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

TRANSCRIPT OF PROCEEDINGS  
REGULAR MEETING

Held via Blue Jeans video teleconference, commencing  
at 9:00 a.m., on May 13, 2020.

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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APPEARANCES

COMMISSION MEMBERS PRESENT:

- CHAIRPERSON: NANE ALULI
- COMMISSIONERS: LEON BOLOSAN
- LESLIE ANN YOKOUCHI
- ROBERTO ANDRION, JR.
- JERRYBETH DE MELLO
- JAMIE BECRAFT
- BRUCE U'U

STAFF PRESENT:

- DEPUTY CORPORATION COUNSEL: MIMI DESJARDIN
- DEPUTY DIRECTOR: GEORGETTE TYAU
- LIQUOR CONTROL OFFICER III: LAYNE SILVA
- COMMISSION SECRETARY: MARIA KHANGSENGSING
- PRIVATE SECRETARY: LIANNE SUZUKI

1 (May 13, 2020, 9:00 A.M.)

2 \* \* \*

3 CHAIR ALULI: ...after the roll call and after  
4 approval for the minutes. And then what I would like to ask  
5 for everyone is that if you want to provide testimony when  
6 testimony is being accepted or if the commissioners want to  
7 make a comment, so that we don't talk over one another, if you  
8 would please indicate that you want to say something by  
9 raising a white piece of paper so that I can see, because  
10 sometimes I miss a hand, if you just put a white piece of  
11 paper right next to your face so I know that you want to make  
12 a comment, I'd appreciate that.

13 I will ask for -- when we have a motion, I will ask  
14 for the person making the motion and the second, if they would  
15 raise and then I will select them, unmute you, and ask you to  
16 make the motion and then the other person to make the second.  
17 Okay?

18 With that being said, I would like to start with the  
19 roll call. Maria.

20 MS. KHANGSENGSING: I'm here. Maria Khangsengsing,  
21 office -- department of liquor.

22 CHAIR ALULI: Next, Jerry Beth.

23 COMMISSIONER DE MELLO: Hi. Jerry Beth De Mello.

24 CHAIR ALULI: Bruce.

25 COMMISSIONER U'U: Aloha. Bruce U'u here.

1 CHAIR ALULI: Leon.

2 COMMISSIONER BOLOSAN: Aloha. Leon Bolosan.

3 CHAIR ALULI: Jamie.

4 COMMISSIONER BECRAFT: Jamie Becraft, Wailuku.

5 CHAIR ALULI: Nane Aluli here. Okay. Thank you.

6 Let's move on, if we can, to --

7 MS. TYAU: And Georgette Tyau, liquor control.

8 CHAIR ALULI: Sorry, Georgette, didn't see you.

9 OFFICER LAYNE SILVA: And Layne Silva, liquor  
10 control.

11 CHAIR ALULI: Okay. Thank you. This is going to be  
12 a little bumpy 'cause we're doing it virtually so I don't see  
13 everybody as we would if we were sitting in the commission  
14 room, meeting room.

15 All right. We've done the roll call. I would now  
16 like an approval for the agenda for today.

17 COMMISSIONER BECRAFT: Mr. Chair.

18 CHAIR ALULI: Yes, Jamie.

19 COMMISSIONER BECRAFT: Jamie Becraft. I think we're  
20 missing -- if you hit the people part, it lists the names. I  
21 think we need to have Mimi Desjardin log in also as  
22 corporation counsel, she wasn't mentioned yet.

23 CHAIR ALULI: She is here.

24 MS. DESJARDIN: I'm here.

25 COMMISSIONER BECRAFT: Yeah. Thank you.

1 CHAIR ALULI: Okay. So can I have a motion to  
2 approve the agenda?

3 COMMISSIONER BECRAFT: Chair, Jamie Becraft and I  
4 make the motion to approve the agenda.

5 COMMISSIONER DE MELLO: Second. Jerry Beth  
6 De Mello.

7 CHAIR ALULI: Well, one other -- please mention your  
8 names because the recording needs to -- whenever anybody, any  
9 of you are making a comment, please -- or providing testimony,  
10 please give your name before you make your statement, okay, so  
11 it's picked up on the recording. Thank you.

12 Okay. It has been moved and seconded, any  
13 discussion?

14 (No response.)

15 CHAIR ALULI: All in favor?

16 (Response.)

17 CHAIR ALULI: Any opposed?

18 (No response.)

19 CHAIR ALULI: Thank you. The agenda is approved for  
20 today.

21 You also have the minutes from the meeting that was  
22 held on March 11th, can I have a motion to approve those  
23 minutes.

24 COMMISSIONER DE MELLO: Jerry Beth De Mello. Motion  
25 to approve the March 11 minutes.

1 COMMISSIONER BECRAFT: Jamie Becraft. Second.

2 CHAIR ALULI: It has been moved and seconded. Any  
3 discussion?

4 UNIDENTIFIED SPEAKER. Hi I'm in a hearing in Maui  
5 right now I'm trying to go on the video.

6 CHAIR ALULI: Okay. And please let us get through  
7 this and then, like I said earlier, I'm going to mute  
8 everybody until we get into open session for the licensing  
9 matters and then I will unmute individuals.

10 So, let's see, we've had the -- is there any further  
11 discussion on the minutes?

12 (No response.)

13 CHAIR ALULI: Okay. So all in favor of approval?

14 (Response.)

15 CHAIR ALULI: Any opposed? Okay. Any opposed?

16 (No response.)

17 CHAIR ALULI: No opposition. Motion carries. Thank  
18 you.

19 Okay. Let's move on to public testimony and what I  
20 am going to do is I'm going to defer public testimony until we  
21 get to preliminary hearings and at that point I will ask for  
22 public testimony, because I want to get through general  
23 licensing matters, which are matters that have taken place  
24 already. So moving on to General Licensing Matters, Items A  
25 through O, can I get a motion for approval?

1 COMMISSIONER DE MELLO: Jerry Beth De Mello. Motion  
2 to approve.

3 COMMISSIONER BOLOSAN: Leon Bolosan. Second.

4 CHAIR ALULI: Please speak up, Leon.

5 COMMISSIONER BOLOSAN: Leon Bolosan. I second.

6 CHAIR ALULI: Thank you. Any discussion?

7 (No response.)

8 CHAIR ALULI: All in favor?

9 (Response.)

10 CHAIR ALULI: Any opposed?

11 (No response.)

12 CHAIR ALULI: Being no opposition, motion carries.

13 Thank you very much.

14 Okay. Let's move on to Item VII, Licensing,  
15 Preliminary Hearings. Application No. 13, Application 8,  
16 Tommy Bahama Beverages.

17 MS. DESJARDIN: Chair. Chair, this is Mimi. You  
18 want to take public testimony now?

19 CHAIR ALULI: I'm going to ask for public testimony  
20 through each one of these. Oh, okay. Yeah, all right, Mimi.  
21 Thank you.

