants:

Allowing the delivery and takeout of alcohol will likely increase underage drinking.

By allowing the delivery and takeout of alcohol, we are increasing the general availability of alcohol to the public. Youth consumption is linked to the amount of availability of alcohol within a community. The World Health Organization and CDC recommend restricting the availability of alcohol in community as a strategy to reduce underage drinking. According to strong research evidence, this measure would likely increase underage drinking.

Increased availability of alcohol is linked to increases in community violence.

Numerous studies show that increasing the amount of alcohol availability in a community increases the rates of violence and alcohol-related calls for service of first responders. The science from the World Health Organization and Centers for Disease Control is clear: increased alcohol availability leads to increased alcohol consumption, which leads to increased alcohol-related harms and violence in the community.¹ This measure would likely result in an increase in both first responder calls-for-service and violence rates in our community.

What was supposed to be a short-term measure during the pandemic to alleviate the burden to restaurants and bars to sell alcohol has now become the alcohol industry's push to maximize

¹ "Strengthen Restrictions on Alcohol Availability, World Health Organization, (2018)
https://www.who.int/substance_abuse/safer/s/en/



their profit, at the expense of public health. We ask for a smarter, more balanced approach to both the economic and public health needs of our community. The economic cost of alcohol in Hawai'i currently equates to \$689 per person.²

We ask that you oppose HB17 HD1. Mahalo for allowing me the opportunity to provide testimony on behalf of the Alliance.

If you have any questions, please contact Rick Collins at rick@hiphi.org or (808) 591-6508, x22.

Mahalo,

Rick Collins
Director
Hawai'i Alcohol Policy Alliance

² Data on Excessive Drinking, Centers for Disease Control and Prevention. <https://www.cdc.gov/alcohol/data-stats.htm>

HB-17-HD-1

Submitted on: 2/21/2023 12:39:18 PM

Testimony for JHA on 2/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pat Korn	Waikiki Brewing	Oppose	Written Testimony Only

Comments:

Waikiki Brewing Co respectfully opposes this legislation in its current written form. Mahalo.

Pat Korn, Brewmaster, Waikiki Brewing Co

HB-17-HD-1

Submitted on: 2/21/2023 12:40:19 PM

Testimony for JHA on 2/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Haumschild	Lanikai brewing Company	Oppose	Written Testimony Only

Comments:

Aloha,

We oppose HB 17 in exchange for support for HB 16. The major difference on why we oppose HB17 is the unnecessary steps to provide the county commissions to put an additional process within a licensee's rights. Since a licensee has hundreds or potentially thousands of points of compliance to get a license, the licensee should have the right to choose to sell to go or not based on their business, but not as an extra step of approval in licensing.

HB-17-HD-1

Submitted on: 2/21/2023 3:03:42 PM

Testimony for JHA on 2/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ben Kopf	Mahalo Aleworks	Oppose	Written Testimony Only

Comments:

Oppose



64-1066 Mamalahoa Highway
Kamuela, Hawaii, 96743

T 808-887-1717
F 808-885-0653
BigIslandBrewHaus@Yahoo.Com

BigIslandBrewHaus.Com

Thomas Kerns
President / Brewmaster
Big Island Brewhaus
February 21, 2023

HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair

Rep. Sonny Ganaden	Rep. Greggor Ilagan
Rep. Daniel Holt	Rep. Sam Satoru Kong
Rep. Troy N. Hashimoto	Rep. John M. Mizuno
Rep. Linda Ichiyama	Rep. Kanani Souza

NOTICE OF HEARING

DATE: Thursday, February 23, 2023
TIME: 2:00 PM
PLACE: VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

Re: **IN SUPPORT OF HB16 HD1**
Re: **IN OPPOSITION OF HB17 HD1**

Aloha Chair Representative Tarnas, Vice Chair Representative Takayama, and members of the Committee,

I am Thomas Kerns, an owner and brewmaster at Big Island Brewhaus. We are an independent craft brewery producing 100% of our beer in Hawaii. Big Island Brewhaus is united with other members of the Hawaiian Craft Brewers Guild in our pursuit to promote economic activity and growth for Hawaii's beer manufacturers and enhance opportunities in our communities.

