

LIQUOR COMMISSION
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS
SPECIAL 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 9:03 a.m., on Tuesday, May 9, 2017.

Reported by: Tonya McDade, CSR, RPR, CRC
CSR Maui, Inc.
Wells Street Professional Center
2145 Wells Street, Suite 302
Wailuku, Hawaii 96793
(808)244-3376
reporters@csrmaui.com

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APPEARANCES

- Robert Tanaka, Chairperson
 - Nane Aluli, Commissioner
 - Dawn Bicoy, Commissioner
 - Leon Bolosan, Commissioner
 - Nicole DeRego, Commissioner
 - Brenda Lee, Commissioner
 - Dana Souza, Commissioner
 - Roy Umeno, Commissioner
- STAFF PRESENT:
- Edward Kushi, Jr., First Deputy Corporation Counsel
 - Glenn Mukai, Director
 - Mark Honda, Deputy Director
 - Karilee Yoshizawa, Supervising Investigator
 - Sarah Cordeiro, Secretary to Boards/Commissions II

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(Tuesday, May 9, 2017, 9:03 a.m.)

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CHAIR TANAKA: (Gavel.) Liquor Commission meeting called to order. Let's have roll call, Sarah.

MS. CORDEIRO: Sarah Cordeiro, Liquor Control.

COMMISSIONER BICOY: Dawn Bicoy. Good morning, everyone.

COMMISSIONER ALULI: Nane Aluli. Aloha.

COMMISSIONER LEE: Good morning. Brenda Lee.

COMMISSIONER DEREGO: Good morning. Nicole DeRego.

MR. KUSHI: Ed Kushi, County of Maui, Corp Counsel's Office.

CHAIR TANAKA: Good morning. Bob Tanaka.

COMMISSIONER SOUZA: Dana Souza.

COMMISSIONER UMENO: Roy Umeno.

COMMISSIONER BOLOSAN: Good morning. Leon Bolosan.

DIRECTOR MUKAI: Glenn Mukai, Liquor Control.

DEPUTY DIRECTOR HONDA: Mark Honda, Liquor Control.

MS. YOSHIZAWA: Kari Yoshizawa, Liquor Control.

CHAIR TANAKA: Thank you. You have, before you, your agenda of May 9, 2017. If there's any questions? If not, may I have a motion for approval?

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1 COMMISSIONER SOUZA: So moved.

2 COMMISSIONER UMENO: Second.

3 CHAIR TANAKA: Okay. Moved and second. All in
4 favor, say "aye."

5 (Response.)

6 CHAIR TANAKA: We're here today to discuss
7 Mahina Martin's letter and, also, her petition to the
8 Commission. But before we have Mahina here -- I guess
9 she's not here now, but I'm gonna take all the public
10 testimony. So can we get started on the public testimony?
11 Kari.

12 MS. YOSHIZAWA: Chair, first person signed up to
13 testify is Charles Hirata.

14 CHAIR TANAKA: Please state your name, if you
15 represent an organization. You have three minutes. And
16 if you -- three minutes is not enough for your testimony,
17 we will give you additional two minutes after everybody
18 has testified.

19 MR. HIRATA: Okay. Thank you. Aloha, Chair --
20 Chair Tanaka and Commissioners. My name is Charles
21 Hirata. And I retired as a captain with the Maui Police
22 Department after serving 32 years, 11 of which were with
23 the Traffic Section. And as the traffic commander, I was
24 in charge of the DUI Task Force and the Vehicle Homicide
25 Unit. Currently, I'm a member of the State of Hawaii

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1 Highway Safety Plan as chair of one of their emphasis
2 areas.

3 I'm here testifying today as a private citizen.
4 I feel that this testimony is worth my time and effort in
5 an effort to keep this community safe.

6 In recent years, approximately 45 percent of
7 Hawaii's fatal crashes involve alcohol. And it is
8 traditionally one of the most serious contributing factors
9 in Maui's fatal crashes. As a Traffic Commander, I
10 conducted -- conducted analysis of traffic crashes to
11 identify locations and times when drunk driving crashes
12 occurred most frequently, and assigned the DUI Task Force
13 to respond to those findings. That's, also, how we set up
14 our DUI checkpoints as well, is looking at the temporal
15 and geographical data that we were presented with.

16 I feel that allowing liquor to be sold around
17 the clock will exacerbate the problem of alcohol-involved
18 fatal crashes. As a police officer, I had to respond to
19 convenience stores where store clerks, many of whom were
20 diminutive females, who were faced with aggressive
21 customers who were trying to intimidate them into selling
22 liquor to what appears to be an inebriated person.

23 Commissioners, all you Commissioners, you know
24 the decisions that you make affect others, including
25 members of the public. You, however, will not be

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1 responding to any vehicle crash at 4:00 a.m. You will not
2 be extricating crash victims from mangled vehicles. You
3 will not be the one struggling to keep victims alive in an
4 ambulance. And you will not be the ones trying to save
5 lives in the emergency room. But, most of all, you won't
6 be accompanying the traffic officer who makes the death
7 notification to family members. I've seen too many lives
8 wasted by impaired driving. So help me save some lives.
9 Make the right call.

10 You're the -- even though not every -- not every
11 establishment is going to be selling liquor at 24 -- 24/7;
12 however, it may cause people who know of a establishment
13 in the next town to travel to that next town after going
14 to a bar, or whatever liquor establishments they came
15 from, to travel the roadways to get to that next location.
16 And that's where it gets dangerous.

17 You know, if you look at the cause of death
18 of -- of -- unintentional cause of death, you know, you're
19 going to find that fatal crashes is probably one of the
20 highest. And adding one more factor to that is dangerous
21 and nonsensical.

22 So I -- I implore you to think very carefully
23 about the decision that you're about to make. Thank you.

24 CHAIR TANAKA: Thank you. Kari.

25 MS. YOSHIKAWA: Eric Correa.

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1 MR. CORREA: Good morning, Ladies and Gentlemen
2 of the Liquor Commission. Thank you for this opportunity
3 to testify this morning. I'm here representing the State
4 of Hawaii Organization of Police Officers, the police
5 officers union, the Maui chapter. Our Chairman, Barry
6 Aoki, is currently off island on training and he asked me
7 to stand in his place, as I have before. I sit on the
8 board of directors. And I took personal time off from my
9 full-time employment as a Police Sergeant to testify here
10 today. I'm not speaking on behalf of the Chief of Police,
11 but on behalf of the police union.

12 Our priority concern with regard to this law is
13 how it affects the conditions of work of our union
14 members, conditions of work. And that directly relates
15 to -- to officer safety. And our concern is the type of
16 calls that we generated with the increased availability of
17 alcohol with regards to the 24-hour liquor sales and the
18 home delivery service.

19 Already, we have problems with shoulder tap.
20 I'm sure you're all familiar with that, where the underage
21 people ask people -- ask adults over 21 to -- to purchase
22 liquor for them. And it's a concern where this shoulder
23 tap thing does not need now to take place in the parking
24 lot of a store, but at a residence, a willing adult's
25 residence to supply this liquor.

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1 The other thing is, you know, when we're
2 responding to calls, what happens is the intensity of the
3 calls are -- we noticed, are increased -- or the dangers
4 in those -- in those incidents are increased to the
5 officer when alcohol is involved because we know it
6 impairs a person's normal mental faculties.

7 They say to, you know, drink responsibly. I
8 mean, it's an oxymoron because when you consuming alcohol,
9 it inhibits your ability to be responsible.

10 And we -- we don't want to put our officers in
11 harm's way, the officers who are -- and as a union, we're
12 not looking at these people as just simply employees or
13 policemen or police women, we're looking at members of our
14 community who have families that care about them. Wives
15 waiting and wondering if they will come home that night,
16 you know, children missing daddy or mommy. We don't want
17 to see an increased risk to our officers' safety. Okay.
18 And that's a concern.

19 I used to work for retired Captain Hirata in the
20 DUI Task Force. And I did make a lot of those death
21 notifications. I had to attend autopsies of the victims
22 of drunk drivers.

23 The carnage you guys don't see behind the scene
24 is -- is immense. And what that does is creates vicarious
25 trauma to the officer. We absorb that for you in our

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1 service. And -- and it affects the way we relate to
2 family and our friends.

3 So I would -- so I would ask that this law be
4 repealed. Thank you very much for your time.

5 CHAIR TANAKA: Thank you.

6 COMMISSIONER BICOY: Thank you.

7 CHAIR TANAKA: Next.

8 MS. YOSHIZAWA: Wehilani Aluli.

9 MS. ALULI: Hi. Aloha. Good morning. Dear,
10 Mr. Tanaka and Liquor Commissioners --

11 CHAIR TANAKA: Will you -- will you please state
12 your name?

13 MS. ALULI: My name is Wehilani Aluli. I'm here
14 today to address the issue on the 24-hour alcohol sales.
15 I'm currently residing at Malama Family Recovery Center
16 for mothers and children. I, myself, have two beautiful
17 kids.

18 Being a Hawaiian woman, born and raised on this
19 beautiful island of ours, I know that, growing up here,
20 the fun was limited. I started drinking at the age of 12.
21 And that was just a gateway to everything else I
22 experienced at age 16. I started doing drugs and getting
23 into bars because there was no security boundaries back
24 then in alcohol. Getting away with drinking had no
25 consequences.

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1 Back in 2003, a dear friend lost her life as
2 well scarred 11 others, family and friends, in a horrible
3 crash that happened in Haliimaile due to drunk driving.
4 That was just the start, and the years to come of horrible
5 mishaps.

6 As alcohol -- as an alcoholic and an addict, I
7 know that there's much problems that have occurred due to
8 the lack of discipline that the State has towards the real
9 issue. We have major -- we have a major ice epidemic and
10 homelessness. And, yet, you pass a law that invites more
11 trouble to our island. We need to focus on the real
12 problem we have now than make new ones.

13 My fear is that if you pass this -- pass this
14 law, and our kids of the future will have no safe
15 boundaries, and the future will be worse than it is now.
16 We need to think about our community and how it affects
17 us.

18 When the crime rate goes up and the domestic
19 violence occurs because of this law, then you will rethink
20 it. How about save all the hurt and the pain that will
21 occur and do something now? Don't pass it, rethink it.
22 For our keikis of our island, plant a good seed for our
23 people. Rethink the 24-hour alcohol sales, please.

24 Thank you.

25 CHAIR TANAKA: Thank you. Kari.

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1 MS. YOSHIKAWA: Momi Medeiros.

2 MS. MEDEIROS: Aloha, Chair and Commission
3 Members. I am -- my name is Momi Medeiros. And I am a
4 Program Supervisor at Maui Family Support Services.

5 In my capacity at my job, I actually teach
6 intermediate and high school children how to live a
7 drug-free life. So we present a substance abuse
8 prevention program in their health classes. It teaches
9 them how, if they stay away from drugs, they can stay
10 healthy.

11 So what this new law does is it really confuses
12 the children that we work with. So we go in there and we
13 tell them, you know, what are the good, what are the bad,
14 how to make the right decisions. And then they get
15 confused and they says, but you know what, the Liquor
16 Commission actually passed a law that says that they
17 can -- they can buy alcohol at any time.

18 I'm very happy that I come after the statistics
19 because I would like to not state statistics, but,
20 actually, tell you of my experiences.

21 So -- so it's hard to -- to get across your
22 message when they're already thinking my -- my ideas of
23 alcohol that is looked at, at home is different than what
24 we are teaching them. Then we have another challenge.
25 Right?

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1 So I'm not only a prevention worker, but I'm,
2 also, a mother and a grandmother. And the children are
3 all at the age of driving.

4 So my son is a tow truck driver by night. And
5 he has seen many accidents. He is one of the first
6 responders that come there to clear the roadway, to make
7 it safe. And because of what he has seen, he has chosen
8 not to drink because he would not like to contribute to
9 that. So, you know, every time he goes out on those
10 calls, I worry. Now I have to think about the
11 possibility, good possibility, that there are people on
12 that highway that are already intoxicated, possibly going
13 back to get their last six-pack so they can feel a little
14 better and they're jeopardizing the lives of anybody
15 that's on that roadway.

16 So I give my testimony today for everybody I
17 hold close to my heart. I wanna keep them safe. I wanna
18 be sure that they're gonna come home.

19 So extending the hours that they can buy
20 alcohol, also, has another impact. And that is on the --
21 the people that sell the alcohol. It was easy if you saw
22 somebody intoxicated and you said, "Oh, after 11:00, by
23 law, I cannot sell you that alcohol." Now they have to
24 make that decision, they have to say what do I do, do I
25 sell 'em that alcohol, do I determine whether they're

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1 intoxicated or not, and, if I say no to them, I have to
2 deal with those repercussions. And what happens if it's
3 me, as a female, that does not have anyone else there to
4 help me through it.

5 So I'll close real quickly. And I will tell you
6 that I hope that you consider very carefully the decision
7 that needs to be made. I appreciate everything you all do
8 and I appreciate your volunteerism. I know how important
9 that is. But I see no benefit to this law to anyone
10 except perhaps business people. Right? So if you can
11 consider and you can choose people and our safety before
12 businesses making a bigger profit, I would certainly
13 appreciate it. And, please, repeal this 24-hour sale.

14 Mahalo.

15 CHAIR TANAKA: Thank you. Next.

16 MS. YOSHIZAWA: Kema Jamal.

17 MS. JAMAL: Good morning. Thank you for taking
18 the time to see me and hear my voice. Today, I know I
19 have a voice.

20 CHAIR TANAKA: Please state your name.

21 MS. JAMAL: Kema, first name, K-E-M-A, last name
22 Jamal, J-A-M-A-L.

23 CHAIR TANAKA: Thank you.

24 MS. JAMAL: I am a mother of two young children.
25 I don't have those children, and I have to take

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1 responsibility for that, due to alcoholism. I'm, also, a
2 woman of abuse. I no longer am married or abused today,
3 and I have to take responsibility of that, due to
4 alcoholism.

5 I don't point or blame, but I don't like your
6 law. I think it's unfortunate. It rips, it neglects, it
7 kills, it destroys.

8 I think every adult needs to be responsible and
9 be accountable for their own actions, but, at the end of
10 the day, there are people that suffer economically, they
11 also suffer from abuse in the home from family members.

12 There are situations where I work with women
13 every day, and they are trying to rebuild their lives, as
14 I was one of those women, to get their children back.

15 There's a epidemic on our island, on Maui. And
16 it's really in our face. We can blink our eye and we see
17 it. I can smell it when I go to the grocery store. I
18 think it's very unfortunate. This is a very beautiful
19 island. And to see so much alcoholism and homelessness in
20 our face.