22 Yeah, so I will take public -- before we -- I'm  
23 sorry, excuse me. Before we go to preliminary hearings, I  
24 would like to open up the platform or the meeting for public  
25 testimony. So with that being said --

1 OFFICER LAYNE SILVA: Nane, this is Layne.

2 CHAIR ALULI: Yes.

3 OFFICER LAYNE SILVA: Pardon the interruption, but I  
4 noted in the -- in the chat portion of the program, it looks  
5 like there's a few people that have signed up to give  
6 testimony. I don't know if maybe you want to start there or  
7 how anybody else is going to identify themselves as trying to  
8 give testimony, but that could be an option.

9 CHAIR ALULI: Yeah, okay, Layne. So what I'm going  
10 to do is take public testimony as I see it on the list here.  
11 And, for instance, I see on my list that Tamara Paltin has  
12 asked for -- has asked to give public testimony at this point,  
13 so I am going to click on Tamara. Anybody giving -- everybody  
14 giving public testimony, you have three minutes to provide  
15 your public testimony, please abide by that. I will unmute  
16 you at that point and ask that you stick within that three-  
17 minute timeline. So that being said, let me click on --

18 MS. PALTIN: Thank you. Can you hear me?

19 CHAIR ALULI: Yes. Can everybody hear Tamara?

20 COMMISSIONERS: Yes.

21 CHAIR ALULI: Okay. Yes, they can hear you, Tamara.  
22 Go ahead.

23 MS. PALTIN: Okay. Thank you. Thank you guys for  
24 your service and meeting on this platform in these times. I  
25 just -- my public testimony is even though the Sunshine Law is

1 suspended, I would just hope that we still make every effort  
2 to -- that we can to abide by it. In looking up the agenda  
3 item, I didn't see any of the uploaded documents for us to  
4 review like how all the council committees upload documents,  
5 so it's kind of difficult to testify on anything.

6           What brought me here today was Administrative Item C  
7 that I had heard was -- that you folks were going to consider  
8 the home delivery of alcohol and I would just like to speak  
9 against that. You know, in these times, there's a lot of  
10 things going on in society, the police don't seem to have a  
11 really good handle on things, at least in the neighborhoods  
12 that I've been around, and I think that a lot of people are  
13 having mental health issues, social problems, and to make it  
14 any easier for people to get access to alcohol, I don't think  
15 that's a good idea. It may help businesses, but is that  
16 really where we want to make the profit from? You know,  
17 access to alcohol right now is fine, people can go and get  
18 alcohol, but to make it easier and more easy to (inaudible) in  
19 these trying times, I don't think it's a good idea. You know,  
20 there have been reports increased domestic violence, increased  
21 abuse, and for the sake of our families, I think that the  
22 access that we have to alcohol right now is good enough. And  
23 if businesses do need to make money, I understand that the  
24 economy is in a bad shape, but this is not the area to do it  
25 on the backs of our families. So those are the two main

1 points against home delivery and board -- greater transparency  
2 in holding board and commission, committee, council meetings.  
3 Regardless if the Sunshine Law is suspended, I think  
4 (inaudible) to provide as much information as possible. Thank  
5 you so much and I'm available if anybody has questions.

6 CHAIR ALULI: So does anyone have questions for  
7 Tamara?

8 (No response.)

9 CHAIR ALULI: Okay. Thank you very much, Tamara.

10 MS. PALTIN: Thank you.

11 CHAIR ALULI: Okay. Next I would like to move on to  
12 Ashlee Chapman.

13 MS. CHAPMAN: Good morning, Commissioners and  
14 Commission Chair. My name is Ashlee Klemperer Chapman. I am  
15 a residence of Kihei and coordinator for the Maui Coalition  
16 For a Drug-Free Youth. Mostly what I'm going to say will echo  
17 what Councilmember Paltin just said. I'm here today speaking  
18 in regards to Agenda Item C under Administrative Affairs. As  
19 a public health advocate, mother, and survivor of domestic  
20 violence, I am urging you all to seriously consider the impact  
21 of takeout and home deliver before making this serious  
22 decision. As alcohol is already the most accessible and  
23 lethal substance in our community, the question is: Why do we  
24 need more? Our stores are still open. I question why the  
25 (inaudible) should be considered as essential as food. The

1 community (inaudible) issue back in 2017 and we don't want it  
2 then and we don't want it now.

3 I (inaudible) from mountains of research how alcohol  
4 contributes to all sorts of social and health problems and we  
5 cannot create rules that only increase those problems. Other  
6 communities have reported increases in the number of cases  
7 involving alcohol and domestic violence where they have  
8 allowed home delivery and takeout and I know none of us want  
9 to see that happen here.

10 My biggest concern is for our youth, the use of  
11 third-party delivery apps are extremely common, especially  
12 right now, and there are really no mechanisms in place to  
13 ensure that they're following proper procedures for verifying  
14 the age. Those individuals are not required to hold a  
15 director's approved certification card. They haven't  
16 completed any of the education components that the department  
17 provides, and there's really no mechanism put in place to hold  
18 anyone accountable if there are violations.

19 In the light of these uncertain times, we really  
20 cannot lose sight of our real priorities: Safety, wellness,  
21 and families. Allowing the delivery of takeout and home  
22 delivery does not align with those values and we must put  
23 families before business and keep our youth and vulnerable  
24 community members safe.

25 Thank you so much for your time.

1 CHAIR ALULI: Are there any questions from the  
2 commissioners for Ashlee?

3 (No response.)

4 CHAIR ALULI: Not seeing any, Ashlee, thank you very  
5 much.

6 MS. CHAPMAN: Thank you.

7 CHAIR ALULI: Next I have Andrea Snow. Andrea?

8 MS. SNOW: Yep. Good morning, Commissioners. Can  
9 you hear me?

10 CHAIR ALULI: Yes.

11 MS. SNOW: Okay. Thank you. My name is Andrea  
12 Snow, I also live in Kihei, I'm a coordinator for the Maui  
13 coalition for a Drug-Free Youth, and I would just like to  
14 (inaudible) information as you guys discuss allowing home  
15 delivery of alcohol. I think we should look at other  
16 communities that have done this so that we can understand the  
17 potential consequences here in Maui County. In April, the  
18 California Department of Alcoholic Beverage Control did an  
19 investigation on alcohol home delivery and they found some  
20 consequences that are really concerning. Minors were  
21 routinely able to purchase alcohol through delivery from  
22 restaurant, third-party delivery services routinely delivered  
23 alcoholic beverages to minors, and they found that drinks were  
24 left on doorsteps without any interaction and came in readily  
25 accessible cups with straw holes.

1           So the California Alcoholic Beverage Department  
2           conducted a test to see how often this was happening, the  
3           department ordered approximately 200 drinks over the span of  
4           several weekends and delivered them to individuals, including  
5           minors under 21. Bars and restaurants failed that test 25  
6           percent of the time, meaning they sold and delivered to minors  
7           a quarter of that time, and delivery apps were even worse,  
8           failing 80 percent of the time, so in four or five instances,  
9           a minor could successfully order an alcoholic drink through a  
10          delivery app. So could we prevent this on Maui? You know, I  
11          don't -- I don't think that's likely.