Our brewery along with the other member breweries of the Hawaiian Craft Brewers Guild embrace the responsible consumption of alcohol.

I am writing on behalf of myself and our local business in opposition to **HB17** HD1 which gives county Liquor Commission the ability to authorize the sale of unopened beverages for off-premises consumption. We support and encourage the responsible sale and consumption of beverage alcohol and specifically "to go beverages". However, we support **HB16** HD1 which gives this right to licensees via State law. We are opposed to the idea that this right would be subject to the various liquor departments to approve or deny at-will. This will be a further burden to the licensees to apply for permission, attend hearings for the same, and spend money on lawyers to accomplish what should be afforded universally. Additionally, this will add burden to the liquor departments whom all seem to be over-burdened and under-staffed already. Applications will need to be created, processes determined, no doubt place further restrictions and ultimately take years to complete. This process would be repeated for each county as we do not have a uniform system for application of State law.

We appreciate the Legislature is considering these bills as we need common sense and responsible changes to our system. During the covid pandemic we saw a massive amount of loosening of liquor laws across the country that in the end did not have any adverse impacts on the community at large. One of these was the ability to buy beverages "to go" when picking up food from local restaurants and bars. This was an immense contributor to giving f&b operators an opportunity to generate business and try to stay afloat in some of our darkest days. This sector of the industry has not fully recovered and supporting any meaningful way to add to sales while increasing access to market for the local beverage producers should be encouraged.

As a restaurant operator I support the concept of allowing a guest to get food and beverages to go as a responsible way to enjoy supporting our local establishments. It allows for an individual to make one stop to purchase their chosen food and favorite beverages to take home and enjoy.

Thank you for the opportunity to offer these comments in opposition of the passage of **HB-17-HD1, and encourage support of HB-16-HD1** a commonsense bill that supports the local craft beverage industry, restaurants, and retailers alike all across the State of Hawai'i.

Sincerely,

Thomas Kerns

President / Brewmaster
Big Island Brewhaus

HB-17-HD-1

Submitted on: 2/22/2023 7:07:02 AM

Testimony for JHA on 2/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Geoffrey Seideman	Honolulu BeerWorks	Oppose	Written Testimony Only

Comments:

OPPOSE



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 23, 2023
Re: HB 17 HD1 Relating to Liquor Licenses**

Good afternoon Chair Tarnas and members of the House Committee on Judiciary and Hawaiian Affairs. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901, RMH is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, local, national, and international retailers, chains, and everyone in between.

We support HB17 HD1 Relating to Liquor Licenses. This measure authorizes a county liquor commission to allow licensees to sell unopened beer, wine, and prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off-premises; and is effective 6/30/3000.

During the pandemic we have seen that customers purchasing habits have changed. They are purchasing more online and using curbside pick-up for their merchandise and meals. Many were allowed to include unopened beer, wine and bottled/can cocktails during the pandemic. This was a customer service that many people were grateful for and helped to support our local businesses. Retail like many other customer service industries is constantly evolving with the demands of customers. Curbside pickup is a customer demand now that makes it easier than ever for customers to get what they need and fast.

Many customers still do not feel comfortable coming into establishments to eat or shop as Covid is still present in our communities. We are also seeing more people continue to order groceries, apparel, home goods, electronics and picking them up curbside. Including UNOPENED wine, beer and prepackaged cocktails would make a lot of customers happy. Customers could then enjoy the fact they can still enjoy takeout meals with an adult beverage in the comfort of their own homes. Or being able to obtain all their grocery and other shopping needs all in one stop shop and not have to go into the stores.

Mahalo for this opportunity to testify.

