



**TESTIMONY OF TINA YAMAKI, PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
March 15, 2023  
Re: HB 16 HD2 Relating to Liquor**

Good morning, Chair Keohokalole and members of the Senate Committee on Commerce & Consumer Protection. 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 **STRONGLY SUPPORT** HB16 HD2 Relating to Liquor. This measure 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. Authorizes liquor licensees holding class 4 retail dealer licenses to deliver purchased liquor to a customer's vehicle.

During the pandemic we have seen that customers purchasing habits have changed. They are purchasing more online and using curb side pick-up for their merchandise and meals. Many businesses 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 online and picking them up curbside. Including UNOPENED wine, beer and pre packaged 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.

**LIQUOR COMMISSION  
CITY AND COUNTY OF HONOLULU**

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RICK BLANGIARDI  
MAYOR

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CHAIRPERSON  
JEFFREY HONG  
VICE CHAIRPERSON

DILLON HULLINGER  
COMMISSIONER

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ADMINISTRATOR

ANNA C. HIRAI  
ASSISTANT ADMINISTRATOR

March 10, 2023

The Honorable Jarrett Keohokalole, Chair  
The Honorable Carol Fukunaga, Vice Chair  
and Members of the Committee on Commerce and  
Consumer Protection  
State Senate  
State Capitol, Room 229  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee:

**SUBJECT: House Bill No. 16 HD2  
Relating to Liquor**

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 first section of the proposed measure will 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.

The second section authorizes a class 4 retail dealer (i.e., off-premises consumption licensee) to deliver to a customer’s nearby vehicle any liquor product sold either in-person or ordered online or on the phone. As with the case of “cocktails to go”, licensees used curbside delivery during COVID to responsibly meet customer demand for safe delivery. This amendment will shield the retail dealer who is performing this specific type of customer service activity that has not been problematic for the Commission.

Thank you for the opportunity to provide testimony on House Bill 16 HD2.

Sincerely,

Anna C. Hirai  
Assistant Administrator

ACH:



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

Before the  
**Committee on Commerce and Consumer Protection**  
March 15, 2023 at 10:00 am  
Room 229 & Via Videoconference

In consideration of  
**HB 16 HD2**  
**Relating to Liquor**

Honorable Chair Keohokalole, Vice-Chair Fukunaga, and Committee Members:

The County of Kaua'i would like to **provide comments** on HB16 HD2 which authorizes liquor licenses to sell unopened beer, wine, and prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off-premises. HB16 HD2 also authorizes liquor licensees holding class 4 retail dealer licenses to deliver purchased liquor to a customer's vehicle.

The first section of this proposed bill will reinstate the "cocktails to go" that was permitted under Governor Ige's emergency proclamation(s). The Kaua'i Department of Liquor Control had no complaints or other compliance problems with this activity during COVID. With HB16 HD2 on the table the Kaua'i Department of Liquor Control will be alert to complaints of irresponsible delivery if this measure is passed out of committee and becomes law.

The second section authorizes a class 4 retail dealer (i.e., off-premises consumption licensee) to deliver to a customer's nearby vehicle any liquor product sold either in-person or ordered online or on the phone. On Kaua'i, we have not had a high demand for this service, however the Kauai Department of Liquor Control would not propose an issue that could not regulated by our Department .

Thank you for your consideration to provide comments on HB16 HD2.

Sincerely,

Leo Sandoval-Reyes

Director

**HB-16-HD-2**

Submitted on: 3/12/2023 9:23:43 PM

Testimony for CPN on 3/15/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Justin Guerber	Testifying for Kauai Beer Company	Support	Written Testimony Only

Comments:

We support HB16, which will allow for the sale of unopened beverages for off-premises consumption. We support and encourage the responsible sale and consumption of alcoholic beverages. The food and beverage industry is still recovering from the pandemic, and allowing restaurants to sell unopened alcoholic beverages to-go, with food, could make the difference in keeping a number of restaurants open. Ordering an alcoholic beverage with food, and picking them up in one place, provides a more convenient and safe way for customers to enjoy their meals. All existing alcohol serving laws must still be followed - including requiring proper identification, and refusing to serve obviously intoxicated customers. Because of this, and since we have not seen any adverse effects from the loosening of these restrictions from the pandemic, we feel that community safety and public health would not be affected.

Thanks so much for considering our testimony.



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Thomas Kerns  
President / Brewmaster  
Big Island Brewhaus

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair  
Senator Carol Fukunaga, Vice Chair

NOTICE OF HEARING

DATE: Wednesday, March 15, 2023  
TIME: 10:00 AM  
PLACE: Conference Room 229 & Videoconference  
State Capitol  
415 South Beretania Street

**Re: IN SUPPORT OF HB16 HD2**

Aloha Senator Jarrett Keohokalole, Chair & Senator Carol Fukunaga, Vice Chair & members of the Committee,

I am Thomas Kerns, 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.

We support HB16 HD2 which gives this right to licensees via State law. We appreciate the Legislature is considering this bill 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 & brewery 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 support of the passage of HB 16 HD2, a commonsense bill that supports the local craft beverage industry across Hawai'i.

Sincerely,

*Thomas Kerns*

President / Brewmaster

Big Island Brewhaus

**HB-16-HD-2**

Submitted on: 3/13/2023 8:06:28 PM

Testimony for CPN on 3/15/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Geoffrey Seideman	Testifying for Honolulu BeerWorks	Support	Written Testimony Only

Comments:

SUPPORT



March 14, 2023

Senate Committee on Commerce and Consumer Protection  
HB16 HD2 Relating to Liquor Licenses

Re: **IN SUPPORT OF HB16 HD2**

Aloha Chair Senator Keohokalole, Vice Chair Senator Fukunaga, 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 support of **HB16 HD2** which will allow for the sale of unopened beverages for off-premises consumption. We support and encourage the responsible sale and consumption of beverage alcohol. This bill specifically grants licensees this ability, We are in opposition to HB 17 HD1 which put the power in the hands of liquor control. I can tell you first hand from as recent issues as this week why HB 17 is a bad idea.

We appreciate the Legislature considering this bill as it 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 favorites beverages to take home and enjoy.

It’s likely that those opposing this bill believe that this will lead to binge drinking and other nefarious behavior but I ask, what is stopping that from occurring today? Is the convenience and freedom of the majority of our people, the responsible law-abiding individuals to be governed by those that are not dissuaded from current law?

Thank you for the opportunity to offer these comments in support of the passage of **HB16 HD2**, a common sense bill that supports the local craft beverage industry across Hawai’i.

Sincerely

Garrett W. Marrero  
CEO/Founder



**HB-16-HD-2**

Submitted on: 3/13/2023 3:24:42 PM

Testimony for CPN on 3/15/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jim Guerber	Individual	Support	Written Testimony Only

Comments:

This bill allows actions that were introduced during covid and were enthusiastically accepted by our customers The provisions should continue.

**HB-16-HD-2**

Submitted on: 3/14/2023 9:04:23 AM

Testimony for CPN on 3/15/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Steve Haumschild	Testifying for Lanikai brewing Company	Support	Written Testimony Only

Comments:

A great bill to allow licensees more options to recover post pandemic.

**HB-16-HD-2**

Submitted on: 3/14/2023 9:32:11 AM

Testimony for CPN on 3/15/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Pat Korn	Testifying for Waikiki Brewing	Support	Written Testimony Only

Comments:

Waikiki Brewing supports this bill to help employ Hawaiians and support the local economy. Thank you for your time.

Pat Korn/Brewmaster