12           The director of Alcoholic Beverage Control  
13          Department in California personally phoned delivery services  
14          in an effort to inform them of the abuse of their apps and  
15          then tested them again and he found that delivery services  
16          still failed 50 percent of the time, allowing half of the  
17          underage people who tried to obtain alcohol through those  
18          apps, they got them delivered. So he described the situation  
19          as very disappointing and abysmal and -- and found that these  
20          consequences happen even though there were restriction used on  
21          alcohol delivery such as saying it had to be paired with a  
22          meal or a -- or a container and that the courier needed to  
23          check the ID and make sure the recipient was of legal drinking  
24          age, the effect -- those were all in place, but still didn't  
25          happen.

1           So there's the -- there's a lot of potential  
2 consequences, delivery drivers could potentially be held  
3 criminally liable for knowingly delivering alcohol to minors,  
4 restaurants could be at risk for selling to minors. So in my  
5 opinion, alcohol sales should remain in person in stores where  
6 IDs can be checked and ensure that people are not providing  
7 alcohol to minors. Given our current rate of high underage  
8 alcohol use here in Maui County, over 30 percent of high  
9 schools already report using alcohol, over 11 percent of  
10 middle schoolers already report using alcohol, we do not need  
11 to make it more accessible at this time. Instead of doing  
12 anything to potentially increase this problem, like delivering  
13 it straight to someone's home, I think we should be focusing  
14 on how to solve our underage drinking problem. Adults can  
15 still get alcohol, they can still buy it in stores, let's not  
16 make it easier for teens to get it through home delivery.  
17 Thank you.

18           CHAIR ALULI: Okay. Thank you, Andrea.

19           Any questions for Andrea from any of the  
20 commissioners?

21           COMMISSIONER U'U: I've got a question.

22           CHAIR ALULI: Yes, Bruce. Go ahead.

23           COMMISSIONER U'U: Question. Good morning, Andrea,  
24 and thank you for taking the time out to testify. So you say  
25 that 25 percent of the infractions -- 25 percent, they sold to

1 minors, and was it 25 percent of the total use that went to  
2 minors who got caught? Could you break down that stat for me  
3 a little more?

4 MS. SNOW: Sure. Absolutely, yeah.

5 COMMISSIONER U'U: (Inaudible) to get the 25  
6 percent.

7 MS. SNOW: So they --

8 COMMISSIONER U'U: (Inaudible) So in other words --  
9 I'm sorry -- out of a hundred people who ordered the wine or  
10 ordered the delivery, was 25 percent of that done illegally  
11 out of the hundred if we're breaking them down to a  
12 percentage? Just for my clarification.

13 MS. SNOW: Yeah, absolutely. They did a test of two  
14 home -- 200 hundred orders and of those 200 orders to those  
15 minor decoys, 25 percent of them were delivered alcohol by  
16 restaurants. And then when ordering from a delivery app, 80  
17 percent of the minors who ordered were able to successfully  
18 get alcohol through that delivery app.

19 COMMISSIONER U'U: Okay. So my next question is:  
20 Out of the 200 orders, what would be the norm of the orders?  
21 Say if you get 2,000 orders, how much -- say -- I'm just  
22 saying, I'm asking what about the people who use it the right  
23 way instead of people who use it the wrong way, do you have a  
24 stat for that? The stat to --

25 MS. SNOW: I don't. I was looking specifically at

1 if minors could get access, I don't know about adult access,  
2 sorry.

3 COMMISSIONER U'U: Okay, okay. Thank you.

4 CHAIR ALULI: Any more questions of Andrea by any of  
5 the commissioners?

6 (No response.)

7 CHAIR ALULI: Okay. Andrea, thank you very much.

8 Next on the -- to testify is Garrett Marrero.

9 MR. MARRERO: Aloha, everybody. Thank you for  
10 giving us a chance to testify here. Can you hear me okay?

11 CHAIR ALULI: Yep.

12 MR. MARRERO: So with great respect for three prior  
13 testifiers, I think -- you know, I agree, you know, these  
14 things need to be addressed and need to be managed and they  
15 need to be -- they need to be done well. I would argue that a  
16 200-item sting operation is going to yield results, but  
17 that -- especially when you're using third-party apps and  
18 things like that. Let's keep in mind the reason we're  
19 discussing this is because we're all in an unprecedented time  
20 of -- a lot of these businesses are down a hundred percent and  
21 the governor has said that this is an acceptable thing. Of  
22 course, it is in the discretion of Liquor, which is why we're  
23 here to testify, but it can be done responsibly. And there  
24 are -- there are, absolutely, bad operators out there across  
25 the board depending on are you talking about a restaurant, are

1 you talking about a brewery, are you talking about a bar.  
2 We're not saying that throw a red solo cup with a cap and a  
3 straw on someone's door, that would be foolish, that would be  
4 irresponsible. What we are saying is the sealed containers  
5 delivered with food is an option for our local businesses to  
6 do it responsibly. I think putting in the right controls  
7 similar to how Kauai requires you to deliver, take a  
8 photograph of the person with their license, and have that on  
9 record, that's a great way to say that's the person who  
10 ordered, here's their license, they are 21, especially if it's  
11 managed by the licensee and not a third-party operator.

12 I would also -- talking about something I believe  
13 Ashlee had said -- and I forgot if I got the name right, but  
14 let's recall that also in Maui County, as the rest of the  
15 state, for more than five years, Class 2 general restaurants  
16 are allow to do to-go alcohol. It is very clear on page  
17 101.31 that Class 2 restaurant licensees are allowed to-go as  
18 long as it's an unopened sealed container. So delivery is an  
19 extension of that, yes, and one that we believe breweries,  
20 restaurants, and such should have the right to do.

21 And one big reason for that is that, yes, people are  
22 drinking a little more these days, but they're home. One  
23 issue of running out during the day means they have to go to  
24 the store where we're already being told stay at home as much  
25 as possible. So they have to go get their food, then they

1 have to go somewhere and get their beer. So if we're able to  
2 bring that to them, you have one person delivering to multiple  
3 stops as opposed to many people going to stores where they  
4 should be social distancing and abiding by the rest of the  
5 shelter in place rules.

6 Now, I'm not immune to this, either. My wife, in  
7 the first week of the pandemic, was hit by a drunk driver at  
8 4:45 in the afternoon. He was so drunk that he couldn't even  
9 talk. So I feel that pain. He totaled her car, hit five  
10 others. Now, I think that is appalling and we need to stop  
11 that type of behavior, but it does not mean that we stand in  
12 the way with clear direction and clear accountability from  
13 exercising some level of economic activity. Hiring back my  
14 kitchen staff so that we can prepare to-go food with that  
15 beverage delivery is something that we need and we can keep  
16 people off unemployment or bring them off of unemployment and  
17 pay them directly because we need to make sure that our  
18 families have money to survive on as well. And I realize  
19 there's a social cost that we have to find a way to mitigate  
20 and that's the discussion that I want to have. But I'm here  
21 to support every one of the testifiers prior in finding a  
22 solution that allows us all to come together and resolve it.  
23 Thank you.