HB-17-HD-1

Submitted on: 2/22/2023 11:03:20 AM

Testimony for JHA on 2/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Justin Guerber	Kauai Beer Company	Oppose	Written Testimony Only

Comments:

While we support the ability for licensees to sell unopened alcoholic drinks for off-premises consumption, we believe this decision is best made at the state level, and decided by each individual licensee. We urge the committee to review and pass HB16 HD1.



info@beerlabhi.com
www.beerlabhi.com

Nicolas Wong

President
3266 Kalua PL
Honolulu, HI 96816

HB17 HD1– Authorizes liquor licensees to sell unopened beer, wine, and prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off-premises.
Thursday, February 23, 2023, 2:00pm Conference room 325

Rep. David A. Tarnas, Chair, Rep. Gregg Takayama, Vice Chair and members of the House Committee on Judiciary and Hawaiian Affairs

OPPOSE

My name is Nicolas Wong and I am the owner of Beer Lab HI. We are an independent craft brewery producing 100% of our beer in Hawaii. We are united with other members of the Hawaiian Craft Brewers Guild in our pursuit to promote economic activity and growth for Hawaii's beer manufacturers and enhance opportunities in our communities.

I am a board member of the HCBG. Our brewery along with the other member breweries of the Hawaiian Craft Brewers Guild embrace the responsible consumption of alcohol.

I am also a board member of the Hawaii Restaurant Association.

In SUPPORT of HB16

We believe HB 16 is a better version of these bills and accomplishes the same thing.

The reason we OPPOSE HB17 is it requires businesses who already have licenses from the liquor commission to again ask the liquor commission for permission to sell "cocktails to-go".

This is not necessary as all of necessary requirements are already in place and the tax systems to tax this type of sale are already in place. As proven during the pandemic, there is no reason to require businesses to request permission to sell "cocktails to-go".

University - 1010 University Ave B-1, Honolulu, HI 96826 - (808) 888-0913
Waipio - 94-515 Uke'e St #310, Waipahu, HI 96797 - (808) 517-3128
Pearlridge - 98-1005 Moanalua Rd #884, Aiea, HI 96701 - (808) 762-0027



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEE ON
JUDICIARY AND HAWAIIAN AFFAIRS
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325
THURSDAY, FEBRUARY 23, 2023 AT 2:00 P.M.

To The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama, Vice Chair
Members of the committee on Judiciary and Hawaiian Affairs

OPPOSING HB17 HD1 RELATING TO RELATING TO LIQUOR LICENSES

The Maui Chamber of Commerce **opposes HB17 HD1** which authorizes a county liquor commission to allow licensees to sell unopened beer, wine, and prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off-premises.

The Chamber supports and encourages the responsible sale and consumption of alcohol beverages and specifically "to go beverages". We wholeheartedly support HB16 which gives this right to licensees via State law.

We spoke with our Food & Beverage (F&B) operators and were further educated on this issue. Therefore, we retract our previous support for the initial version of this bill.

We are opposed to the idea that this right would be subject to the various liquor departments to approve or deny at-will. This will be a further burden to the F&B operators to apply for permission, attend hearings, and spend money on lawyers to accomplish what should be afforded universally.

Additionally, this will add burden to the liquor departments whom all already seem to be over-burdened and under-staffed. Applications will need to be created, processes determined, and further restrictions will likely be imposed. This will ultimately take years to complete. This process would be repeated for each county as we do not have a uniform system for application of State law.

We support continued education regarding alcohol abuse and driving while intoxicated. The fees from the sales of alcohol help support this type of education.

For these reasons we **oppose HB17 HD1**.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

HB-17-HD-1

Submitted on: 2/23/2023 12:06:18 PM

Testimony for JHA on 2/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chelsea Gonzales	Individual	Oppose	In Person

Comments:

The relationship between alcohol and mental health is complex. Some people may drink alcohol to relax or help cope with daily stresses; however, alcohol is a depressant drug that can cause anxiety and increase stress. What was supposed to be a short-term measure during the pandemic to alleviate the burden to restaurants and bars to sell alcohol has now become the alcohol industry's push to maximize their profit, at the expense of public health. We ask for a smarter, more balanced approach to both the economic and public health needs of our community.