21 And to be able to go and get alcohol at 3:00 in
22 the morning is really unfortunate.

23 Again, I'd like to make it clear that being
24 responsible as adults is our responsibility, but to take
25 care of not only ourselves, but our people and our

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1 community. I hope that you revisit your decision.

2 Thank you.

3 CHAIR TANAKA: Thank you. Next.

4 MS. YOSHIKAWA: Eryn Bass.

5 MS. BASS: Good morning, Robert Tanaka and
6 Liquor Commission. My name is Eryn Bass. And I'm here to
7 talk to you about the 24-hour sale of liquor. I'm asking
8 you to revisit the decision. I'm a mother of a
9 one-year-old little boy and a three-year-old stepdaughter.
10 I am currently in treatment at Malama Family Recovery
11 Center for Women and Children.

12 Although alcohol isn't my drug of choice, it was
13 a gateway drug for me. Alcoholism runs in my family on
14 both sides. I watched my grandmother and my mother
15 struggle with alcoholism. And my great grandfather died
16 from it.

17 I started drinking at the age 15. And I am
18 worried that the underage drinking will go up now that
19 alcohol is being sold 24 hours. At 16, I was working in
20 restaurants and going to the bars with coworkers. I
21 thought I was safe and thought I could trust these
22 coworkers, but I ended up getting raped by a much older
23 coworker. I don't want any young girl to go through this
24 experience.

25 Alcohol was a gateway drug for me. After

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1 drinking in high school, I started experimenting with
2 other drugs, and ended up being addicted to opiates at 18.
3 When I was 21, I got sober for two years. I thought I
4 could handle drinking occasionally because it wasn't my
5 drug of choice. I started drinking daily, and, before
6 long, I was using drugs again.

7 Alcohol affects so many lives. And the sale of
8 24 -- of liquor 24 hours a day would affect our whole
9 community. I'm asking you to please revisit the decision
10 to sell alcohol 24 hours a day.

11 Thank you for listening to my testimony today.

12 CHAIR TANAKA: Thank you.

13 MS. YOSHIZAWA: Andrea Maniago.

14 MS. MANIAGO: Good morning, Liquor
15 Commissioners. My name is Andrea Maniago. My family and
16 I are victims of drunken driving.

17 In 2009, my son, Kyle, was in a car crash with a
18 drunk driver. He was severely injured and taken to the
19 hospital. Hours later, he died. He was only 16 years
20 old.

21 The day my son was killed is the day that
22 changed our lives forever. I felt this unbearable pain
23 and thought I would never be able to move on. I watched
24 my husband's hopes and dreams disappear. Sorry. I saw my
25 daughter's zest for life being crushed.

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1 But it doesn't stop there. The pain of loss is
2 far reaching and long-lasting. Sorry. It affects more
3 people than you think. I call it the domino effect. It's
4 an effect -- it's affected his grandmother, his aunties,
5 his uncles, cousins, friends, teachers, coaches,
6 counselors and many others, including his younger sister
7 and brother, who will never get a chance to meet him.

8 One other person died in that same car crash.
9 And it has affected their family in much the same way.

10 A person chose to drink and drive, and wound up
11 killing two people. And as a result, he also changed his
12 life forever.

13 Since the loss of my son Kyle, I have been
14 striving to rebuild my life. I have come to the
15 understanding that I need to accept change. And,
16 therefore, I do my part in hoping to make a positive
17 change, especially when it comes to drinking and driving.
18 I'm a volunteer with Mothers Against Drunk Driving and I'm
19 a victim advocate. I share my son's story as part of the
20 victim impact panel for DUI driver's education classes
21 where I bring to light the potential tragedies of these
22 choices they make. These classes are mandated through the
23 courts for convicted DUI drivers. The classes are held
24 once or twice a month and is usually maxed out with 35
25 students per class.

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1 Currently, there is no shortage of drunken
2 drivers on Maui -- sorry -- on Maui roads. And with the
3 transition to 24-hour liquor sales, there will be many
4 more. I believe this new rule is a disregard to the
5 safety of our community members.

6 And so I ask all of you, especially to the Chair
7 of the Liquor Commission, do you hear us? Will you repeal
8 this rule?

9 Please repeal this rule. Thank you.

10 CHAIR TANAKA: Thank you. Next.

11 MS. YOSHIZAWA: Tiare Abraham.

12 MS. ABRAHAM: Good morning, Chairman Tanaka and
13 Department of Liquor Control. My name is Tiare, and I'm a
14 mother of three daughters. I'm currently living at Malama
15 Family Recovery Center for mothers and children. I'm
16 currently living there because of my addiction of alcohol
17 and drugs.

18 I honestly think that liquor sales for 24 hours
19 is a very bad idea. There will be way more fatalities and
20 underage drinking.

21 I myself started drinking at the age of 15. I
22 had a hard life growing up. And alcohol was an outlet to
23 make me forget about all the bad memories I had. My dad
24 was an alcoholic. And some of the only memories I have of
25 him is abusing my mother when he got drunk. When I was

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1 five years old, I was molested by someone that called
2 hisself my uncle. He was an alcoholic as well.

3 As you can see, there's so much negativity and
4 bad that comes with alcohol. With that being said, I
5 would like to ask you folks to revisit your decision on
6 the 24-hour liquor sales here on Maui.

7 Thank you for your time and letting me come and
8 speak my testimony. Have a great day.

9 CHAIR TANAKA: Thank you. Next.

10 MS. YOSHIZAWA: Michael Sparks.

11 MR. SPARKS: Good morning. My name is Michael
12 Sparks. I'm a resident of Kihei. I'm an alcohol policy
13 specialist, I work with the Centers for Disease Control,
14 Wake Forest University, Johns Hopkins University and
15 foundations across the mainland doing this kind of work.
16 Frequently, I'm called by different communities to testify
17 on and talk about the translation of the research into
18 science and into practice.

19 Today, I'm here to talk to you about the
20 science. The testimony you've been hearing are the
21 examples of what the research bears out, that increasing
22 the availability of alcohol leads to dramatic consequences
23 associated with DUI, fights, violence, a range of issues.
24 And as policymakers, we make the assumption as the public
25 that you are provided the research ahead of time when

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1 you're about to make a decision of this magnitude, that
2 the science, which I will give you in a moment, has been
3 provided to you and you've had an opportunity to discuss
4 that in detail to see how it might apply in a particular
5 local condition like this.

6 Assuming you were provided the assumption -- the
7 research, you know if there's a consensus that as you
8 expand hours of sale, you expand availability. And as you
9 expand availability, you expand consumption, you increase
10 consumption and, therefore, you increase alcohol-related
11 problems. There's no doubt about this. And the
12 consequences that you've been hearing in the testimony are
13 the stories that lie beneath what the research has been
14 showing now really since 19 -- 1981.

15 So to put into the record, there are four key
16 sources of research on this. The National Academy of
17 Sciences, in 1981, published a book that showed the
18 foundational relationship between availability,
19 consumption and the increasing problems called Alcohol
20 Public Policy, Beyond a Shadow of Prohibition. That book
21 set the stage for of all the research that followed.

22 In 2010, the Centers for Disease Control
23 published a article, a very powerful article, called The
24 Effectiveness of Policies Restricting Hours of Alcohol
25 Sales and Preventing Alcohol Consumption and Related

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1 Harms. That established, again, a more current update on
2 the actual effects of what happens when you extend the
3 sale of alcohol past existing times.

4 In 2010, "Alcohol: No Ordinary Commodity:
5 Research and Public Policy" for the Oxford University
6 Press reaffirmed this with new research.

7 And then the most recent is the Global Status
8 Report on Alcohol and Health in 2014, from the World
9 Health Organization, which affirmed globally, in countries
10 across the world, that expanding the hours of the sale of
11 alcohol increases significantly the consequences
12 associated with the conditions you heard here.

13 So I urge you to look at that research. I'll
14 provide it in written testimony, if you would like,
15 through email. It was in my letter that I sent in earlier
16 when this law was passed. And I urge you to repeal the
17 rule changes that you put in place in February.

18 Thank you very much.

19 CHAIR TANAKA: Thank you.

20 MS. YOSHIZAWA: Rayann Sagon.

21 CHAIR TANAKA: Before we go on to the next
22 testimony, we have some people parking in the employee's
23 parking. Can they move their car, please? Maroon Kia,
24 maroon Kia, Sedona van, and license plate MVA 569. If --
25 if you're here, can you move it from the employees

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1 parking.

2 Okay. Let's have the next testimonies.

3 MS. YOSHIZAWA: Rayann Sagon.

4 MS. SAGON: Good morning. My name is Rayann
5 Sagon. And I currently live at Malama Family Recovery
6 Center for Women and Children.

7 My daughter is 15 years old, and she has an
8 alcoholic father who hit her and hit me. So, now, he is
9 not in our lives anymore. He never realized what he did
10 to his family. He pushed us away, but he still calls me
11 and wants to be my friend now.

12 My family is an alcoholic, my stepfather, my
13 biological father, my sister, my brother and my son. That
14 is why I don't want this law to pass.

15 Mahalo for listening to me.

16 CHAIR TANAKA: Thank you. Next.

17 MS. YOSHIZAWA: Brenda Fernandez.

18 MS. FERNANDEZ: Good morning. My name is Brenda
19 Fernandez. Sorry. I'm here representing myself. I'm a
20 educator, I teach driver's ed instruction to teens as well
21 as adults, specifically All-Star Driving School. And
22 during the school, I hold my 15 and-a-half year old
23 students as well as the adults in my class, I hold them
24 accountable to make decisions once they start getting on
25 the road. I also hold them accountable to the

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1 consequences of their actions. I teach them that, as a
2 parent, they need to be preparing their child to be either
3 safe or not safe, and the parents have to lead by example.
4 That in the class, they are encouraged to make
5 conscientious decisions as to their actions once they get
6 on the road.

7 We also talk about the negative outcomes, is
8 it worth -- is the risk worth the best case scenario
9 versus the worst case scenario. And in order for us --
10 for me as a teacher to -- to hold my students accountable,
11 I give them information so they can make the judgment.

12 And -- and I know -- I heard it earlier, that
13 maybe the information wasn't presented to you folks. Just
14 going over a few statistics, the -- that I got from --
15 this is from Allstate Insurance Company. You can download
16 some information just based on their -- their website.

17 So between the hours of midnight and 3:00 a.m.,
18 two-thirds of all fatal crashes involve an alcoholic
19 impaired driver. Statistically, on the weekends versus
20 weekdays, 31 percent of fatal drunk driving accidents
21 happens on the weekends. What is more deadlier, day or
22 night, 4.5 percent are more at night than during the day.
23 And that's just statistically.

24 Specifically to Hawaii -- the national average,
25 if a -- they asked people, have you driven after you know

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1 you're drinking a lot. The national average says 1.9
2 percent says yes. In Hawaii alone, it's 2.9 percent. So
3 just based on where we are, it does seem that we have an
4 issue with drunk driving.

5 I think the -- the law is nonsensical. I think
6 that there should be more taught as to why -- who benefits
7 from it and why. And if the -- if the best case scenario,
8 if there's such a thing, best case scenario of the worst
9 case, accident or crash, is it worth the benefit from
10 whoever is trying to get this to pass?

11 I implore you to, basically, rethink it, check
12 out the statistics and repeal. Thank you.

13 CHAIR TANAKA: Thank you. Next.

14 MS. YOSHIZAWA: Cassey Arcilla.

15 MS. ARCILLA: Good morning, Mr. Tanaka and the
16 Board of Liquor Commission. My name is Cassey Arcilla. I
17 am five months pregnant and I'm a recovering addict. I'm
18 here to talk about a law that has been recently passed in
19 regards to selling alcohol for 24 hours.

20 Knowing that this law is passed and in full
21 effect around this beautiful island of Maui, it's very
22 concerning not only for me, but for my unborn child's
23 future. Maui's already known to have the most car
24 accident fatalities as a result of drunk driving. How can
25 I be assured that my unborn child's future will be -- will

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1 have an actual future where my child could be a victim to
2 another drunk driver's accident. It makes me think of
3 other children's future and how this law can affect their
4 lives.

5 My question to you is that did you think of your
6 children being one of the innocent lives lost to a drunk
7 driver? Being a new mother and having these thoughts
8 hanging on my shoulder scares me knowing I could use my
9 precious baby's life over some law that wasn't thought
10 through.

11 I would like you to remember Will Smith's
12 tragedy, a seven-year-old boy who lost his life from a
13 drunk driver. I applaud his mother for being very
14 forgiving and kind towards -- to the woman who took her
15 son's life. And I cannot imagine how hard it must be for
16 the woman to live daily with such a tragedy she did not
17 intend to have happen.

18 No mother can live through such tragedy. So I
19 ask you to rethink selling alcohol 24/7 and how this law
20 could affect every children's lives and future.

21 Thank you for listening to me, Mr. Tanaka, and
22 the Board of Liquor Commission.

23 CHAIR TANAKA: Thank you. Next.

24 MS. YOSHIZAWA: Kayzia-Ashley Washington.

25 MS. WASHINGTON: Aloha. My name is

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1 Kayzia-Ashley Washington. I am -- I currently nine months
2 pregnant. My daughter's an alcoholic, I'm an alcoholic,
3 my father's an alcoholic. The catch is we don't drink
4 alcohol. My great grandfather was an alcoholic, but,
5 unfortunately, due to genetics, we are predisposed to
6 alcoholism. And it wasn't our decision to become an
7 alcoholic and -- but it is your decision as Commissioners
8 to make the decision to, hopefully, repeal this law.

9 I do not find it beneficial to our community. I
10 do remember reading in the newspaper that it will benefit
11 our community, but, as the community has responded, it
12 cannot benefit them because the registers are locked into
13 11:00 p.m. and they cannot change it. And so it seems
14 like the community that this law was passed to benefit
15 will not benefit at all.

16 Maui has always been number one, Maui no ka oi.
17 Let's make Maui number one and keeping it -- number one
18 priority is residents by not passing this because we had
19 already suffered so much fatalities from this, from just
20 the epidemic of alcohol.

21 And I thank you for your time. Mahalo.

22 CHAIR TANAKA: Thank you. Next.

23 MS. YOSHIZAWA: Ashlee Chapman.

24 MS. CHAPMAN: Good morning, Liquor Commission,
25 Chair Tanaka. My name is Ashley Chapman. I coordinate

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1 the Underage Drinking Prevention Coalition. We are
2 supported by County, Department of Housing and Human
3 Concern, also by you all. Thank you for those funds.

4 I brought today a lei. So, by now, you've heard
5 from a good number of people, you've heard their stories,
6 you've heard our statistics. So I wanted to show you a
7 little bit more of our community's feelings for those that
8 are not able to be with us today.