24 CHAIR ALULI: Commissioners, any questions of  
25 Mr. Marrero?

1 COMMISSIONER BECRAFT: Yes, Chair. Jamie.

2 CHAIR ALULI: Yes, Jamie.

3 COMMISSIONER BECRAFT: Mr. Marrero.

4 Getting feedback from someone. Somebody has a phone  
5 on or something that they're giving feedback.

6 COMMISSIONER YOKOUCHI: Is it me? How's that?

7 CHAIR ALULI: Leslie, I think it is. Can you mute  
8 your mic, please.

9 COMMISSIONER BECRAFT: Yes, everybody get -- does  
10 everybody see where -- how you can mute your own mic? That  
11 would really help 'cause we are getting background  
12 (inaudible).

13 CHAIR ALULI: Yeah, that would help. I thought I  
14 control it from here, but I can't.

15 COMMISSIONER BECRAFT: So if you guys, everybody  
16 who's on, if you could just go in the lower right-hand corner  
17 (inaudible).

18 COMMISSIONER BECRAFT: Mike, can you -- can you mute  
19 yourself?

20 Leslie Ann, can you mute yourself?

21 CHAIR ALULI: Yeah, Leslie Ann, can you mute your  
22 mic? There you go.

23 All right. Go ahead, Jamie.

24 COMMISSIONER BECRAFT: Yeah, so I --

25 COMMISSIONER YOKOUCHI: I can't hear you guys.

1 Wait. Can you hear me?

2 CHAIR ALULI: Yes, I hear you. Can you mute your  
3 mic? You should be able to hear us.

4 COMMISSIONER YOKOUCHI: Yeah, I hear you guys now.

5 CHAIR ALULI: Okay. Go ahead.

6 COMMISSIONER BECRAFT: Can you mute your mic, Leslie  
7 Ann? Do you see how?

8 CHAIR ALULI: Jamie, go ahead.

9 COMMISSIONER BECRAFT: Okay. So my question is you  
10 mentioned like one of the provisions that can be put in is you  
11 take a photo of the person accepting the liquor to show that  
12 they are the person that purchased it and also prove the ID,  
13 where did you say they were doing that at?

14 MR. MARRERO: So I spoke to the breweries over on  
15 Kauai and that's how they were instructed to do it through the  
16 Kauai Liquor Department. There have been other methods across  
17 the country. Let's remember that Hawaii is rather late to the  
18 game in expanding these privileges, but has been done across  
19 the country and there are a multitude of ways to help to  
20 mitigate it. But here in our own state, within one day of the  
21 pandemic requiring closures, Big Island was allowing delivery  
22 and it's almost a month later.

23 COMMISSIONER BECRAFT: I understand all that. What  
24 I'm -- I want to stay focused on -- I'd like to appease  
25 everyone and --

1 MR. MARRERO: Sure.

2 COMMISSIONER BECRAFT: -- you're speaking to the  
3 choir for me, Garrett, so --

4 MR. MARRERO: Thank you.

5 COMMISSIONER BECRAFT: The -- what I'm very  
6 interested in is if you have other suggestions 'cause  
7 apparently you've done some research on this to show that it  
8 can be done responsibly. For the -- in this photograph  
9 situation, so who would keep that data? So like say there was  
10 an investigation that were to occur, who would keep that data?  
11 Is your suggestion that you as an owner of a business would be  
12 able to keep that data and you would have it readily available  
13 sort of like how you keep your receipt showing your liquor  
14 sales?

15 MR. MARRERO: Very much the same way, absolutely.  
16 And this is why I don't believe maybe a third party is the  
17 right way to go, because it does kind of add some question as  
18 to who's responsible. I think it's longstanding that the --  
19 at least here on Maui, that the liquor licensee is the  
20 ultimate person responsible, so it would behoove us to not  
21 want to protect ourself and say let's take a picture of that  
22 license, let's keep it on file for a period of time, TVD. You  
23 know, I think there's also certain privacy issues that need to  
24 be respected there, so, you know, potentially, once it's  
25 verified and, you know, we work with the liquor department to

1 find that solution, you know. There is (inaudible) licenses,  
2 there's -- there's even internet sales, you know, and do you  
3 take the sale on the internet or do you just take the sale at  
4 the time of delivery. I think we would never leave an order  
5 on a porch and if someone wasn't there to A) sign for it and  
6 the signature didn't match their ID and we didn't have a  
7 picture, that liquor wouldn't get left behind and we'd deliver  
8 their pizza instead. But if they're not willing to comply,  
9 we're not willing to deliver. And I think there is a middle  
10 ground that can eliminate these issues. I would argue that --  
11 I had a conversation today as -- right before this as I'm a  
12 chair of the brewer's guild -- sorry, the brewers association,  
13 which is the national trade guild, California was brought up  
14 as an issue and these were in sting operations that -- that  
15 these violations came up, but it is not universal. You can't  
16 apply that 80 percent of sting operations means 80 percent of  
17 the thousands upon thousands of deliveries were made to  
18 minors. Any is too much, I agree, but we can find a way.

19 COMMISSIONER BECRAFT: Yeah. So -- well, in -- from  
20 my perspective, my opinion, if you are able and you're saying  
21 you would be willing, you know, the industry would be willing  
22 to do this, it pretty much -- if you're going to be taking a  
23 photograph of someone's driver's license, like if I ordered it  
24 and it came to my house and you're take a photo and I ordered  
25 in my name, Jamie Becraft, you have my credit card, you run

1 it, then you're saying you show up to the door and me, I have  
2 to be there, I'm Jamie Becraft, show you my driver's license  
3 or a state ID or a proper identification and you photograph --  
4 you're going to photograph me and my license together and then  
5 you're going to maintain that record?

6 MR. MARRERO: I think that's very reasonable.  
7 That's -- that makes sense, right, that we verify that this is  
8 the person we delivered to and it's very clear that they're 21  
9 and we're all clear there.

10 COMMISSIONER BECRAFT: Well, what I'm saying isn't  
11 mostly that, because what -- I think what they're saying in  
12 these stings that people are saying they're doing it and  
13 they're not, but I'm saying you're -- you guys are willing to  
14 go that step of, yes, we'll save that data, we'll save that  
15 photo. If there's ever a question, yeah, you know, here's the  
16 15 or 30 sales we made today, you're welcome to look at each  
17 person's name and photograph, that that record will be there.

18 MR. MARRERO: Absolutely. We are already required  
19 to manage so much data and we're happy to add that. If this  
20 is something that persists in long term, then I think rules  
21 will need to modify, we're gonna -- I'm not saying that we're  
22 never going to have a problem, that's just the world we live  
23 in, but we can always find solutions to that if we work  
24 together.

25 COMMISSIONER BECRAFT: I understand.

1 MR. MARRERO: So I'm a hundred percent against any  
2 sort of minors getting access to alcohol or, you know, any --  
3 any of these others issues that we're already required to  
4 operate under, so let's find that solution that does eliminate  
5 the concerns because I share them.

6 COMMISSIONER BECRAFT: Thank you Garrett.

7 MR. MARRERO: I also -- thank you, Jamie. Just,  
8 again, I don't want people out on the road who are not  
9 working, at home they're drinking or do -- you know, whatever  
10 they are doing, getting in their car to go get beer or food or  
11 anything and being on the road in an unsafe condition. This  
12 eliminates that and allows us to really operate in a much  
13 safer way, so thank you for the time.