TORKILDSON KATZ

A LAW CORPORATION
120 PAUAAHI STREET, SUITE 312
HILO, HAWAII 96720-3048
TELEPHONE (808) 961-0406 • FACSIMILE (808) 961-3815

NEWTON J. CHU
DIRECT DIAL: (808) 961-0406
E-MAIL: NEWTON.CHU@TORKILDSON.COM

February 22, 2023

Via Facsimile (808) 586-8514

Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair
House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: H.B. No. 17 Relating to Liquor Licenses – **LETTER OF SUPPORT**
Hearing Date: February 23, 2023, 2:00 p.m. Conference Room 325

Dear Chair Tarnas, Vice Chair Takayama and Committee Members:

This letter is in **support** of H.B. No. 17, which would authorize a county liquor commission to allow licensees to sell unopened beer, wine, and prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off-premises.

Under emergency proclamations issued due to the COVID-19 pandemic, licensees were permitted to sell liquor for off-premises consumption. Although the emergency proclamations have been lifted, public behavior has changed. Takeout orders for restaurants have become more common, and consumers have become accustomed to the change.

As a practicing attorney, I represent numerous companies in connection with liquor issues in all counties and believe this bill would benefit licensees and their customers in each county.

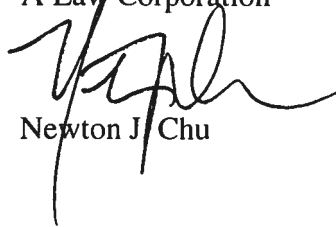
Many companies are still struggling to stay in business, and the convenience of picking up orders from their car may be a factor in deciding whether or not customers will order from a restaurant. The proposed bill would give flexibility to liquor licensees to provide the services that have become an expectation of the public.

Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair
February 22, 2023
Page 2

For the foregoing reasons, I respectfully support H.B. No. 17. Thank you for your consideration of the foregoing.

Very truly yours,

TORKILDSON KATZ
A Law Corporation

A handwritten signature in black ink, appearing to read 'Newton J. Chu', written over the printed name below.

Newton J. Chu

TORKILDSON KATZ

A LAW CORPORATION
120 PAUAAHI STREET, SUITE 312
HILO, HAWAII 96720-3048
TELEPHONE (808) 961-0406 • FACSIMILE (808) 961-3815

VAUGHN G. T. COOK
DIRECT DIAL: (808) 961-0406
E-MAIL: VAUGHN.COOK@TORKILDSON.COM

February 22, 2023

Via Facsimile (808) 586-8514

Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair
House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: H.B. No. 17 Relating to Liquor Licenses – **LETTER OF SUPPORT**
Hearing Date: February 23, 2023, 2:00 p.m. Conference Room 325

Dear Chair Tarnas, Vice Chair Takayama and Committee Members:

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Under emergency proclamations issued due to the COVID-19 pandemic, licensees were permitted to sell liquor for off-premises consumption. Although the emergency proclamations have been lifted, public behavior has changed. Takeout orders for restaurants have become more common, and consumers have become accustomed to the change.

As a practicing attorney, I represent numerous companies in connection with liquor issues in all counties and believe this bill would benefit licensees and their customers in each county.

Many companies are still struggling to stay in business, and the convenience of picking up orders from their car may be a factor in deciding whether or not customers will order from a restaurant. The proposed bill would give flexibility to liquor licensees to provide the services that have become an expectation of the public.

Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair
February 22, 2023
Page 2

For the foregoing reasons, I respectfully support H.B. No. 17. Thank you for your consideration of the foregoing.

Very truly yours,

TORKILDSON KATZ
A Law Corporation



Vaughn G. T. Cook

HB-17-HD-1

Submitted on: 2/22/2023 8:50:29 PM

Testimony for JHA on 2/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Oppose	Written Testimony Only

Comments:

I, Johnnie-Mea L. Perry OPPOSE HB 17 RELATING TO LIQUOR LICENSES, due to public safety.