9 So this past Saturday, the Underage Drinking
10 Prevention Coalition held our largest community-based
11 awareness event, the Teen Expo. That event was funded by
12 the funds provided by you all. Thank you for that.

13 And the Teen Expo is the County's largest
14 teen-focused underage drinking prevention awareness event
15 held each year. And at the event this year, we decided to
16 gather petitions for the repeal so that we could get a
17 better understanding of how our community at large feels
18 about this issue. And in a matter of just a few short
19 hours, we were able to gather 95 petitions.

20 So each flower has an individual signature and
21 petition on it asking all of you to repeal the 24-hour
22 alcohol sale, so I'm here on behalf of them, as well as
23 the petition that we have online circulating that now has
24 over 300 signatures on it. We are all asking you to vote
25 to repeal this.

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1 So thank you for your time.

2 CHAIR TANAKA: Thank you. Next.

3 MS. YOSHIZAWA: Rick Collins.

4 MR. COLLINS: Good morning, Chair Tanaka and
5 Liquor Commissioners. My name is Rick Collins. And I'm
6 with Maui Youth and Family Services and Underage Drinking
7 Prevention Coalition.

8 Two months ago, at your March meeting, I sat
9 here in front of you with one of our youth leaders, Justin
10 Schiffler. We presented on the importance of underage
11 drinking prevention and our plans for utilizing your
12 prevention funds that you allocated to our Coalition. And
13 we mahalo you for that.

14 Mr. Honda, if I recall, you had attended a
15 number of our meetings and you spoke highly of our group.
16 You supported us and were very encouraging of our efforts.

17 A number of you chimed in as well and talked
18 about your support of our Coalition and the importance of
19 our prevention efforts.

20 During your February meeting, Justin, myself, a
21 number of other adult and youth Coalition members were
22 attending a conference called the Community Anti Drug
23 Coalitions of America in Washington, D.C. We met with
24 Senator Brian Schatz, we met with representative Tulsi
25 Gabbard. And our young people voiced their concerns about

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1 the need for prevention in our community here.

2 At that same time, you were passing this law
3 that made widespread the availability of alcohol, 24-hour
4 sales along with home delivery of alcohol. And I'm here
5 to say that that goes directly against our efforts of
6 prevention that you unanimously supported.

7 You might be asking yourself, how does this
8 affect our prevention efforts. And I think you've heard a
9 number of stories, personal stories. You've heard some
10 science. And it's very clear, increased availability of
11 alcohol leads to increased consumption rates which leads
12 to increased consequences.

13 It's clear and simple this law will have the
14 same effect here if it's not repealed for both adult and
15 underage drinkers.

16 This clearly goes against our prevention
17 efforts, puts our community at risk for more
18 alcohol-related consequences.

19 If our stories, if the science is not persuasive
20 enough, I am also informed that the National Liquor Law
21 Enforcement Association has sent a letter to the Director
22 yesterday informing or -- or going against the law and
23 asking for it to be repealed, supporting the repeal. So
24 that there is national attention about this issue. And so
25 as a member of the community, as well as a member of the

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1 Coalition, I urge you and implore you to please repeal
2 this law immediately.

3 Thank you.

4 CHAIR TANAKA: Thank you. Next.

5 MS. YOSHIZAWA: Charmaine Tavares.

6 MS. TAVARES: Aloha, Chair Tanaka and Members of
7 the Liquor Commission.

8 Oh, no, politician standing before you. How bad
9 is that? Well, actually, it's not that bad.

10 As many of you know, when I was in public
11 service myself, I appointed people to boards and
12 commissions as one of my duties as Mayor of the County of
13 Maui. And that still continues today.

14 I don't think people appreciate the extent to
15 which your service demands your time and effort, but I did
16 take some time to read through the minutes of your meeting
17 in February where these amendments were passed. And it's
18 like our council meetings, you got lots of testimony on
19 certain hot button issues that go on for hours and hours
20 and hours, and then when you -- you know, time for you to
21 make a decision, it becomes -- it becomes difficult. But
22 we, at least, should be able to tell ourselves we've heard
23 from all the special interests.

24 And what I am concerned with is that while you
25 have an advisory group or a group that comes in to

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1 represent different people, the ones that I could
2 understand were at your meeting represented the industry
3 that makes their living from alcohol sales. And, of
4 course, they have to represent their people. And they
5 presented what they wanted to you. And you folks were
6 then charged with trying to make a decision about it.

7 I did not see anyone come and testify about the
8 issues that were before you that are now before you. And,
9 actually, when I went through the minutes, the only one
10 that had any -- or much discussion, if any, was on the
11 24-hour sale. There was no discussion about the cap on --
12 or doing way with the cap on host -- so-called hostess
13 bars and some of the other issues.

14 I know that it's a daunting task to go through
15 an agenda. I mean, reading that stuff is like, oh, my
16 gosh, it brought flashbacks of all these memories of long,
17 long meetings with testifiers one after another wanting
18 this and that.

19 I think what's difficult for you folks -- and I
20 really appreciate what you do, because I know it's hard to
21 volunteer to unpaid position, takes up your time, a
22 five-year appointment, to a commission. And all of our
23 commissions are important or they wouldn't be here. Yours
24 is particularly important because it affects the entire
25 community. It affects the economy of our island and the

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1 people who live and work here, the tourists who come here,
2 all of that. So it's not an easy subject to even broach.

3 I would ask that this Commission find it that
4 they need more information and that they open up the
5 discussion again on -- on the -- all of the amendments
6 that you folks pass that seem to have some contentious
7 issues.

8 Everyone has a special interest. Okay. You
9 heard some special interests at your meeting. You're
10 hearing another special interest at this meeting, and
11 maybe before. I think that everyone -- you can't say I'm
12 not a special interest, you are. Every one of us is a
13 special interest, whether an individual or you belong to a
14 group. No doubt. So when people paint special interest
15 people in a bad light, they're talking about themselves,
16 too, because we all have special interests.

17 You know that I have not been out in public very
18 much since I retired, sort of forced, back when, but after
19 42 years of public service, most of them working with kids
20 as a teacher and a coach and an athletic director and the
21 Upward Bound Program at Maui Community College where I
22 worked with young kids, teenagers, mostly, trying to mold
23 them into people who can make good decisions about their
24 lives -- we all are about that. You're about that. You
25 have kids or you know kids or you've worked with kids.

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1 And your volunteerism shows that you care about this
2 community. So let's step back a little bit, consider
3 having a hearing, another one or whatever, to -- to really
4 get some more input on these issues that were passed.

5 I applaud you for the work that you've done. I
6 know it's not easy. I have not volunteered for a board or
7 commission, even though I have been asked. I -- I just
8 haven't because I -- I just cannot get back into that
9 right now. But you have a hard job. I realize it. I
10 think all of us in here do. We don't want to take this
11 opportunity to yell and scream like how could you do this,
12 how could you do this. No. You did what you thought was
13 right at the time because of the information you had. I
14 think now it's time to look at a situation or an
15 environment where you can get more information from the --
16 from the people that is going to be affected.

17 Just one note. I think, Mr. Tanaka, you knew my
18 dad very well and knew that he went through great pains to
19 actually have that cap on hostess bars back in the
20 eighties. And those meetings were very, very long, as I
21 recall. I was teaching at the time. So he would come
22 back and tell me all about it afterwards.

23 But something as important as that, I mean, I --
24 I question why does it even come up. I understand that
25 there is a cap and there are still licenses available, so

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1 I don't know what the driving need is for that.

2 So I think when you open this back up again,
3 you'll be able to get that information so that you can,
4 you know, reexamine what it is and what direction we want
5 our County to go in.

6 I am totally against this 24-hour sale. This --
7 this is crazy. If somebody wants 24-hour liquor, they
8 should move to Las Vegas. They are set up for that kind
9 of liquor control. They have tons of people that monitor
10 all these bars and everywhere. So, I mean, unless you
11 want to join the Las Vegas police force, they have their
12 own problems. Be interesting to see their take on it.

13 But we don't need to become a 24-hour place. We
14 have our own attributes that -- you know. And what -- the
15 first thing that hit me when these people said they come
16 in at 3:00 in the morning and maybe they want a drink
17 after a long flight, I don't think any of those hotels
18 that they're staying at don't have minibars. So I don't
19 see an excuse for "I need a drink." You can go to your
20 room and have a drink, you know. I mean, that's not a
21 problem. And people that say they can't get booze after
22 work, well, plan ahead a little bit, guys, buy your booze
23 and then leave it at home, when you get home, you can
24 drink.

25 So, to me, these are just empty little things

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1 that are going on like, hey, think about it a little bit.
2 Is it worth having the convenience, because I want a
3 drink, that everyone else in our community is now going to
4 be subject to a much harsher environment for them to live
5 in? Let's -- let's keep Maui Maui.

6 CHAIR TANAKA: Okay, Charmaine --

7 MS. TAVARES: So I

8 CHAIR TANAKA: Please --

9 MS. TAVARES: Give it a chance.

10 CHAIR TANAKA: -- finish up.

11 MS. TAVARES: Thank you very much.

12 CHAIR TANAKA: Next.

13 MS. YOSHIZAWA: Kallie Keith-Agaran.

14 MS. KEITH-AGARAN: Good morning, Chair and
15 Commission. My name is Kallie Keith-Agaran. And I'm here
16 to speak as a victim of sexual violence -- actually,
17 survivor, I should say.

18 I grew up in a town where gambling and
19 prostitution were common, I understand. I didn't know
20 that as a child growing up because it wasn't talked about.
21 There was a culture of silence all around it. And it was
22 so silent that my father and grandfather, who were
23 attorneys, defended the city attorney when a big
24 corruption scandal hit and they started trying to clean it
25 up. And that city attorney was up to his neck defending

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1 the sheriff because the sheriff was letting all this
2 alcohol go through to these gambling and prostitution
3 establishments. Well, they were -- really, on the front,
4 they were alcohol establishments, but, in fact, what was
5 going on was gambling and prostitution.

6 So the silence created a culture of permission.
7 And that permission created a culture in the high school
8 that I was a student in. I didn't -- I didn't grow up
9 with those kids. I transferred into that school. So I
10 didn't understand that, that school very well. But I was
11 date-raped. I was assaulted almost every time I went out
12 on a date, fighting them off. Eventually, a rape. I had
13 no one to turn to, no one to talk to. And that --
14 recovering from that took 25 years of my life. And that
15 was one event.

16 Now, when the legislature took up sex
17 trafficking a few years ago, they went through several
18 years before they got a bill. And the Governor signed it.
19 But I went through that bill. And I did some research on
20 sex trafficking. Because I was not trafficked; I was
21 merely assaulted by someone I knew. But these girls are
22 being picked up by people they don't know often or maybe
23 it is somebody they do know that brings them in, that can
24 vary, but it's multiple, multiple, multiple assaults, many
25 times, multiple times a day. And the association of those

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1 assaults with alcohol and drug abuse are very, very high.

2 The study that I read was done across the
3 country, over many years, big cities, Honolulu was one of
4 them. And the incidence of trafficking in association
5 with places like hostess bars and in alcohol
6 establishments, especially the ones that are quiet, out of
7 the way, that nobody talks about, very, very high.

8 And so what I'm telling you, apart from all the
9 stories you've heard here today, by bringing more alcohol
10 and more establishments like that, you're creating a
11 larger culture around which we have to be silent because
12 we don't really talk about what goes on there. And that's
13 gonna trickle down into your families, your girls, your
14 granddaughters, your boys, and what those boys learn.

15 So I'm here today to ask you please consider,
16 the person who brings the snake into the garden is not the
17 only one that gets bit. And I hope you will not only
18 repeal this law, but reduce the cap on the establishments
19 or keep the cap. In fact, I would ask you to reduce it,
20 but thank you for your time.

21 CHAIR TANAKA: Thank you. Next.

22 MS. YOSHIZAWA: Madge Schaefer.

23 MS. SCHAEFER: Good morning. People are
24 gathered here today to ask for a do-over.

25 CHAIR TANAKA: Will you state your name, please?

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1 MS. SCHAEFER: My name is Madge Schaefer.

2 People are gathered here today to ask for a
3 do-over. Back in February, with very little discussion,
4 this Commission amended dozens of rules, some of which
5 alter the face of the community of Maui without
6 considering the human implications of 24-hour liquor sales
7 on policing, drunk driving or social services that deal
8 with battered women, alcohol addiction and even child
9 abuse. It never occurred to any of you to inquire about
10 the impacts of greater liquor availability from the police
11 or social service agencies or even religious leaders on
12 this island.

13 Striving to make liquor more -- even more
14 available, home delivery of liquor turns delivery people
15 into identification monitors, only without having to
16 determine the condition of the buyer. If the party runs
17 out of booze, maybe it's time to call it a night.

18 The third rule, the lifting of the cap of the
19 number of hostess bars raises the question, what were you
20 thinking. We all know that hostess bars is just a
21 politically acceptable name for prostitution
22 opportunities.

23 There are two sets of victims; the guests and
24 the girls who entertain them. These girls are our
25 daughters, our sisters, even our mothers. These types of

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1 places have been proven over and over to be engaging in
2 human trafficking. Even guests are victimized.

3 Each of you should look deep into your
4 conscience and question what makes you think we need more
5 of these places on Maui.

6 Who asked for these changes? When I asked to
7 see correspondence from the community on the changes, I
8 was told there were none. So who is behind this? Why is
9 there no record of discussions? I asked for the Community
10 Advisory minutes, the Community Advisory Committee that
11 are referred to in your discussions in your minutes as
12 having suggested some of these changes, but there are no
13 agendas, there are no minutes. Why is there no record of
14 any of these discussions except a brief reference to
15 Safeway wanting the 24-hour liquor?

16 If there are rules to be changed, it is part of
17 your job to look further than industry insiders. The
18 County has a full-time Communications Director whose job
19 it is to write press releases about activities happening
20 in County government. A press release about the major
21 changes would have alerted the community and allowed you
22 to hear those concerns. You have chosen to provide
23 feedback voices only to insiders, not to the community at
24 large.

25 Ultimately, each one of you is accountable for

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1 how this was handled. You're responsible for knowing on
2 what you are voting for. You are responsible for
3 insisting the notice be done properly. You're responsible
4 to us, the public, your bosses. On this matter, you
5 failed and you let us down.

6 You have an opportunity to make this right.
7 Vote to initiate repeal of these changes and instruct the
8 Director to stop activities with licensees for conversion
9 to these new rules. Move openly with plenty of notice.
10 It's an opportunity to redeem yourselves.