14 COMMISSIONER BECRAFT: Thank you.

15 I'm done, Chair, thank you very much.

16 CHAIR ALULI: Okay. Thanks, Jamie.

17 Garrett, this is Chair Aluli. I have a question.  
18 You know, I think we all realize that these are unprecedented  
19 times and I think we want businesses to survive. So not  
20 having home delivery or -- how much would you -- I guess a  
21 better way to ask the question is: If home delivery were  
22 allowed, how much of an impact would it have on your business?  
23 Would it require additional staff or what do you -- how do  
24 you -- how economically do you think it would benefit?

25 MR. MARRERO: Thank you for the question. I think

1 it could be substantial. I'll tell you right now, it's better  
2 than zero. Right now we had to furlough every single one of  
3 our restaurant team both in Kahana and in Kihei, so that was  
4 approximately 250 people that are out of work currently. We  
5 would be able to hire back staff in order to prepare the food  
6 that's required to go with the delivery in order to -- in  
7 order to meet those conditions. So I would have to add to my  
8 payroll and, of course, PPP requires me to add to payroll if I  
9 want any of that loan forgiven, so we're in a -- in this short  
10 window that we're able to use PPP funds and if we don't hire  
11 those people back and put them work, the PPP program  
12 completely pointless. So we might as well bring people back  
13 onto payroll, take them off of unemployment, which  
14 let's (inaudible) so that I can then deliver and at least have  
15 some economic activity as opposed to zero. People want to  
16 work, they want --

17 CHAIR ALULI: Right.

18 MR. MARRERO: We have -- I would like -- I'm proud  
19 of the fact that Maui Brewing Company has kept all health  
20 benefits for our brewery team operational and we paid for them  
21 for our restaurant team as well even though they're laid off  
22 in Kahana. So we are trying to act responsibly and do the  
23 right thing, but I want to put people back to work and I want  
24 to do it the right way.

25 CHAIR ALULI: But let me ask you: Right now, aren't

1 you providing takeout from your Kihei restaurant?

2 MR. MARRERO: No, sir, we are not. We are doing  
3 only beverage sales out of Kihei along with sanitizer sales.  
4 We stopped doing food, God, almost a month ago because it just  
5 wasn't worth being open for only food and having to fire up  
6 the kitchens every day and do, you know, what was relatively  
7 abysmal to-go service. You know, we got a lot of people,  
8 they're like, Hey, we're say just using Hopper, we're using --  
9 can you deliver? So this is where -- when the governor said  
10 we think this is okay, you should do it, and I believe all the  
11 counties were part of a prior call with that in agreement,  
12 that would give us an opportunity. So right now, yeah,  
13 nobody's in the kitchens, no friers running, you know, it's a  
14 bad situation for many. And let's remember, too, that all  
15 the --

16 CHAIR ALULI: Are you --

17 MR. MARRERO: Go ahead.

18 CHAIR ALULI: Are you saying that if home delivery  
19 is allowed, that you're going to fire back up your food  
20 delivery along with that?

21 MR. MARRERO: Yeah. According to the governor's  
22 executive order, I would be required to deliver food with  
23 alcohol, so no alcohol should leave without a corresponding  
24 food purchase at the same time. Now, I'm with you, I don't  
25 think someone should order a six piece of wings and a case of

1 beer, I think maybe some reasonable amount, you know. If  
2 you're getting a pizza for a family and sides, you know, we  
3 can come up with legislation or rules to follow, minimum  
4 orders, even, those types of things.

5 And let's take a second look, too, Class 2  
6 restaurants already have this beer in their coolers, they  
7 would like to sell that beer before it codes out and has to  
8 get dumped so when they reopen, they've got even more expenses  
9 to spend on new beverages where it's just dying in their cold  
10 rooms right now. So it -- the problem goes beyond just  
11 selling, it's everything in their coolers that's going to die.  
12 So those are things that we need to find a way to help those  
13 restauranters because all we're doing is digging a bigger  
14 hole for them if we don't help them move that, so I think  
15 that's a secondary concern. But we would, absolutely, hire  
16 back and start cooking to be able to deliver.

17 CHAIR ALULI: Okay. Thank you.

18 COMMISSIONER YOKOUCHI: Chair.

19 CHAIR ALULI: Are there any other questions for  
20 Mr. Marrero?

21 COMMISSIONER YOKOUCHI: Chair.

22 CHAIR ALULI: Yes, Leslie Ann.

23 COMMISSIONER YOKOUCHI: Hi. Good morning. First of  
24 all, I want to thank you for your hand sanitizers. I had my  
25 husband go buy a couple gallons for my office here because

1 we're totally out and that was an awesome job. Thank you so  
2 much.

3 MR. MARRERO: Thank you. We're working on getting  
4 it out to everyone.

5 COMMISSIONER YOKOUCHI: Yeah, we need -- we need  
6 those since our offices are just opening up today, so it's  
7 really comforting for my employees to have that online for  
8 them.

9 MR. MARRERO: Thank you.

10 COMMISSIONER YOKOUCHI: Also, I'm not a  
11 restaurateur, but I also know that alcohol sales is a big  
12 part of the business and there's a lot of profit margin there  
13 and if any way that we can help for the restaurants to survive  
14 these bad times. I think alcohol delivery would make sense  
15 not only to clear some of the inventory you guys must have  
16 backlog, but just to keep the restaurants going so when time  
17 comes, everybody still is open and can have a job. So I'm for  
18 this take-out/deliveries for alcohol along with food and I  
19 think it really makes sense for us to help whatever businesses  
20 we can. 'Cause I'm sure all of the business, the  
21 restaurateurs, they understand the laws, our liquor laws, and  
22 it's more than the ordinary person, I think, you guys  
23 understand the laws that that we have and I'm -- I feel  
24 comfortable that they would be abiding by it all. My two  
25 cents.

1 MR. MARRERO: Thank you for that. Thank you.

2 CHAIR ALULI: Okay. Any other questions?

3 (No response.)

4 CHAIR ALULI: Okay. Not seeing any, Garrett, thank  
5 you very much.

6 I'd like to move on to Rick Collins.

7 MR. COLLINS: Yes. Good morning. Good morning,  
8 Commissioners and Commission Chair. Thank you for the  
9 opportunity to provide testimony to you. Again, my name's  
10 Rick Collins, I'm a Pukalani resident and I'm the director of  
11 the Maui Coalition For Drug-Free Youth. Our vision is a  
12 unified and thriving community where people are living  
13 resilient, health, and drug-free lives. And I'm here also to  
14 testify on behalf of Item C under Administrative Affairs as it  
15 relates to the takeout and delivery potential rule changes.

16 We are in opposition as a coalition to those changes  
17 of takeout and home delivery for the following reasons:

18 First of all, in the midst of Covid-19 pandemic, it  
19 has become easier to buy alcohol than to have -- to buy toilet  
20 paper or eggs, in all honesty. While grocery stores are  
21 limiting certain consumer products to prevent hoarding, there  
22 is no limit on alcohol purchases. In an age of I expect to  
23 get everything shipped to my doorstep, alcohol takeout and  
24 delivery on the surface seems just like another convenience  
25 like most of us have been talking about over the last 15

1 minutes, but to allow such relaxed rules is really to turn no  
2 eye to the public health of our community.

3           The public health-alcohol equation is simple. If  
4 you increase alcohol availability in the community, there will  
5 be increased alcohol consumption and with increased alcohol  
6 consumption, there will be increased alcohol-related  
7 consequences and harms in our community. This statement is  
8 not my statement, this statement is supported by the Centers  
9 For Disease Control, the World Health Organization, and  
10 numerous public health organizations around the world.

11           According to research firm Neilson, alcohol sales  
12 were up 55 percent in the third week of March as compared to a  
13 year ago and these high figures are likely to continue. While  
14 some stockpiling is probably happening, there's also a growing  
15 body of evidence that suggests people -- people's drinking  
16 patterns are changing during this pandemic and that people are  
17 actually drinking more. This is concerning for a number of  
18 reasons. The rise in off-premise sales of alcohol and home  
19 consumption will likely lead, first and foremost, to  
20 interpersonal violence. Adding alcohol to a possibly violent  
21 situation is like pouring gasoline on a lit fire. Off-  
22 premise sales of alcohol are more likely to be associated with  
23 violent crimes than drinking in a bar or restaurant because  
24 drinking takes place without the presence of servers or other  
25 patrons and so it's unsupervised in that way. Multiple cities

1 are recording decreases in property crimes in the wake of the  
2 pandemic, but a rise in domestic violence. The World Health  
3 Organization supports this claim that alcohol is linked with  
4 increases in domestic violence and there's plenty -- you could  
5 do a quick search on that and find numerous reports from the  
6 World Health Organization on that.

7           Second, alcohol consumption increases a person's  
8 susceptibility to respiratory pathogens and lung injury,  
9 including greater risk of acute respiratory distress syndrome,  
10 a key cause of death for Covid-19. Particularly those  
11 sensitive are those that are drinking more and those that are  
12 alcohol dependent. The World Health Organization is directly  
13 recommending in their five-page Covid and alcohol info brief  
14 that people abstain from alcohol altogether during the  
15 pandemic so not to compromise their immune system and to  
16 decrease the spread of Covid-19 even in alcohol in the home,  
17 alcohol consumption in the homes.

18           Allowing for takeout and home delivery is only going  
19 to increase the availability of alcohol in our community, only  
20 going to increase alcohol consumption, and it's only going to  
21 increase harms in our community. The equation -- we are  
22 not -- we are not -- I mean, that equation fits us as well as  
23 the rest of the world. But this goes without mentioning  
24 numerous issues that are going to come up if we decide to do  
25 alcohol delivery and takeout like: What is the serving size?

1     What is a sealed container, actually? Does it mean that it  
2     has a screw-on lid, that I can potentially have an open  
3     container as I drive home? There's a number of questions  
4     about this. The IDs have already come up.

5             In that California case, with all due respect to  
6     Garrett, they did, in fact, already require ID checks and even  
7     with the ID checks, they had a 50 percent failure rate in  
8     compliance. And while 200 may not seem like a lot, 200 is a  
9     good sample size, which can be telling about what generally is  
10    happening in the population.

11            Additionally, we in the alcohol field believe that  
12    this is also a subversive measure by the alcohol industry to  
13    make these changes permanent beyond Covid-19. You can  
14    probably mark my words on that, it's a rollout across the  
15    country and is likely to be something that they lobby to stay  
16    in effect.

17            We need to focus our efforts on supporting first  
18    responders right now and helping them minimize the spread in  
19    treating our patients, not dealing with domestic violence and  
20    other preventable alcohol-related problems in our community.  
21    There is no shortage to get alcohol. If you want alcohol, you  
22    can still purchase it, you can still go to a store, you can  
23    still have it.

24            Thank you for allowing me to provide testimony and  
25    we hope you make the prudent decision not to allow this to

1       happen.

2                   CHAIR ALULI:   Okay.   Thank you, Rick.

3                   Commissioners, any questions of Rick Collins?

4                   (No response.)

5                   CHAIR ALULI:   Seeing no questions, thank you, Rick.

6                   I'd like to move on to, let's see, Keith, Keith

7       Harding.

8                   MS. HARDING:   Hi.   It's Kerith Harding.

9                   CHAIR ALULI:   Kerith.   I'm sorry, Kerith, I thought  
10       it -- Kerith Harding.

11                   MS. HARDING:   Happens all the time.

12                   So thanks for hearing me, everyone.   My name is  
13       Kerith Harding, I'm the pastor of St. Johns Episcopal Church  
14       up in Kula and I feel really strongly about this issue.   I'm  
15       kind of a pastor with a remote flock right now, so I'm doing  
16       my best to stay in touch with folks, and what I'm hearing is,  
17       frankly, a lot of stress in the community, a lot of stress.  
18       My members who generally go to AA meetings, NA meetings, and  
19       things like that are struggling really, really badly, as are  
20       other members who don't have past substance abuse issues.   I'm  
21       hearing that there is a lot of tension in households.   I'm  
22       home with two four-year-olds, so, trust me, there's a lot of  
23       tension in mine.

24                   And there's a reason why there's the joke about the  
25       quarantinee going around on Facebook, it's because people are

1 under a lot of stress and when they're under stress, sometimes  
2 they choose coping mechanisms that aren't particularly healthy  
3 and I'm hearing that that's happening and witnessing it  
4 virtually and, frankly, it's -- it's quite painful.

5 My concern with home delivery is that it just makes  
6 that abuse more easily accessible. You know, I've had the  
7 thought myself, Wouldn't it be nice for some alcohol to just  
8 show up right now since I don't have any because my kids are  
9 driving me nuts. And I'm sure I'm not alone in that, but I'm  
10 really glad that it's not available because that's just never  
11 the right time, it's never the right time to turn to alcohol  
12 when people are under stress and people are under a great deal  
13 of stress right now.

14 I also think it's not fair, particularly with the  
15 third-party delivery services, to put these folks who are on  
16 the front lines delivering in the position of making sure that  
17 whoever answers the door is the person who was on the ID back  
18 at the person -- at the place that was filling the alcohol.  
19 It just really doesn't make any sense. It's hard to imagine  
20 that it wouldn't take a very, very, very long time to put some  
21 sort of a process in place, but can you imagine this delivery  
22 driver showing up at the door and they say, You're not the  
23 person on the ID, and the person gets really upset with them,  
24 then what happens? You know, do they drop the bag and run?  
25 What do they do? It's just really not a good position to put

1 the delivery drivers in.

2 Finally, I would just say I can't help but think  
3 when I hear the possibility of this measure being passed of a  
4 scripture passage which might be familiar to some of you, it  
5 is that it would be better to have a millstone hung around  
6 your neck and tossed into the sea than to cost -- to cause one  
7 of these little ones to stumble. Even one is too many, even  
8 one is too many if it gets into the hands of minors or if it  
9 gets into the hands of an adult who then is going to become  
10 abusive or hostile in their own household. One is too many,  
11 so let's keep some barriers up to people who shouldn't have  
12 alcohol in their hands getting it in their hands because  
13 otherwise we could have blood on our hands. Thank you.