11 Thank you.

12 CHAIR TANAKA: Next.

13 MS. YOSHIZAWA: Jane Lovell.

14 MS. LOVELL: Good morning, Chair and Members of
15 the Commission. My name is Jane Lovell. And I'm here as
16 a private citizen testifying in support of Mahina Martin's
17 petition.

18 You've heard from many people who are much
19 better versed than I in the statistics and the dire
20 consequences of the 24-hour sales rule. I would like to
21 express my appreciation to the Maui Police Department and
22 my full support of their testimony in opposition to this
23 rule. But in the limited time that I have available and
24 that you have available, I would like to address the cap
25 on hostess bars.

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1 I looked at -- at -- at all of the resources
2 publicly available concerning your decision. And I was
3 not able to determine who asked for the cap to be raised,
4 what reasons were given for raising it, how the community
5 would benefit, how current licensees would benefit,
6 whether there was any great demand for more hostess bars
7 in our community. And I couldn't find any information
8 whatsoever.

9 This is a very important issue. It was one that
10 Charmaine Tavares tells me and has told you that received
11 great discussion when it was first enacted. It was of
12 great importance to the community then and it's of great
13 importance to the community now.

14 So I would ask you to please reconsider your
15 decision both with respect to the 24-hour rule and, also,
16 to lifting the cap on hostess bars. Please allow full,
17 open, complete discussion of the pros and cons of that
18 decision. And I hope that after you have a more complete
19 record, you will determine that it is in the best interest
20 of our community to repeal the rules that you recently
21 revised, and to start over again with full input from the
22 community.

23 I thank you very much for listening to all of
24 this testimony and for your service. Thank you.

25 CHAIR TANAKA: Thank you. Next.

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1 MS. YOSHIZAWA: Mikahala Helm.

2 MS. HELM: Aloha, Chair Tanaka, Commissioners
3 and everyone here. My name is Mikahala Helm. I have a
4 social work background and I retired as a Maui College
5 counselor after 33 years. Being born and raised here on
6 Maui, I've seen tremendous changes, some positive and
7 others detrimental to keeping Maui no ka oi.

8 I am not representing any particular group, but
9 have serious concerns about the recent changes to the
10 Rules of the Liquor Commission relating to the Title 8,
11 Chapter 101, Rules Governing the Manufacture and Sale of
12 Intoxicating Liquor in the County of Maui, and
13 specifically the three sections that are listed on B on
14 your agenda for today.

15 As others who have spoken before, key questions
16 arose. And they are how and why did these changes occur,
17 who advocated for these changes and who will benefit by
18 these changes.

19 I think we might all agree that there have been
20 very swift and serious changes to the fabric of our
21 communities here on Maui over the past years, very serious
22 changes. We see them in "The Maui News" every day. This
23 includes tragic accidents, deaths of innocent people of
24 all ages and unbelievable acts of crime and violence where
25 alcohol has been involved.

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1 I feel that we all need to work together to
2 build a safer thriving community. Your decision regarding
3 this matter will make a critical difference for our
4 children, our grandchildren and all of us. Please listen
5 to the immense concerns of our community and repeal the
6 amendments made to the formerly mentioned rules. All
7 three of them.

8 Mahalo nui.

9 CHAIR TANAKA: Thank you. Next.

10 MS. YOSHIZAWA: Ke`eaumoku Kapu.

11 MR. KAPU: E Kala Mai. Mai kakou. My name is
12 Ke`eaumoku Kapu. I'm from Lahaina. And this issue really
13 concerns me greatly. Lahaina, basically, is a historic
14 district.

15 So one of the major problems we have in our
16 town, as a Native Hawaiian, yeah, is our identity and our
17 identity just, basically, be washed away by tourism and a
18 lot of the different kinds of things that have come to our
19 town.

20 The history that the town holds is not of the
21 cane era; it's of the kingdom. So I'm here to kind of
22 inform everybody that if you have a historic district, and
23 there are certain conditions on the historic district,
24 what's this hostess cap on these bars going to do to our
25 town, which is designated highly as a historic district.

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1 Many concerns that I have. I don't drink, but I
2 see it in my family. And we are all responsible of
3 holding our -- our individual selves accountable for our
4 actions and what we do every day. I hold myself
5 accountable for everything that I do. So I try to go up
6 the right path and follow the right course in what I need
7 to do to make decisions.

8 You know, me as my age, as a grandfather, I'm a
9 grandfather of 12 grandchildren, and I'm always concerned
10 every day on what's going to happen on their -- their
11 behalf.

12 One of the major concerns I'm concerned about is
13 cultural cleansing. Many people talked about it and how
14 this will affect the many generations tomorrow, not just
15 our kids, our daughters, our grandkids in the future.

16 I like for all of you to highly consider to
17 really appealing this decision that is before you. It
18 will definitely create a change almost similar to Oahu.

19 These hostess bars and these 24-hour allowance
20 of liquor sales, come on, guys. This is reality. Reality
21 we facing over here. We seen enough people die on our
22 roads already. We seeing enough of our families get into
23 trouble, a lot of our families being saddened.

24 The burden is on you. We, the community, has
25 come out.

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1 It's my first time I come to this meeting. My
2 issues are bigger than this, but then this one I'm here
3 today because this is one of the biggest issues, too, that
4 I'm facing right now.

5 As a kanaka, as an opportunity to help us, you
6 help us cultural cleanse our people so we know and
7 understand our character and our identity as kanaka. We
8 the host; we not the guest. Make decisions right for the
9 benefit of all; not just our kanaka.

10 So mahalo. Thank you.

11 CHAIR TANAKA: Thank you. Next.

12 MS. YOSHIZAWA: Ronnie Farren.

13 MS. FARREN: Hello. My name is Ronnie Farren.
14 And I made it a point to be here because I was upset,
15 before this ruling even came about, that the availability
16 to the youth.

17 Before this rule came, they could still walk
18 through the aisles and rip off the liquor. And every
19 Friday night and Saturday night, you go by the housing
20 office, there's a dark place that 10 to 20 seventh, eighth
21 and ninth graders are getting intoxicated. So I always
22 thought there should be -- I remember in the olden days,
23 they locked the liquor up. But now it's available for
24 anyone to walk through the aisles.

25 I have family members -- oh, well, anyway, I

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1 call the police to come regularly. Then these kids are
2 running and getting hurt, going up the bushes, rolling
3 down the hill. You can hear them every weekend.

4 But making it a 24-7 rule, there's no control
5 over anything. Even adults can't handle their liquor.

6 I used to drink every night. I leave the bar at
7 2:00, I'm in an argument with my friend, I press the gas
8 pedal, I smashed the car into the wall across Molina's
9 Bar. I'm lucky to be here to -- to be telling you folks
10 this.

11 But our whole life point is to think of the
12 future of our community and to preserve it, protect it.
13 And that's why I'm here as a grandmother, putting up with
14 an 18-year-old, 17-year-old, 15-year-old and 13-year-old
15 that that all drink already, that I have to go searching
16 to see what are they up to. So I want you to take in
17 consideration to lock up the liquor, besides set the time
18 limit back to how it used to be.

19 People can set their time. They come in from
20 Hana, they want liquor, they be here before the time it
21 stops. Sure, maybe the hotels can have their guests show
22 that they have a room, but the community doesn't need any
23 more liquor.

24 The party's not over until the liquor runs out.
25 Then they're trying to find more. So let's close the

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1 parties down. Let 'em get home safely.

2 I have lost family members that died. And I
3 have family members that have killed, so they're still
4 serving time in the prison because they were drunk.

5 And that's just the facts of life that I wanted
6 to bring back for you folks to hear.

7 Thank you.

8 CHAIR TANAKA: Thank you.

9 MS. YOSHIZAWA: Peter Selvey.

10 MR. SELVEY: Good morning, Commission. My name
11 is Peter Selvey and I represent Made in Hope. Made in
12 Hope works with women and children and men who have been
13 victims of human trafficking and are now survivors of
14 human trafficking.

15 And I know you've already heard a lot of
16 statistics and different things today. And let me just
17 share with you, for the two and-a-half minutes or so that
18 I have, my personal story instead.

19 I grew up on Oahu. And on Oahu, I was very
20 involved in youth ministry for many, many years. A couple
21 of years ago, a friend of mine who started Made in Hope
22 asked me to get involved with him from my -- for my love
23 of being with youth and just trying to create a different
24 culture.

25 This -- this -- this word of wisdom is not mine.

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1 And I'm sorry that I don't have the -- who actually said
2 this, but, you know, what one generation tolerates, the
3 next embraces. And so it's all our responsibility here to
4 create a culture that is going to reverse a lot of the
5 negative things that -- that when we all grew up and we
6 remember communities where everyone was responsible for
7 other -- you know, others' kids and could speak to kids.
8 Those -- those times are largely gone and we need to
9 reverse that.

10 So my -- my family and I moved here last August
11 with Made in Hope to work with youth here on Maui and,
12 hopefully, from all the Hawaiian Islands.

13 So we have a cafe and a youth center on Lower
14 Main Street. A lot of people don't know we're there yet.
15 We've only been here for a year. But in this last not
16 even a year, on a almost daily basis, on Maui, I've had to
17 encounter drunkenness, homelessness, fighting, there was a
18 shootout in front of our building. Just all kinds of
19 things happening there on Lower Main. And my journey over
20 this last year has really been to learn and to reframe the
21 way that I think about things.

22 Hostess bars, as we know 'em, are not -- they're
23 not an innocent place where people just sit and be
24 entertained. They are places where human trafficking
25 occurs.

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1 And so twice in the last year, I've been asked
2 to speak and talk to the people on Maui about what's
3 happening on Maui. People wanted to know. And I said,
4 you know, I just moved here, I don't know a lot, but I do
5 know that these places encourage that -- that -- that type
6 of activity.

7 And here we are on this Lower Main Street. And
8 you guys all know the establishments that exist. And
9 we're surrounded by that. And we're just one -- one voice
10 trying to speak into the lives of families and children
11 there.

12 And it's -- it's very difficult every morning to
13 clean up all the beer bottles and the urine and the
14 different things that happen on our property before the
15 kids show up.

16 I think that expanding alcohol sales to 24 hours
17 is only going to continue to work and make our efforts
18 more difficult.

19 And I know you all have families and -- and love
20 your family and your children and all that. And so I -- I
21 pass no judgment on what had already occurred, but I do
22 ask that you would go back and consider and take all of
23 today's testimony in consideration and take even more.
24 And, also, to think and begin to open your own mind for
25 education, like I've continually had to, in two years, to

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1 know that human trafficking is a massive issue. And we're
2 largely blind because we continue to think the way that we
3 have about things.

4 Next month, there's a 35-year victim of sex
5 trafficking coming here to Maui to help me speak to youth.
6 And we want youth to believe that they're of great immense
7 value, and not to think that the government is working
8 against that and saying, it's okay, these places are legal
9 institutions, it's all right.

10 So I thank you for your time and listening.
11 Thank you.

12 CHAIR TANAKA: Thank you. Kari, before we have
13 the next speaker, can we have a 10-minute recess?

14 (Recess, 10:12 a.m. to 10:28 a.m.)

15 CHAIR TANAKA: Okay. Liquor Commission called
16 back to order. Let's continue with our testimony.

17 MS. YOSHIZAWA: Lorie Yanuaria.

18 MS. YANUARIA: Aloha mai kakou. `O lorie ko`u
19 inoa. Hi. My name is Lorie Yanuaria. And I also
20 represent Made in Hope, but I'm born and raised here on
21 the island of Maui. I'm now 33.

22 And when I first heard this come out, like --
23 like what I do now is I'm a teacher, I'm a coach, I work
24 with youth. And I've been working with youth and coaching
25 and teaching for 10-plus years. Now I'm going to back to

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1 school to get my master's in social degree, social work.

2 But when I heard this, I was like, okay.

3 So the reason I'm going back to school is
4 because I wanna -- I wanna -- I myself want to be a
5 healthy individual. Healthy individuals create healthy
6 families. Healthy families create healthy communities.
7 And when we have a healthy community, we're gonna have a
8 healthy island with people and one healthy state. And so
9 when I hear these things that are coming up, I'm just
10 like, oh, man.

11 We live in a state where there's so much
12 brokenness already. Brokenness in our youth. Brokenness
13 in our -- in individual selves. And when I hear about
14 the -- the cap being like taken off and then the alcohol
15 sales being 24 hour, I'm like that does not benefit the
16 health of individuals, of families and communities. Like
17 that's big a`ole to me as a big advocate, especially for
18 the youth on this island.

19 And when I look around, I'm like I'm sure I've
20 taught and coached some of your grandkids and kids. And
21 when -- and they're my inspiration to be like -- you know,
22 like we -- we gotta raise our keikis in a healthy
23 communities, in healthy families and teaching them to be
24 healthy adults as they, you know, come to be.

25 And real quick story. Like not accidentally,

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1 but, when I was younger, I used to drink a lot of alcohol.
2 And I remember if -- like there's a cap to it, yeah,
3 right, like you can't buy alcohol after this time. But if
4 they released that cap when I was younger, I would have
5 gone out with my friends to go look for the next place to
6 buy that alcohol. I know I would have. And I know
7 people, young adults, that I work with today that struggle
8 with alcohol and would go and find that open place.
9 They're like, you know what, we ran out, we're gonna go
10 drive there. Like I know that. Like I've been in the
11 party scene, I have done that, but I been sober for the
12 last eight years because I like be one good example to the
13 keikis and be like, you know, we don't need alcohol. And
14 then to have all this come up again.

15 And then when we talk about the -- you know,
16 the -- the ban -- the cap being released, actually, not
17 accidentally, but I went to a -- with a couple of friends,
18 I thought we were going to a bar with a couple of my guy
19 friends and a couple of my girlfriends, went to -- I
20 thought we -- they wanted to grab drinks. And when I went
21 to this bar, I realized this is not a normal bar. I
22 stepped in. I stepped into a hostess bar. And --
23 somebody's like, this is a hostess bar. I'm like, oh,
24 my -- what -- what is a -- you know, not many people know
25 what hostess bar is. And I stepped in. And this is a few

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1 years ago. And my friend's boyfriend wanted to grab a
2 drink. And -- and when I stepped in there, I knew
3 something was weird about this place. They looked at me.
4 Guys were looking at me. And I'm just like why are they
5 looking at me like that and -- and I don't understand.
6 And I was looking at the way these guys were looking at
7 these other women in the bars. And I just did not like
8 the way I felt as a woman. I felt disrespected in the way
9 their eyes were looking at me. I'm sure the women up
10 here, out there, you guys would feel disrespected in the
11 way the men would look at you in a hostess bar. And I was
12 like, we gotta get out of this place, if you want a drink,
13 let's go to like -- let's go somewhere else, like I don't
14 know what this place is.

15 And so my experience as a woman walking into
16 like this hostess bar that I've never known what a hostess
17 bar was, I was like this is not a good place. So when I
18 hear this cap being lifted, like that -- like that
19 concerns me. Like it's seriously concerns me as -- as a
20 woman, as what it does to our community, all right,
21 because it does have effects.

22 And we can't have -- you know, I was talking to
23 somebody over here earlier. And these are all people that
24 are like -- you know, we -- we asking for this repeal. I
25 don't see anybody testifying, actually, I don't know,

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1 maybe they might still be behind me, saying you know what,
2 we're for all of this, you know. The majority of the
3 people that -- all of the people that spoken is -- were
4 all on the same page and saying this is such of concern
5 and importance. And I don't see a line of people saying,
6 you know what, yes, there's finally 24-hour alcohol. You
7 know why? Because that's not one importance. Like the
8 importance here is the community and the safety of the
9 community.

10 And I speaking on behalf of the keiki that
11 cannot speak. And, you know, I most likely know some of
12 you guys' keikis. And, you know, I love them. And so
13 please hear our concerns. And you guys have a -- you guys
14 have power. And I wanna respect the power that you guys
15 have. But with power comes a lot of responsibility. And
16 so we put our trust in you guys with the power and
17 responsibility that you guys have.

18 Mahalo nui loa.

19 CHAIR TANAKA: Next.

20 MS. YOSHIZAWA: Judy Cantell.

21 MS. CANTRELL: Aloha and thank you for this
22 opportunity. My name is Judy Cantrell. I am a
23 grandmother of 19 children here. I have sadly been a
24 child of an alcoholic, a widow of an alcoholic and a
25 sister of a recovered alcoholic.

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1 I have a stepdaughter who came here and was
2 staying at her sister's house in Wailuku this year. And
3 walked -- took a early walk and stopped and went into one
4 of these bars that had a job opening. And was explained
5 that she would make up to \$400 or more a night if she
6 wanted to work the bar. She is not an alcoholic, but she
7 told me that they explained to her what these bars do. So
8 I don't think any of you don't know what they do do.

9 What I am here today for is -- I have worked in
10 a community for years with alcoholics seeking to get help.
11 I've worked with the co-dependent family members. And I
12 have seen my dear friend, five years ago, leave a local
13 party and drive and all the -- all the grown young kids
14 were drinking at the party, and they were all killed
15 except the driver.

16 I cannot explain to you what I have lived and
17 seen, but, if I were younger, I would be working with the
18 young people, because there's an elephant in the room. We
19 know that local people get off work, and, when they're
20 pau, they don't go home, they go meet up, they buy beer.

21 I live in South Kihei. My kids live in
22 Kahakuloa. And they said, mom, it's so bad now.

23 You ever go to the store and you can just see --
24 I do see when I go to my local store, every single day
25 that I go for a grocery run, everybody in front of me, in

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1 the -- in the parking lot is buying beer.

2 And because I'm in South Maui, I see all the
3 alcoholics at Kam II. And it's a way of life, those who
4 cannot get help, this is what they do, they meet up with
5 someone, they trade their SNAP food stamps, buy food in
6 the store. They tell me, oh, we buy his food and then he
7 buys our liquor and then we go eat free at St. Theresa's.

8 So let's wake up. We cannot afford to destroy
9 our community with more increased alcohol sales.

10 Thank you.

11 CHAIR TANAKA: Thank you.

12 MS. YOSHIZAWA: Cynthia Okazaki.

13 MS. OKAZAKI: Hi. I'm Cynthia Okazaki. And I'm
14 actually from Oahu. I'm the Chair of Hawaii Partnership
15 to Prevent Underage Drinking.

16 And I'm just here to testify because, for one
17 thing, we've -- the news story of what happened here on
18 Maui just kind of overwhelmed us. And we -- I immediately
19 called the people that I knew here on Maui to ask them
20 what happened. And, you know, they didn't have any
21 background to share because this was -- this took them by
22 surprise.

23 And so I am really here to ask you to -- you've
24 heard many, many, many of their stories and their
25 concerns. And I would urge you to look at what you've

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1 done and try -- and repeal that decision so that the
2 public, the general public, would have more input into
3 your decision-making, which, I think, is what you really
4 want as a public servant, also.

5 So thank you for the time and the opportunity to
6 come.

7 And we're also concerned, you know, as a
8 organization -- well, a coalition because we're concerned
9 with what might happen at the -- on the other islands,
10 since each island has their own commission. And so we're
11 concerned and are kind of watching what you're doing here
12 on Maui.

13 So thank you for your time.

14 CHAIR TANAKA: Thank you. Next.

15 MS. YOSHIZAWA: Tiare Lawrence.

16 MS. LAWRENCE: Aloha, Commissioners. My name is
17 Tiare Lawrence.

18 I'm from Lahaina. And growing up in Lahaina, I
19 came from a family that struggled with drug and alcohol
20 addiction. So I -- I know that by passing the rule in
21 February that it will increase. It's -- it's just a
22 no-brainer.

23 You know, in high school, the rule of the party
24 was you keep drinking, the party's not over until the beer
25 is gone. But I can tell you that if -- if alcohol was

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1 available when that party got out, by all means, you would
2 have a lot of high school students having access to more
3 alcohol and drinking when they shouldn't be drinking more.

4 When I worked at -- when I worked as -- at -- in
5 the restaurant and at the luaus, you get off of work and
6 the thing to do after pau hana was to go hang out at
7 Hanakao Beach or Wahikuli Beach Park and we'd -- we would
8 drink. That -- the previous law, I know, in many
9 circumstances, protected me from myself because there were
10 times when I left Hanakao Beach wanting for party some
11 more. You know, I'm 22 years old, all the handsome
12 bruddahs at the beach, we all wanna have fun. That law
13 protected me from myself. And I can be honest with you
14 today and say that.

15 When you're driving over the Pali heading into
16 Lahaina, our highways are littered with crosses. And a
17 lot of those crosses are associated with drunk -- drinking
18 and driving related accidents. And I know many of them
19 because I went to high school with them, they are my
20 cousins, they are my family.

21 And I wanted to share this with you, too,
22 because my boyfriend is a fire fighter and he, also, works
23 as a part-time EMT. And -- and he had made this really
24 excellent point to me earlier today. You know, and he
25 stated there's obvious reasons why you shouldn't be --

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1 there shouldn't be liquor sales for 24 hours, from our
2 work standpoint, you're definitely increasing the chances
3 of traffic fatalities related to people driving under the
4 influence because liquor will be more easily accessible.
5 It's also very common that 80 percent of the homeless
6 people are under the influence. Now we're enabling them
7 to get liquor around the clock, which will increase 911
8 activation by these guys because they will be seen or
9 found around all of these public places highly intoxicated
10 and/or possibly unconscious, taking advanced life support
11 ambulances away from people who truly need the help.

12 And that's a major concern to me because I'm
13 from Lahaina and we're limited on EMS because there's only
14 two ambulances. And so one ambulance will be at the
15 hospital and then there's only one. And so kind of taking
16 that into perspective, too, is the impacts that it's gonna
17 have on our EMS personnel.

18 I would implore you to really sit down and --
19 and talk to the different emergency departments and -- and
20 humbly urge you to repeal this -- this law.

21 Mahalo.

22 CHAIR TANAKA: Thank you.

23 MS. YOSHIZAWA: Wayne Higa.

24 MR. HIGA: Aloha. Wayne Higa, I'm a Kihei
25 resident.

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1 All morning, been standing out here. I heard --
2 you guys can hear everything, but you've heard all the
3 reasons why these rules should be changed, that we
4 shouldn't have the 24-hour liquor.

5 But there's another why that I keep asking
6 myself. Why do we need it? Where's the benefit? Will
7 the County benefit by the tax revenues generated by the
8 liquor sales? Where's the benefit to our quality of life?

9 You know, we know -- and -- and no get me wrong,
10 I no drink now, but, in my day, I was one of those that I
11 was prepared, came 10:30, we was making that run if we
12 wanted for drink some more that night. So, you know, if
13 there's a party going on, we prepare for the party.

14 You know, I was one of those lucky ones, I not
15 gonna give away the age, that, when I graduated from high
16 school, I was 18. Leis, graduation gown, walking into
17 Party Pantry buying alcohol. But that was then.

18 And my kids grew up with that. I was one of
19 those parents you would've arrested because if my boys was
20 going drink, they was going drink with their father first
21 so that I could make sure that they understood that only
22 one person could say "no" and that was them.

23 But 24 hours, really? Is that really needed on
24 Maui? You know, again, why? I keep -- ever since heard
25 that this happened, it's like who benefits. Is there a

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1 corporate entity out there that benefits from this?

2 Yeah, we heard, okay, well, the hotels would
3 like they people come in late. You know what, they come
4 in at midnight, they coming off of the airplane, they
5 tired, they like go sleep.

6 Hostess bars, do we really need more hostess
7 bars? And, again, who does that benefit?

8 So, yeah, repeal, change 'em back to what was.
9 I cannot see any benefit to keeping it at 24 hours. I
10 cannot see any benefit to increasing hostess bars, you
11 know.

12 And, again, if there was some great benefit,
13 like the tax revenues, we could go ahead and pay for the
14 rail in Honolulu or something. Okay. I don't think
15 that's happening. You know, but what is the benefit and
16 what is the quality of life for those who live here versus
17 those that just come on vacation? Those that come on
18 vacation, they gonna come on vacation.

19 I'm one of those that also worked in -- in that
20 tourist industry and -- and would hear the tourists go,
21 "Oh, you live in such a beautiful place. Mahalo, thank
22 you very much. I like move here." "No, you don't."
23 Because when you move here, you're no longer on vacation,
24 you're no longer taking all those vacation tours up to
25 Haleakala and to Hana, the whale watching and all that.

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1 You move here, you gotta work just like all the rest of
2 us. How often do we that have to work here and live here
3 actually have the time to do all those things that the
4 tourists do? So let the tourists do the tourist things.
5 But we thinking about the quality of life for those of us
6 that live here. What is the benefit for us?

7 Mahalo.

8 MS. YOSHIZAWA: Stacey Moniz.

9 MS. MONIZ: Aloha. I'm Stacey Moniz. I am the
10 Executive Director for the Hawaii State Coalition against
11 Domestic Violence based out of Honolulu, but, for the last
12 30 years of my life, I was an advocate right here on Maui
13 for domestic violence.

14 And you've heard from the experts about alcohol
15 sales 24 hours is not a good idea. You heard from the
16 police. You heard from, you know, alcohol prevention
17 experts. And so I'm not gonna talk about that, but I,
18 actually, am a expert in domestic violence. And I don't
19 drop that fun fact into conversation very often, but I'm
20 dropping it today because the way that I'm familiar with
21 human trafficking is through my work as a domestic
22 violence advocate.

23 That's, also, how I'm familiar with what happens
24 at hostess bars here on Maui is because I've worked with
25 survivors of human trafficking and domestic violence who

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1 have been harmed here on Maui at the hostess bars.

2 And I also take offense that they're called
3 hostess bars because it puts like this really nice sound
4 to them, like it's a nice place where you come in, it's a
5 hostess and she's very -- she serves you tea and cookies.
6 And that's not what's going on, you know. It's very dark,
7 it's very seedy, it's very dangerous.

8 And I know that our sort of local mystique about
9 them is that it's these nice ladies that are servicing
10 lonely gentlemen. And I know why we do that, because we
11 don't want to face the reality of what's going on in these
12 places.

13 And I'm here because I've looked into their
14 eyes. And I can tell you that it's not. It's violence
15 and it's -- it's multiple rapes by multiple men. And
16 they're friendly because they're surviving and because
17 they're trying to repay a debt that they can never repay
18 because there's never gonna be enough money to pay that
19 back. And so they can never do enough drinking or sexual
20 acts to pay that money back.

21 And it's a harsh reality, but that's why I'm
22 here today. Because I saw, you folks are part of the -- I
23 wanted to come today to see who you are. Because I've
24 looked in their eyes, I wanted to look in your eyes. And
25 you're just like me. You're part of this community. And

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1 I saw you folks during the break, we all know each other,
2 we're all part of this community, we all care about this
3 community. And so that's why I'm here today to -- is to
4 bring that voice to the table, to bring my expertise and
5 my knowledge to say that there's so much more going on
6 there than this nice like hostess bar thing.

7 It's awful. And the survivors -- I'm here as a
8 resource, if you need. I did submit testimony. And I
9 will give -- I think I gave this to you. I brought some
10 copies, but if anybody wants to ask for details or
11 specifics, I'm here to help out.

12 I'm really glad that you're getting public
13 testimony because clearly our community cares about this.
14 Thanks.

15 MS. YOSHIZAWA: Jozette Momoa-Smythe.

16 MS. MOMOA-SMYTHE: Good morning. My name is
17 Jozette Momoa-Smythe. I am a mother to a preteen and
18 auntie to several youth on Maui.

19 On March 25th, 2012, my family and I were
20 directly affected by alcohol and drunk driving through the
21 tragic death of my cousin and four other young adults on
22 Maui. I ask that you reconsider your decision of 24-hour
23 liquor sales in hopes of preventing other families and
24 community members from dealing with the pain and tragedy
25 and heartbreak that our family felt and continue to feel

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1 today.

2 Thank you very much for your time.

3 MS. YOSHIZAWA: Kawehi Kaaa.

4 MS. KAAA: Aloha. My name is Kawehi Kaaa, born
5 and raised right here in Wailuku, Maui.

6 I have a deep love for Maui and the people of
7 Maui. And because of that love, I'm here today to ask you
8 as a concerned citizen to repeal this 24-hour liquor law.

9 As a concerned citizen, I cannot see one benefit
10 of how increased access to alcohol or to hostess bars will
11 improve our Maui community. And I'm sure all of you have
12 that same love for the people and for this island that we
13 live on.

14 I have been affected -- I have been affected
15 negatively by the use of alcohol in my life. And that's
16 why I'm here today again, to ask you that, as you make
17 decisions that impact all of us, all of us on Maui, that
18 you remember all of us, remember the people, the families,
19 the individuals that have been impacted negatively by
20 alcohol, by hostess bars, that you remember us, because I
21 want to live in a Maui that cares, that -- where its
22 leaders and policymakers care about the people, the future
23 of our community and the safety and about the quality of
24 life for all of its citizens.

25 So, again, I ask you to please repeal this

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1 24-hour liquor law.