14 CHAIR ALULI: Okay. Commissioners, any questions  
15 for Kerith?

16 (No response.)

17 CHAIR ALULI: Not seeing any, Kerith, thank you very  
18 much, appreciate your testimony.

19 MS. HARDING: Thank you.

20 CHAIR ALULI: I would like to now move on to -- oh,  
21 no, wrong person. Hold on.

22 Mike O'Dwyer.

23 MR. O'DWYER: Good morning. Can you guys hear me?

24 CHAIR ALULI: Yes. You're on, Mike.

25 MR. O'DWYER: All righty.

1 CHAIR ALULI: You've got three minutes. Thank you.

2 MR. O'DWYER: All right. Three minutes, here we go.  
3 Sorry for my appearance, I just got off the phone with my  
4 doctor's teleconference about the kidney stones I passed over  
5 the weekend, so -- I'm the owner/operator of four restaurants  
6 on Maui, I'm very familiar with the liquor department and -- a  
7 lot has been said for everything that's going on and I  
8 understand people who are concerned about alcohol in their  
9 homes and everything else. With the pandemic comes a lot of  
10 issues and on top of that, we have to look to the future and  
11 see what's coming down the line. And the economy is not going  
12 to bounce back or we're not be in any situation probably for  
13 the next six to 12 months, at a minimum. I've laid off, I've  
14 laid off 63 employees in the past two months, which isn't a  
15 nice thing to do. The PPP program has kicked in, but it's  
16 practically useless if we cannot bring back employees, who are  
17 earning more probably being unemployed right now. And when we  
18 do bring them back, there is no opportunity for them to earn  
19 any money right now. (Inaudible) who is coming to the island.  
20 All the groups are not coming till next year and  
21 they're (inaudible).

22 CHAIR ALULI: Mike, Mike. Hold on. Mike, hold on a  
23 second.

24 Somebody has got a lot of feedback. Please,  
25 everybody else, mute your mics.

1           Okay. I think we've got it, Mike. Sorry. Go  
2 ahead.

3           MR. O'DWYER: Does that mean I get another three  
4 minutes?

5           CHAIR ALULI: No.

6           MR. O'DWYER: Bottom line for me as restaurant  
7 owner, I think if the governor does issue some  
8 thing (inaudible) I've been told by the liquor that I cannot  
9 serve alcohol to go so (inaudible).

10           Can you guys hear me? Hello.

11           COMMISSIONER BECRAFT: Mike, can you hold on. Yeah.  
12 I don't know -- Mr. Chair, Jamie Becraft. I don't know if you  
13 go under people and -- are you able to -- are you able to shut  
14 people down from there.

15           CHAIR ALULI: Okay. I've muted all. Let me -- I'm  
16 going to -- I'm opening Mike back up. Hold on.

17           Mike, I think you're unmuted now. Go ahead.

18           MR. O'DWYER: All right. Good morning, everybody,  
19 again. I lost my train of thought, but the train of thought  
20 is that whether somebody doesn't use a mask or somebody does  
21 something, everybody's in control of what they can do in this  
22 situation. So I understand the people who say bringing  
23 alcohol to homes, delivering alcohol increases everything,  
24 somebody not using a mask might be the result of somebody  
25 losing their life. I just read a little article today about a

1 39-year-old actor who lost his leg. Healthy, went to hospital  
2 four weeks ago, had an infection, and this is because of the  
3 virus.

4 I think we have to look at the future and know that  
5 we have to help the economy grow and recover at some stage. I  
6 think it should be clear whether we are allowed to serve  
7 alcohol, we should be allowed to at least serve alcohol with  
8 food. I own Fabiani's, I've been on the front line for the  
9 last six weeks serving to-go food, keeping some employees  
10 employed, and people have asked me, Can I get a bottle of  
11 wine? Can I take some beer? I have been reluctant to do any  
12 of that and I think it's inconsistent on the island, so I -- I  
13 do not see restaurants reopening and the ones that do open are  
14 not going to generate any income. And the reason they're  
15 going to reopen is they want to use up their PPP, it hasn't  
16 been extended, it's -- it is eight weeks from the time you got  
17 the money. I got the money ten days ago and I'm scared to use  
18 it. So people will use it, they will bring people back, bu  
19 with the distancing and then all the health department laws,  
20 which there's a hundred of them right now, there will be no  
21 opportunity to generate any income. I would like to see it  
22 available to be delivered responsibly. No better person than  
23 Garrett to help --

24 MS. KHANGSENGSING: Just to let you know, your time  
25 is almost up.

1 CHAIR ALULI: Thank you.

2 MR. O'DWYER: Okay. I would like Garret to co-chair  
3 something for delivery. I definitely think we should be  
4 allowed to sell sealed containers of alcohol to people if they  
5 are taking to-go food. And thank you from -- for your time.

6 CHAIR ALULI: Okay. Commissioners, any -- any  
7 questions for Mike?

8 (No response.)

9 CHAIR ALULI: I'm not seeing any. Mike, thank you  
10 very -- yeah, sorry, Jamie.

11 COMMISSIONER BECRAFT: I'm sorry. Thank you. Jamie  
12 Becraft.

13 Mike, I do have a question. Did you listen in when  
14 Garrett was speaking in regards to one of the safety put in  
15 would be to get a photograph? Did you hear that part?

16 MR. O'DWYER: I did. I just got in at that stage  
17 when that was going through.

18 COMMISSIONER BECRAFT: Okay. So, in short, he's  
19 saying that if -- and I'll use the example of myself. If I  
20 were to order from your -- from your establishment food and,  
21 let's say, a six pack of beer and then you would know -- you  
22 would charge, I'm assuming, my credit card before it's  
23 delivered, you'd say it's Jamie Becraft, and then would you be  
24 okay and be able to maintain a record such as when your  
25 delivery person comes, they would take a photograph of me with

1 my -- with my ID and would you be able to keep that record  
2 with your receipts?

3 MR. O'DWYER: A hundred percent. And, Jamie, the  
4 thing is, we have to -- we have to stay up -- and it's not  
5 just serving alcohol, this is a big picture for the island of  
6 Maui with economy and unemployment. And I could go on and on  
7 about the consequences of people being out of work at six  
8 months from now. I know that there's probably enough people  
9 that work for Garrett who are unemployed can make an app that  
10 when you come to the door, you have to click on the app and  
11 your ID and your name and number has come to come up on that  
12 and you have to accept that alcohol.

13 Right now I'm doing a drive through on demand  
14 program, it's an app for serving food, and I wish more  
15 restaurants would do it. It's like an Uber of sorts, you put  
16 in your name, number, your truck/car, your license plate. How  
17 you order the food, we accept it on a phone. When you get  
18 here, you tell -- you tell us we're here without getting out  
19 of your truck or your car, we tell you when the food is ready  
20 and we say thank you, and then when it's -- when you arrive,  
21 you let us know, we go look for your truck and give you the  
22 food. There's a \$2 convenience fee and that is it and you can  
23 tip if you want and you can leave comments if you want and  
24 I've been doing four or \$500 worth of business a day on this  
25 app, so -- sorry.