2 Mahalo.

3 MS. YOSHIZAWA: Deborah Gouveia.

4 UNIDENTIFIED SPEAKER: She left.

5 MS. YOSHIZAWA: Annette Huesing-Ammori.

6 MS. HUESING-AMMASI: Aloha. My name is Annette

7 Huesing-Ammasi. I represent Malama Family Recovery

8 Center. I am one of many program Assistants there.

9 And my heart goes out to the many mothers that
10 are in recovery to be -- to be with their children. So we
11 work very hard, but mostly from the deepest parts of our
12 hearts, for our women who are in recovery, whether it be
13 liquor, drugs. They are striving every day to recover so
14 they don't relapse time and time again.

15 With all this going on right now, the liquor
16 law, I'm totally against it because I see the lives that
17 can change from a positive -- all the hard work they put
18 and apply to get their children back, to be functional in
19 our community. And then go back out and relapse because
20 its availability.

21 I don't see anything beneficial for anybody, not
22 just myself, for the children, for the moms, for my
23 family, for all of our families. I'm totally against it
24 because we -- I see suffering every single day. And we
25 have rotation after rotation. We're one community -- one

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1 facility that's in the state of Hawaii that provides for
2 women and children. There is no other in the state of
3 Hawaii.

4 So I stand on the grounds of saying no. And I'm
5 totally against this. And I pray that you guys can look
6 deep in your hearts and change this for the future of our
7 children and the future of their children.

8 So thank you.

9 MS. YOSHIZAWA: Andrea Jordan.

10 MS. JORDAN: Aloha. My name's Andrea Jordan.
11 I, also, work at Malama Family Recovery Center.

12 As Annette spoke to you folks, we do deal with
13 women and their endeavors of substance abuse as well as
14 alcohol. I am absolutely against this and would prefer
15 that it go back to the timeline of 10:45 being the last
16 liquor call.

17 Not only has this affected me in a professional
18 manner, alcohol has destroyed my entire family. From
19 being raped at a young age to current personal things
20 pertaining to my daughter's father, he ruined our family,
21 alcohol ruined our family.

22 And, yes, accountability is the number one
23 thing, but, as everybody else has spoken, as long as it's
24 out there, people will strive to get it. People will
25 strive to break the law in order to consume. They will

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1 put families, children, themselves at risk with no thought
2 of how it affects everybody else. And that's a lot --
3 that pertains to an addictive mind. They don't care if
4 they have to rob, steal, drive, hit somebody's vehicle,
5 beat their wife, beat their children in order to obtain
6 that alcohol.

7 And so I ask today that you all think about this
8 strongly and how it does affect our community because it
9 can only negatively impact. There is no positive
10 affirmations to this.

11 So thank you all for your time. I appreciate
12 it.

13 MS. YOSHIZAWA: Shay Hodges.

14 MS. HODGES: Good morning, everybody. My name
15 is Shay Chan Hodges. And I wear quite a few hats, I
16 suppose.

17 I, also, serve on a board like you folks, so I
18 know what it's like to go through big packets of materials
19 and prepare for a meeting and sit through a day long
20 meeting.

21 I am the parent of two young men who are 19 and
22 20. And so I worry whenever they're out on the road. I
23 think they're pretty responsible, but, obviously, we
24 always worry.

25 I'm an advocate for women. And I'm also -- so I

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1 worry about the hostess bars. I worry about domestic
2 violence.

3 And just as somebody in this community, I also
4 have had alcoholism and drunk drivers affect our lives.
5 My father's -- sorry -- my husband's stepfather was killed
6 by a drunk driver 20 years ago. And that's a long time
7 ago, but the family still reels from that.

8 So I don't want to repeat what everybody said
9 because there are all these personal stories that really
10 make it clear that increased availability of alcohol in
11 our community is not a good thing.

12 And, interestingly, when Charmaine Tavares
13 talked about special interests and everybody here has a
14 special interest, a point I'd like to make is when you
15 hear from the people who tell heartbreaking stories or you
16 hear from the people who work at Malama Family Recovery or
17 Maui Youth and Family Services or Aloha House, they're
18 special interest, even the people who are earning money to
19 take care of the people in our community. So it doesn't
20 make sense, they're actually acting against their special
21 interest if it were financial. So, obviously, they're
22 not. They're not paid a lot of money.

23 I write grants, actually. So, in some ways, I
24 might have a special interest. I write grants to get
25 funding for Malama Family Recovery, Maui Youth and Family

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1 and Aloha House. So I know what all the statistics are.
2 And I know that we do not have enough money in our
3 community to meet the needs right now. It's not even
4 close. And I know that the people who testified, they
5 don't get paid a lot of money because I see the budgets.

6 So we need to actually -- and I'm sure this is
7 not really your purview, but we need to be doing things to
8 make the community safer and stronger. We need to be
9 supporting prevention. We need to be supporting
10 treatment. We need to be supporting education. We need
11 to be supporting activities for our young people that
12 don't require alcohol. We need to support public
13 transportation so that when our kids who are over 18, when
14 the kids who are acting irresponsibly, get in a car from
15 Big Beach and drive back to Haiku, that we don't put
16 everybody at risk.

17 So I know there's a lot of things for you guys
18 to consider. I could go on and on and on.

19 For two years, I worked with parents at King
20 Kekaulike High School. Every single high school right now
21 is working on Project Grad Night. Why are they doing
22 that? They're doing that to keep their young people off
23 the streets so nobody gets killed. And you have parents
24 and volunteers working from October through May raising 15
25 to 20 thousand dollars per school so they can put on an

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1 event. They put in hours and hours and hours of volunteer
2 time. Their special interest is their kids and the
3 community.

4 So I don't want to take up more time, but
5 please, please think really hard about how this affects
6 everybody.

7 Aloha.

8 MS. YOSHIZAWA: Mahina Martin.

9 MS. MARTIN: Don't worry, the book isn't my
10 testimony.

11 Good morning and aloha, Commissioners and staff.
12 My name is Mahina Martin. I am the Petitioner on record.
13 I have some prepared comments.

14 You have on file my two correspondence letters
15 to you dated April 5th and April 30th. And I apologize
16 for not being here earlier during roll call. I have a
17 family emergency at the hospital. Was -- between that and
18 finding parking, I missed the roll call. But my letters
19 dated April 5th and 30th outline to you, as you know, my
20 concerns about inadequate public notification, a lack of
21 consultation with impacted Maui County law enforcement,
22 service agencies and businesses, the absence of reasonable
23 justification for rule changes and the Department's
24 enforcement staffing levels and budget planning.

25 You know, to be able to sustain enforcement

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1 levels is critical because these very enforcement levels
2 serve as our protection for the public so that we don't
3 have to worry about it unnecessarily. Without that, what
4 would we rely on?

5 I want to say that I realize that reaching out
6 to our community on issues is really a difficult endeavor.
7 I've been doing this for 30 years -- over 30 years in
8 Maui's community, so I get that. But I still think it's
9 important. And I think it needs to be done. In fact, I
10 did it myself just to get before you today.

11 I had a brief phone conversation with Chair
12 Tanaka to thank for the efforts, but to also say that I
13 disagreed with it. I had a one-on-one meeting with your
14 Department Director and Deputy to try to understand it. I
15 called and reached out to former and current Commissioners
16 to try to talk story a little bit because I thought maybe
17 I didn't see the full picture. And then I went around
18 town and started asking does anybody else feel this way.
19 And I found out what you're finding out today.

20 So you see that those of us who have led this
21 fight to repeal have in fact told our story just so that
22 others can tell their story. And that's the critical
23 juncture we're at today.

24 As others have said, you know, I agree that you
25 are like us, you're members of our community. And while

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1 it may seem that the Commission and the Department's role
2 primarily serves companies who benefit from selling
3 alcohol, whether it's retail, wholesale or manufacturing,
4 it's important to keep in mind that all roads lead to our
5 doorways of our homes and our businesses and that there's
6 more than one sector in our community. There is the
7 public, there is the private and there is government,
8 including law enforcement.

9 I was really alarmed to find out that the Police
10 Department was unaware. And it was even more disturbing
11 that there seemed to be an unwillingness to engage with
12 the community. And I encourage the Department and the
13 Commission to not govern by fear, but to allow for the
14 process to take its place.

15 I read all 254 pages of the February 8th meeting
16 where these rules were enacted and voted on unanimously by
17 those present. I'm gonna take a moment and read that to
18 you because I want the public and yourselves to be
19 reminded that, out of 254 pages, two paragraphs addressed
20 24-hour liquor sales.

21 And all it says is, and I quote: "And one of
22 the rules that -- major rule, I think, that they, the
23 advisory group, proposed was the hours of operation.
24 Because they felt, under the rule, that the Hotel license,
25 because they are a 24-hour business and they have guests

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1 and functions all over the place -- some of the guests
2 come in at 3:00 in the morning, so they want the ability
3 to serve. So the rule is that now, proposed rule, is 24
4 hours they can operate. And, also, the wholesalers, they
5 were restricted to 9:00 a.m., but if they get called, a
6 hotel or someone else, they running out stuff and they
7 need something after 9:00, they can't go and respond. So
8 now they want 24 hours. So the proposed rule is to
9 operate 24 hours. And the other one that's gonna operate
10 under 24 hours would be the retail stores, like the
11 Safeway, Foodlands and everything else. They're open 24
12 hours, but, come 11:00, they have to shut down. And so
13 they're requesting the retailers to operate 24 hours. So
14 we put it in the proposed rules."

15 No one else was asked.

16 So I encourage you and I know that you have
17 received the letters from the National Liquor Law
18 Enforcement Association from Maryland, you've received a
19 copy of the letter from the State of Hawaii Small Business
20 Regulatory Review Board asking you to advance more effort
21 into community input.

22 And, finally, I just want to tell you, you've
23 heard from everyone here today, and you will continue to
24 hear, what you're not hearing are the confused retailers
25 and businesses that are operating. Out of hundreds of

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1 liquor licenses issued from this Department, only about 10
2 are operating at 24 hours right now. And a few, as we've
3 told -- because we started calling around and asking, a
4 few actually reverted back to not selling because their
5 clerks are in danger. They're untrained, they're dealing
6 with belligerent buyers, they are dealing -- they're
7 nervous, they're scared.

8 So all I'm asking that you do a little more.

9 So it's not simply about statistics, it only
10 takes one --

11 CHAIR TANAKA: Mahina --

12 MS. MARTIN: -- to increase the odds. And I'll
13 finish.

14 CHAIR TANAKA: -- will you -- will you finish
15 up --

16 MS. MARTIN: I'll conclude.

17 CHAIR TANAKA: -- because you'll have
18 opportunity --

19 MS. MARTIN: Sure.

20 CHAIR TANAKA: -- when we approach your --

21 MS. MARTIN: Oh.

22 CHAIR TANAKA: -- matter.

23 MS. MARTIN: I get a second chance. Okay.

24 Thank you.

25 CHAIR TANAKA: Okay. Because we want the other

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1 testimonies.

2 MS. MARTIN: Okay. And I will say that it's not
3 necessary for the public to micromanage government
4 functions, we just simply need a voice in things that are
5 really important. Because it's not venting. It's
6 perspectives that matter, their experiences that matter,
7 are perspectives and experience.

8 So thank you again. And I appreciate that you
9 put it on today's special agenda. Mahalo.

10 MS. YOSHIZAWA: Nicole Hokoano.

11 COMMISSIONER BICOY: Chair, can I say one thing?
12 May I have just 30 seconds?

13 CHAIR TANAKA: Sure.

14 COMMISSIONER BICOY: Mahina, I just wanted to
15 thank you for initiating the action for this hearing.
16 Thank you.

17 MS. MARTIN: Oh. Well, now you're gonna make me
18 cry. I was crying earlier about all the other
19 testimonies. I've never been to a meeting before where
20 they put the kleenex right on top of the podium, so --
21 thank you for saying that. I appreciate it.

22 CHAIR TANAKA: Next.

23 MS. YOSHIZAWA: Nicole Hokoano.

24 MS. HOKOANA: Aloha kakou. My name is Nicole
25 Hokoana. And I'm the Director of Maui County Programs for

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1 Child and Family Service. I'm speaking in support of
2 repealing the 24-hour liquor sale and maintaining the
3 limit on the number of hostess bars.

4 I am frustrated to be missing work today, but --
5 to be speaking on these issues at hand, yet I believe that
6 my advocacy here is the most important thing I can do
7 today for Maui's future.

8 As I reflect on the mission of my organization,
9 which is to strengthen families and foster the healthy
10 development of children, I am upset by the intent of these
11 bills or policies to work in opposition to our mission,
12 but, also, what I see as a mission of Maui County itself
13 to protect the public's health, safety, property and
14 environment.

15 Like many, I cannot understand why the needs of
16 these -- of those who would promote 24-hour liquor sales
17 and increased hostess bars are promoted above families and
18 the health and well-being of Maui's community.

19 At Child and Family Service, we work daily to
20 prevent child abuse and neglect, and treat victims of
21 child abuse and neglect as well as domestic violence and
22 victims of sexual violence. I would love nothing better
23 than to be out of a job, but, with the policies changes at
24 hand, the work of ending family violence will be near
25 impossible. The work will only increase.

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1 County, state and nongovernment organizations
2 like my own should be working in tangent, in cooperation
3 for the betterment, for the advancement of the people of
4 our community.

5 I work regularly with County, State and other
6 private nonprofits like Maui Police Department, Office of
7 the Prosecuting Attorney, Child Welfare, these are state
8 agencies that we work really closely with, as well as all
9 the nonprofits that showed up today. We work together to
10 end -- I mean -- end family violence. And what I would
11 like to do is urge this Commission to work with us, to
12 join with us as an ally to create a safe, healthy
13 community for our children and families. Please do not
14 undermine the work that we do daily through your support
15 of these policy changes.

16 Mahalo.

17 MS. YOSHIZAWA: Ben Alvarado.

18 MR. ALVARADO: Good morning. My name is Ben
19 Alvarado. I own a security company. And I'm against the
20 sale of alcohol for 24 hours.

21 Weekly, I deal with alcohol problem with the
22 homeless and even the not homeless people, the underage
23 and even people older than me. And on a week, anywhere
24 from five to maybe 15 times -- I'm actually on the road in
25 Wailuku quite a bit -- I see people coming down the wrong

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1 way when they drunk, I have to call MPD. Underage
2 drinking, they like drinking in the parking lots or
3 finding someplace secluded. I wake the homeless up, they
4 get one beer can over there with a box cutter, sometime
5 hunting knife.

6 So I just think this is going to make probably
7 all the security people be put in danger. Thank you.

8 MS. YOSHIZAWA: Kaniloa Kamaunu.

9 MR. KAMAUNU: Aloha. My name is Kaniloa
10 Kamaunu. I'm from Waihee Valley. Of course, like
11 everyone else, majority of people that came here, this is
12 not a good thing.

13 Two years ago, I lost my son. Someone else
14 driving 91 miles an hour, who had been drinking all day
15 down at Makena Beach, and then went to the restaurant and
16 drank some more. It wasn't only him. It was down at
17 Mokulele Highway, right in front of the entrance of the
18 raceway park. Three people were ejected from the truck.

19 And what hurt me the most was the police officer
20 that was in charge for the news blamed them for sitting in
21 the back of the car. Made no mention of the person being
22 tested positive for alcohol. In fact, it came out that he
23 was twice the limit.

24 And with that, my son, 27 years old, along with
25 his friend who was 25, along with another friend that was

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1 56 years old, were ejected. In fact, they couldn't find
2 them that night. The only one they found was my son. The
3 only reason he was found because he was (inaudible) -- he
4 was sleeping. My son is not a angel, I don't pretend for
5 him to be, but he was found -- because when he was
6 ejected, he hit the car that was coming out of the raceway
7 park.

8 We never got to see him. The damage to him was
9 so bad, I had to convince my wife not to see him. That's
10 what I was told by the police officer that investigated
11 the scene, as well as from those who worked at the
12 mortuary. So we never got to say goodbye. And that's two
13 years ago.

14 I don't understand the reasoning for such
15 legislation when it's already a problem already.

16 I worked 27 years in the correctional system.
17 And I've ran into many people that have alcohol problems.
18 And they continue to come back to us. And the thing is
19 their habits become worse.

20 And, you know, I don't know how the police are
21 going to deal with it. The DUIs already sporadic as far
22 as the stops. Now that's gonna be a taxpayers nightmare,
23 too, because if it's 24/7, this they have to be 24/7, too.
24 And that, also, for the Liquor Commission. So that hits
25 the taxpayers, too, you know. And expense is now going to

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1 have to be budgeted. How -- with the way things are
2 economically with stores such as the Kmart, Sports
3 Authority closing down, many of the businesses leaving,
4 how we as a community economically supposed to pay for
5 this? So (inaudible) become surmountable, you know. So
6 my thing is, this is not a good thing.

7 Thank you.

8 MS. YOSHIZAWA: Cassi Yamashita.

9 MS. YAMASHITA: Aloha. Good morning. My name
10 is Cassi Yamashita. And I'm here today wearing a number
11 of hats.

12 First, as a mom and a lifelong resident of Maui
13 County. It's my mom duty to come over here and ask you
14 guys to repeal this 24-hour sales. I want my daughter to
15 be able to thrive when she grows older and have a
16 graduating class where all of her classmates graduate with
17 her.

18 My second hat that I wear is as a Director of
19 Youth Services for MEO. I oversee two prevention programs
20 where we teach our kids on the regular about the risk
21 and -- the risks involved with underage drinking. And we
22 tell them how to counteract that, how to work with their
23 families, we host family events. But I think that if I
24 didn't come today, we would be hypocrites because we as
25 adults need to come out and speak and we need to protect

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1 them as much as possible. And our programs are county and
2 state funded, you know. These are programs that there is
3 a need for. We don't just get money because we get money.
4 There's a proven need for this. So I want you guys -- I'm
5 asking you guys to really think about that.

6 Another hat that I wear is both as a Coalition
7 member for the Maui County Underage Drinking Prevention
8 Coalition. And I'm, also, the Island Chair for the Hawaii
9 State Coalition, Hawaii Partners Preventing Underage
10 Drinking. And so we see what underage drinking does in
11 the community and in the state.

12 I understand that you guys are here and want to
13 listen to us because you want our opinion. And I really
14 ask that you guys take that to heart. I -- I don't see
15 you guys as negative people at all. I understand that you
16 guys have jobs, but I just really want you guys to think
17 about everyone that is impacted by the decisions that are
18 made in this room.

19 It's more than just programs, it's more than
20 just a single family. And thank -- I thank the uncle who
21 just shared his testimony, that was -- it was very
22 difficult for me to come up after that.

23 But your decisions make an impact for more than
24 just one person, more than just this room. It impacts
25 Maui County, it impacts the State, it impacts our U.S.

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1 We're just one little island. And we can make huge
2 differences from this meeting and from meetings to come if
3 we decide to think about who we're impacting.

4 And I just thank you for this time and for this
5 opportunity to share my testimony. And, yeah.

6 MS. YOSHIKAWA: Dane Kaae.

7 MR. KAAE: Okay. Hi, guys. My name is Dane
8 Kaae. I work with MEO Youth Services. I'm the Underage
9 Drinking Coordinator for the Upcountry area. I been
10 working in underage drinking for almost seven years now.
11 Battling, nonstop. I got the holes and the scars to prove
12 it, but it is an ongoing battle. You guys must know it.
13 I'm trying to teach these kids and the parents about the
14 dangers and hazards of underage drinking.

15 Two things we gotta do in our grant is access,
16 availability, which this law is not -- the -- the sales of
17 24 -- 24-hour sales of alcohol is not helping. And then I
18 gotta change the attitudes of the kids and parents about
19 alcohol, which, you know, if the County -- the Liquor
20 Commission stands by, you know, selling alcohol 24. It's
21 going to be a more open attitude and more -- I would say
22 more work for me to do. So I'm already stressed out with
23 this job already, so the sales would -- I mean, thinking
24 about it, it's just gonna cause much more issues.

25 We have done stuff in community like murals,

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1 sign waving. We have been there the day after those five
2 young individuals lost their lives Upcountry, up in Kula.
3 We were there with a town hall meeting.

4 And yeah, it's just -- if this thing goes
5 through -- through, it's just -- it's not gonna be a good
6 thing. I just wanna say like -- I mean, all you guys are
7 making these decisions. And, you know, I want to bring --
8 you know, thinking about it, Maui is so progressive, like
9 changing the tobacco law to 21, getting rid of plastics,
10 now it's like the ban on the --

11 UNIDENTIFIED SPEAKER: Styrofoam.

12 MR. KAAE: -- styrofoam. Thank you. And this
13 is the total step back. People are gonna be like, what,
14 Maui is like setting the bar high and then Liquor
15 Commission comes and has this 24-hour sale. That's not
16 the characteristics of Maui.

17 So, you know, keeping up with the trends like --
18 I mean tradition of, you know, how Maui is setting the bar
19 for the State, let alone, you know, the nation's looking
20 at you guys. You know, you guys, we can all keep in step
21 with being no ka oi.

22 Thank you.

23 MS. YOSHIZAWA: Faith Chase.

24 MS. CHASE: Hi. Good afternoon, liquor
25 Commission. I am here in support of repealing this law.

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1 I have a couple of points I wanted to make.

2 CHAIR TANAKA: Please -- please state your name.

3 MS. CHASE: Oh. Faith Chase. When I was in
4 high school, I was the president of SADD, which was the
5 student version of MADD, Students Against Drunk Driving.
6 It didn't really take off at the time. We didn't have
7 social media and the networking skills that we do today.
8 We worked hard to try to get cars that were damaged in
9 really bad fatal accidents to campuses, on tour, so that
10 we could raise awareness about that.

11 I worked closely with Leanna Stodd, Auntie
12 Leanna Stodd. And I think that this is -- I'm not really
13 sure, I didn't read the 485 pages, but I relied on Mahina
14 to pass through some of that important information, but I
15 kind of think that maybe this might be an example of where
16 a community organization is so strong and does so good
17 that entities, government, commissions, committees, sort
18 of just let that kuleana stay with the organization.
19 Because Auntie Leanna did a really, really good job
20 running MADD.

21 I mean, I know -- I can tell by -- I mean,
22 I'm -- I'm 48, but I can tell that some of you have been
23 on Maui for a long time and you remember, on the holidays,
24 when you had the little red ribbon on the antennas. But
25 can you remember seeing those red ribbons over the last --

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1 course of the last five, 10 years? Probably not.

2 When her husband retired, she retired from her
3 capacity and her community giveback. And nobody ever
4 really resurrected that.

5 So I think -- I think there might have -- part
6 of it is not anybody's fault, and it's all of our fault.
7 We sort of like implore -- we kind of just like expected
8 that to continue and do well. But nobody came in and
9 hapai'd that, you know, took that on.

10 And so I reached out to the Oahu MADD. She was
11 here for the rally. I wasn't able to participate, but
12 that was very encouraging. And I really do feel like if
13 you can do anything to resurrect that organization, even
14 if it's just a little bit of seed money, that might be a
15 step in the right direction.

16 And "the Maui News" is certainly -- I mean, you
17 know, I have friends there, I work there. God bless them.
18 The sports coverage is our only high school coverage, but,
19 I'm sorry, the legal section, have you seen "The Maui
20 News?" It's so (inaudible), there's -- people not reading
21 it. That is not the place to do your -- to do your
22 announcements to the community. It doesn't work anymore.
23 You need to rely on social media.

24 And, lastly, I just don't want -- I think that
25 everybody is Maui in -- in the means that they care.

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1 Maui, and if you been here one year, been here 20 years,
2 you been here your whole life, you're born and raised, but
3 we -- the fellow before me, you -- he's completely right.
4 We're on the map. We're -- people are looking at us. And
5 so I'm -- I just really look forward to you making wise
6 decisions.

7 And however this came about, never mind, but,
8 moving forward, just support your -- like Mahina said,
9 maybe not micromanage, but do support the community
10 organizations where you can, by all means. Thank you.

11 MS. YOSHIZAWA: Dick Mayer.

12 MR. MAYER: Good morning, Commissioners. My
13 name is Dick Mayer. I taught at the college for 50
14 years -- 34 years, starting 54 -- 50 years ago when
15 college started. I've also served six times on various
16 boards and commissions of the County. And I've sat in
17 chairs like yours having to make very tough decisions and
18 sometimes very easy decisions.

19 I think what we have here are both a tough
20 decision and an easy decision to discuss today.

21 The tough decision was probably for you to get
22 up this morning knowing that you would be hearing a lot of
23 testimony critical of a decision that was made several
24 months ago. That's -- to that, I really want to thank you
25 all for coming. That was a tough decision to come here

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1 this morning, sit through all this testimony questioning a
2 decision that you as a Commission made.

3 The easy decision will be tomorrow morning when
4 you again meet to discuss what you heard today. You heard
5 a community unified, entirely unified in opposition to the
6 decisions that were made several months ago. And it would
7 be very easy decision, I think, for all of you to reverse
8 that decision -- those decisions. So the three different
9 actions.

10 And I urge you tomorrow to come here prepared to
11 rescind those orders; to write a letter to the Mayor
12 asking him to sign the -- the revision, he signed the
13 initial one; I urge you to send a letter to the Mayor
14 asking him to go along with your new decision based on
15 community input which you, unfortunately, didn't have back
16 in February.

17 So now that you have all this collective input
18 from people who have had personal experiences in their
19 life, who deal with institutions that deal with people
20 that have problems, you're aware of it. And I want to
21 thank you very much for the decisions you made coming here
22 this morning and, also, for the decision you will be
23 making, I hope, tomorrow morning to rescind those
24 provisions.

25 Thank you.

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1 MS. YOSHIZAWA: Debra Arerano.

2 MS. ARELLANO: Aloha. My name is Debra Andres
3 Arellano. I'm a little nervous today because I'm so
4 passionate about this topic. Born and raised on Maui, in
5 Lahaina, on the west side. And I'm coming to you today to
6 think about lifting this cap on hostess bars in Maui
7 County. And I come today wearing many hats. Today, I
8 speak as a Filipina, a mother, an educator and a
9 researcher.

10 As a Filipina, these establishments are
11 reminiscent of taxi dance halls of back in the day.
12 Remember, a dollar a day, 10 cents a dance, yeah. Today,
13 it's not much different. These establishments are still
14 around to exploit Filipino men and the working class and
15 the hard-earned dollars that they make. And they get them
16 when they're least conscious. Also, as a Filipina, these
17 establishments support a system of patriarchy, racism and
18 sexism that has continued to exploit Filipino women around
19 the world and here still for generations, and will
20 continue to if we don't do something about it here in Maui
21 County. It, also, is the same system that breeds a
22 culture that encourages domestic violence. And in the
23 Filipina community, we have the highest rates of domestic
24 violence.

25 Today, I also come to you as an educator and a

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1 researcher. I'm a Ph.D. student in the Educational
2 Foundations Program at University of Hawaii Manoa College
3 of Education. The Educational Foundations Program, our
4 mission is to look at the way -- and it has been proven --
5 the way that society and culture influences education.
6 And it does. The -- our students' learning environment,
7 they transcend beyond the classroom walls, beyond the
8 school campus. So, really, the island of Maui is their
9 classroom. So what is it like if uncle can just go down
10 the street on Lower Main and treat women this way? What
11 are we teaching our keiki, yeah.

12 I'm here, also, as a parent, a mother of a
13 16-year-old daughter. And it's hard to explain to her why
14 we have places like these. Even she can recognize that
15 they're not pono. So what are we teaching -- when we lift
16 this cap, what are we teaching our young women about
17 themselves, about the worth of their bodies, about how
18 women can be treated?

19 What are we teaching young men? You know, I've
20 worked for the last eight, nine years with high school
21 youth here in Maui County. What kind -- what kinds of
22 lessons are we teaching our young -- young men about the
23 proper ways a man can behave, proper ways that a man can
24 treat a woman? Yeah. And then what are we teaching our
25 young business leaders, too, about the proper pono ways to

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1 earn a dollar?

2 So I come to you with respect to you as leaders
3 in our community to consider all our testimonies here
4 today and really consider our youth and the implications
5 that your decisions will have on our future.

6 Mahalo.

7 MS. YOSHIZAWA: Chair, last signed up to testify
8 is Dani Riggs.

9 MR. RIGGS: I want to thank you for the
10 opportunity to testify here today. My name is Dani Riggs.
11 And I'm here in a number of capacities. I'm a citizen of
12 Maui County; a father of some people who live on -- in
13 Maui, soon-to-be grandfather of a daughter here on Maui;
14 and I'm the Clinical Director for Child and Family Service
15 here, which includes the Maui Sex Assault Center, which is
16 the rape crisis center for Maui County; I'm, also, a
17 member of the Multidisciplinary Team in Response to Sex
18 Trafficking. So I have a lot of roles.

19 And the regulations you've put forward impact
20 all of those roles in my life. And they impact them very
21 negatively.

22 I understand I'm the cleanup batter today. And
23 I hope I hit a grand slam because I really want to see
24 these rules rescinded.

25 Anybody know what the number one drug for sex

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1 assault for rape is? Alcohol. I heard it. I heard it
2 somewhere. It's alcohol.

3 So we're talking about making alcohol available
4 24 hours a day for the -- for anyone who flies into this
5 county, whether they're a good citizen of this county,
6 whether they're someone who maybe is on the wrong side of
7 the law or maybe it's somebody coming from the mainland
8 who is a serial rapist. We're gonna provide them with the
9 tools to commit sexual assault 24 hours a day. And I just
10 don't believe that's a wise thing to be doing.

11 As a member of the multidisciplinary team that
12 deals with sex trafficking, we don't need more hostess
13 bars here on Maui. There's a nationwide move, there's a
14 statewide move, there are millions of dollars being spent
15 across this country to try to end trafficking of human
16 beings, one of the greatest tragedies, one of the worst
17 forms of slavery that can be perpetrated on a human being.

18 And we're talking about expanding the
19 availability of that here on Maui? I'm sorry, Ladies and
20 Gentlemen, I just don't believe that's a wise choice for
21 any of us here.

22 I respect that you probably talked long and hard
23 about your decisions, you thought about the economic
24 impacts of the decisions, but you also have to think about
25 what the moral and personal impacts of your decisions are

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1 for the women, the children, the youth and, as our last
2 speaker pointed out, the men of Maui County. Please, look
3 into your hearts, look deep and find that place inside
4 yourself that knows we need to stop these kinds of crimes
5 here in Maui and we need to do everything possible to do
6 it.

7 I work in treating people who have been through
8 those kinds of things. And I'll work hard to do that.
9 But I got to tell you, any time prevention happens and I
10 don't have to treat somebody, I celebrate that. That's a
11 true victory for me. And it's a true victory for the
12 people of Maui.

13 I was out in the ocean this morning, I thought
14 about what -- I was thinking about why do this work. And
15 the only answer I could come up with is I do this work for
16 the people of this land. And I would ask you to do your
17 best, also, for the people of this land and rescind these
18 regulations.

19 Again, thank you for the opportunity to speak
20 here today. I really appreciate your time.

21 CHAIR TANAKA: Kari, is there anybody else?

22 MS. YOSHIKAWA: Chair, we have no other persons
23 signed up to testify.

24 CHAIR TANAKA: Okay. Are there anybody else in
25 the public willing to testify or want to testify or want

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1 to conclude their testimony? Okay. Seeing none --

2 MS. CORDEIRO: I'm checking outside.

3 CHAIR TANAKA: Okay. Please check.

4 MS. CORDEIRO: That seems to be all, Chair.

5 CHAIR TANAKA: All, okay. Thank you. Okay.

6 We'll close the testimony part of this meeting and go on
7 to communications.

8 Is Mahina here? Okay. Mahina, could you please
9 step -- we get some questions. This is in regards to your
10 letter and, also, your petition.

11 MS. MARTIN: Yes.

12 CHAIR TANAKA: Okay. I think the letter was
13 pretty clear. Maybe you can explain --

14 MS. MARTIN: Sure.

15 CHAIR TANAKA: -- what the letter intended and,
16 also, your petition.

17 MS. MARTIN: This is the April 5th letter?

18 CHAIR TANAKA: Yeah.

19 MS. MARTIN: Okay. So the April 5th letter was
20 triggered by, quite frankly, an article in "The Maui
21 News." I had saw it, I was concerned about it and I -- so
22 I quickly sent a letter asking the Department to take a
23 second look at it and reconsider and express my concerns.
24 The hostess bar cap as well as the 24-hour rule, I stand
25 by that.

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1 Chair, I don't know if you want to take the
2 second item separately. It leads into that.

3 CHAIR TANAKA: Yeah, please. No. Well, you can
4 go right into it, fine, yeah.

5 MS. MARTIN: Okay. The second letter, dated in
6 the later part of the month, is the result of being asked
7 to more formally address a proposed amendment to offer you
8 the opportunity and to trigger today's special meeting and
9 any future action.

10 And in that, I tried to decipher what exactly is
11 required, you know, what that procedural format would look
12 like. And so in meeting with your Corporation Counsel,
13 you know, we determined that that second letter was
14 necessary and formatted in that manner.

15 Essentially what I did was I took the rules that
16 were amended at the February 8th meeting, and submitted my
17 own amendment by reverting back and underscoring and
18 bracketing in the reverse, quite frankly. But I did
19 outline, as I said earlier, my testimony, my concerns
20 about the justifications and the reasons, the impacts, and
21 the entities that are affected by the action.

22 CHAIR TANAKA: Thank you. I have one -- one
23 question for you, Mahina. In your petition, I think you
24 specified three items.

25 MS. MARTIN: Correct.

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1 CHAIR TANAKA: Is that the only three items
2 you're really looking at?

3 MS. MARTIN: By three items, they would be the
4 hostess bar cap --

5 CHAIR TANAKA: 24/7 --

6 MS. MARTIN: -- the 24/7 availability of booze,
7 right, the increase in hours, and home delivery.

8 CHAIR TANAKA: Home delivery.

9 MS. MARTIN: Yeah.

10 CHAIR TANAKA: Any other questions by the
11 Commissioners for Mahina?

12 MS. MARTIN: I would like to add that I
13 encourage the Commission to signal to the community and
14 the public, you know, any shape of an intention to
15 prevent -- it's been -- it's -- it's just amazing how the
16 public has reacted. I don't think we were on a mission to
17 come out and vilify anyone or anybody that governs the
18 Department. It's simply, you know, opening the door and
19 allowing people to say what they probably didn't realize
20 they should have said before had they known. But it would
21 be critical and vital at this juncture that the Commission
22 signal to the public, you know, any -- any kind of
23 intention.

24 As you know, there's pending litigation.

25 There is a larger body of interested folks who

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1 could not make it today. I did ask the Department to
2 schedule a meeting that was more accommodating to the
3 public. Obviously, we're here today, that was not given
4 as an option. So many folks, myself included, took the
5 day off. And others would have wanted to be here, but it
6 was not an option.

7 So, you know, I guess I'm trying to tell you
8 that any more future delays or any -- anything that
9 doesn't give a message that the Commission is willing to
10 consider it and moving in that way will only escalate the
11 interest, you know. And I -- I just -- I have never
12 thought the community should ever get to an embattled
13 pointed, never ever, in everything I've done. So when we
14 get to this kind of point, I find it really unnecessary.
15 And I would like for it not to continue. And I would like
16 for it to reach resolution.

17 So I ask that you -- and if it takes a 30-day
18 notice, because I'm also -- you know, I'm aware of a
19 30-day notice, then I ask that you accommodate a June
20 meeting to fit that rather than wait July. I don't know
21 if it's a statute or a rule or policy or practice. I
22 don't know how you do your -- your meeting schedule. But
23 any future delay puts more risk out there.

24 And I think you've heard all the heartbreaking
25 stories that people have shared with you. They -- I'm

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1 surprised by some of it in how -- how they stepped out of
2 their shell to say so.

3 Chair.

4 CHAIR TANAKA: Thank you. Counsel.

5 MR. KUSHI: Mr. Chair. Mahina, following up on
6 Chair Tanaka's questions, you've identified in your
7 petition three distinct rules, dealing with the three
8 separate areas.

9 MS. MARTIN: Yes.

10 MR. KUSHI: But you know that what the
11 Commission did in its rulemaking, back in February, we
12 amended 27 sections.

13 MS. MARTIN: Correct.

14 MR. KUSHI: So you're just saying those -- just
15 these three sections?

16 MS. MARTIN: In my interest are those three
17 sections. The remaining changes that were made dealt with
18 management contracts and, you know, some true, honestly,
19 housecleaning, housekeeping type of, you know, formatting.
20 So I have no personal interests. I have not heard an
21 interest from the public about looking at the -- I forgot
22 what they're called -- I think they're either called
23 management contracts or something that hotels face that
24 entities face. That is not why I'm here. And I have
25 asked a variety of folks. That has never once come up.

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1 And I think those commercial bodies have enough attorneys
2 employed, I know they come before you regularly, we'll let
3 the attorneys of those companies do their job.

4 MR. KUSHI: Thank you.

5 CHAIR TANAKA: Any questions by the
6 Commissioners?

7 COMMISSIONER UMENO: Are we allowed to take out
8 only three items from the --

9 CHAIR TANAKA: Yeah, we're gonna have to discuss
10 that with our attorney on what proceedings we're gonna
11 use. But, basically, my understanding is, based on all
12 the testimonies we heard today, I think everybody was
13 targeting what Mahina is asking in her petition, you know.
14 So the Commission would have to discuss that. And we have
15 her scheduled on tomorrow's meeting, and we will discuss
16 it at that time and maybe come to a resolution.

17 MS. MARTIN: So, Chair, I have a question on
18 that. With regards to tomorrow's agenda, I see that it is
19 listed, are you -- are you -- do you have the ability to
20 take action at tomorrow's meeting or do your rules require
21 a more extended time?

22 CHAIR TANAKA: We going to have to go into rule
23 amendment.

24 MS. MARTIN: Right.

25 CHAIR TANAKA: Yeah. Because it's already a

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1 rule, so we gonna have to go back and go into a rule
2 amendment and go through the public hearing process again.

3 MS. MARTIN: Okay. So the 30 days? Okay.

4 CHAIR TANAKA: I don't know if the 30 days.

5 MS. MARTIN: Oh, is it -- okay.

6 CHAIR TANAKA: But right now, that's what we're
7 looking at. Right after this, we're going into exec
8 session and confer with our attorney on what process, what
9 procedures we're gonna have to go through and whatever.
10 And at tomorrow's meeting, and we have you -- also, your
11 letter also scheduled on the agenda.

12 MS. MARTIN: Right.

13 CHAIR TANAKA: We'll discuss it at that time.

14 MS. MARTIN: Okay. I will ask, then, that, as
15 you ponder that and you look at what your rules require
16 and what you're capable of doing legally, or whichever way
17 policy or procedure-wise, that you consider that if it is
18 a 30-day time that the June meeting accommodate that 30
19 days so it doesn't fall too early and then you push it
20 back to July.

21 CHAIR TANAKA: Well, whatever -- whatever it is.

22 MS. MARTIN: Which would just make it so
23 frustrating.

24 CHAIR TANAKA: If we have to call a special
25 meeting, we'll call a special meeting --

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1 MS. MARTIN: Okay.

2 CHAIR TANAKA: -- to meet the legality of the
3 deadline.

4 MS. MARTIN: To meet that?

5 CHAIR TANAKA: Yeah. But we're gonna discuss it
6 tomorrow and see what the Commission feels. And if,
7 tomorrow, we feel that there is a change in the rules,
8 we'll make that decision one way or the other.

9 MS. MARTIN: Okay. If you do a special meeting,
10 because there is some level of mistrust from the public at
11 this point, I want to encourage you to do as much as you
12 can to let them know about it. If they -- folks have to
13 take a second day off from work to come before you, it
14 will be equally frustrating. So if we can find a way to
15 get through that, it will be probably much more welcomed.

16 CHAIR TANAKA: Yeah, I think we heard enough
17 today.

18 MS. MARTIN: I know. That's what I mean, you
19 know. Yeah, they don't want to come back again and see
20 you, and I'm sure you probably don't want to sit and hear
21 them again as well.

22 But I -- I honestly appreciate you coming in
23 today. I know you took time off from work. I asked for a
24 later time thinking it would save you the travel in the
25 morning, but I'm sure you had to wake up early, too.

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1 I want you to know that what was amazing today
2 was that -- the variety of speakers and the stories.
3 Typically, you will have one kind of heavy dose of, you
4 know, special interests or a sector, but today -- and I
5 know from the emails you've received from even so much
6 more, that the community is speaking loud and clear. But
7 the process was -- is critical.

8 Chair, thank you very much.

9 CHAIR TANAKA: Thank you. Okay. Any other --
10 there's no questions by the Commissioners to Mahina?

11 COMMISSIONER BICOY: You're looking at me. Can
12 I -- can I say something? But, again, I just wanted to
13 thank you, Mahina, very much for putting this on the
14 agenda and for helping us to understand that there is more
15 to sometimes what these words say, you know. And
16 gathering these people here and having them come here and
17 speak to us from the heart, because this is the community.
18 And I thank you very much for taking that initiative,
19 for -- for putting this and placing this here and for
20 being the -- the -- the lead voice to be able to allow all
21 of these people to come here and explain how they feel.
22 And so thank you.

23 And thank all of you for coming and sharing your
24 manao.

25 MS. MARTIN: Thank you, Dawn. It -- just so

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1 it's clear, I did not go out and bang a drum by myself.
2 The drum was too big. But the community came forward at
3 the -- when "The Maui News" article hit, you could already
4 feel the rumbling. I think I spoke about it briefly and
5 it triggered a little bit more rumbling. And the
6 prevention for underage -- I always slaughter their name,
7 but the Prevention for Underage Drinking Coalition, that
8 group, they put themselves in action under Ashley and
9 Rick. And, as you know, Madge Schaefer as a private
10 citizen also took an interest. So all those things
11 combined, it's very clear that while maybe I hit the
12 doorknob, the doorbell came from everyone else.

13 So appreciate it, Dawn. Thank you.

14 CHAIR TANAKA: Okay. Thank you very much.

15 MS. MARTIN: Thank you, Commissioners. Thank
16 you, staff.

17 CHAIR TANAKA: See you tomorrow.

18 I'm going to ask the Commission, let's go into
19 exec session so we can discuss the options with our
20 attorney here. May I have a motion for executive section?

21 COMMISSIONER ALULI: So moved.

22 COMMISSIONER SOUZA: Second.

23 CHAIR TANAKA: Moved and seconded.

24 MR. KUSHI: Mr. Chair.

25 CHAIR TANAKA: Yeah.

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1 MR. KUSHI: For the record, you're going into
2 Executive Session pursuant to Sections 92-4 and 92-5(a)(4)
3 HRS to consult with your attorney as to the Commission's
4 powers, duties, liabilities, but, in this case,
5 specifically procedures, what do we do next. My
6 understanding is there's no discussion or deliberations or
7 voting on the petition itself today.

8 CHAIR TANAKA: All right.

9 MR. KUSHI: Okay.

10 CHAIR TANAKA: Okay. Let's go into Executive
11 Session. Let's have a five-minute recess.

12 (Recess, 11:43 a.m. to 11:52 p.m.)

13 (Executive Session, 11:52 a.m. to 12:22 p.m.)

14 CHAIR TANAKA: Okay, Liquor Commission session
15 back in order. Okay. We will discuss Mahina's letter and
16 petition at tomorrow's meeting. And, hopefully, we can
17 come to some kind of conclusion. If there's no other
18 questions by the Commissioners, can I have a motion for
19 adjournment?

20 COMMISSIONER SOUZA: So moved.

21 COMMISSIONER ALULI: Second.

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

24 (Response.)

25 CHAIR TANAKA: Meeting adjourned. (Gavel.)

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(Meeting adjourned, 12:22 p.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 24th day of May, 2017.

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