1           COMMISSIONER BECRAFT: I appreciate that and I like  
2 that, your ingenuity, but I'm just really trying to find a  
3 happy medium here and I just -- you know, if I've heard you  
4 correctly --

5           MR. O'DWYER: To answer your question, yes, I would  
6 be totally comfortable with retaining that information and  
7 storing it and using that as -- as -- go ahead.

8           COMMISSIONER BECRAFT: If liquor came down to do an  
9 inspection, it'd be readily available with your receipts?  
10 You'd (inaudible) --

11           MR. O'DWYER: Why wouldn't we? We have to think  
12 outside the box, Jamie, and we have to do whatever it takes to  
13 keep some restaurants in business because it's looking right  
14 that maybe 40 percent of us are going to fail. And I'm not  
15 just talking myself for myself, I'm friends with Dana from  
16 Cafe O'Lei, Barry from Kihei Cafe, Scott from Pint & Cork, and  
17 we talk maybe every second day and we know what's on and we're  
18 looking at the future. And this decision does have -- does  
19 this have to be made today about delivery?

20           COMMISSIONER BECRAFT: Mike, yeah, we're gonna  
21 make -- what we're going to do is irrelevant, but I just need  
22 to -- like I said, I'm looking for a happy medium, I'm not  
23 looking to shut you down. So I appreciate your answer is just  
24 yes, you're able to do what Garrett was suggesting, is that --

25           MR. O'DWYER: Of course, a hundred percent.

1 COMMISSIONER BECRAFT: I really appreciate it.

2 Thank you for your -- for your time.

3 MR. O'DWYER: Thank you.

4 COMMISSIONER BECRAFT: I'm done. I'm done,

5 Mr. Chair. Thank you.

6 CHAIR ALULI: Okay. Thank you.

7 Any other questions for Mike?

8 (No response.)

9 CHAIR ALULI: Okay. Not having any, Mike, thank you  
10 very much.

11 COMMISSIONER ANDRION: Mr. Chair, Roberto Andrion.  
12 I've got a question.

13 CHAIR ALULI: Sorry. Go ahead, Roberto.

14 COMMISSIONER ANDRION: This -- Mike, we always talk  
15 about having alcohol to keep the business open, is there any  
16 data that says that if you did open for alcohol, that you  
17 would be able to keep your business open or is this something  
18 that you -- we just want to do?

19 MR. O'DWYER: It goes -- at this stage it goes hand  
20 in hand. People -- I'm looking at doing drive-through movies  
21 for free in the parking lot of Mulligan's, showing movies.  
22 People need to get out and they need to do something. Alcohol  
23 is legal, it's allowed in every part of the world, it's not  
24 illegal, so it shouldn't be frowned upon. Obviously, it  
25 should be used responsibly and it goes hand in hand with any

1 restaurant, especially if you're going for dinner or if you're  
2 serving pasta with a glass of red wine, if you're having wings  
3 with a beer. And to survive on Maui, as we know, the profit  
4 margins are higher in alcohol as regards food. To make a fish  
5 and chips, it costs \$14, takes four people, to serve a pint of  
6 Guineas, it costs \$8, takes one person, and the margins are  
7 higher.

8 COMMISSIONER ANDRION: Mike, I'm not disputing  
9 whether alcohol is legal or not, all I'm asking is that by  
10 opening this or allowing it to have any takeout on alcohol,  
11 would that keep your business open, is my question.

12 MR. O'DWYER: Mulligan's is not open right now,  
13 they're doing the drive through. My two to-go restaurants are  
14 breaking even and we've done a deal with the landlord. So the  
15 question, yes, it is an added incentive for somebody to come  
16 to my restaurant to buy food if they knew they could also pick  
17 up alcohol. Is that --

18 COMMISSIONER ANDRION: No.

19 COMMISSIONER BECRAFT: Sorry. Jamie Becraft. May  
20 I -- may I reword your question for him?

21 COMMISSIONER ANDRION: Sure.

22 COMMISSIONER BECRAFT: Yeah, Mike, this is Jamie  
23 Becraft. The -- I guess his question is, is really isn't what  
24 you're doing or your thing. He wants to know if this passes,  
25 does this keep or open more of your businesses and you had

1 brought up the federal grants that you're not able to use  
2 without this alcohol portion, you're -- so it's my impression  
3 that if this were to pass, you would be employing more people  
4 because you'd be using this federal grant. Is that correct or  
5 not?

6 MR. O'DWYER: It is totally correct. And I'm sorry  
7 for not seeing the question clearly. All -- Mulligan's is  
8 alcohol-based, for sure, selling alcohol with food, and that  
9 is not open right now. If we could do this with alcohol, it  
10 would definitely allow me to hire more employees and to reopen  
11 and to use the PPPs. 75 percent of the PPP is for salaries,  
12 wages, and health benefits.

13 CHAIR ALULI: Does that answer your question,  
14 Roberto?

15 COMMISSIONER ANDRION: Yes. No further questions  
16 for me. Thank you.

17 CHAIR ALULI: Okay. Any further questions for Mike?  
18 (No response.)

19 CHAIR ALULI: Okay. Thank you very much, Mike.

20 MR. O'DWYER: Thank you.

21 CHAIR ALULI: All right. I do not see any other  
22 testifiers on the chat line, but I see some names on the  
23 people that are in attendance, so I'm going to go through  
24 these real quickly, I don't want to miss anybody that wants to  
25 provide public testimony. Starting from the top, I have a BB,

1 is there a BB there that wants to testify?

2 (No response.)

3 CHAIR ALULI: Okay. No response. I'm going to move  
4 down to a Bernard Weber.

5 MR. WEBER: Yeah. Aloha. It's Bernard Weber.

6 CHAIR ALULI: Okay, Bernard, you've got three  
7 minutes.

8 MR. WEBER: Yeah. Thank you. I'm the owner of  
9 Bernard's Garden Cafe and we are such a small restaurant that  
10 I only can do a one-man show because any other employee in my  
11 restaurant would be closer than six feet. And so I'm doing a  
12 little bit of different program, I'm just doing menus,  
13 different menus Monday through Saturday, and the people can  
14 order the day ahead and then they can pick up the following  
15 day. And, obviously, I'm selling a lot of German beers,  
16 usually, or as Mike said, you know, a pint of beer as well as  
17 Spanish wine and so for -- so far I'm not able to do that.  
18 And also there is -- I know there's the growlers for draft  
19 beers. I have three kegs of draft beer expiring pretty soon  
20 and -- and I wonder why I wouldn't be able to sell it in a --  
21 in a growler for people who order my brat wurst or my  
22 sauerkraut. And so that's my thought.

23 CHAIR ALULI: Okay. Thank you, Bernard.

24 Any questions for Bernard by any of the  
25 commissioners?

1 COMMISSIONER BECRAFT: Mr. Chair.

2 CHAIR ALULI: Yes, Jamie. Yeah.

3 COMMISSIONER BECRAFT: Jamie Becraft.

4 Bernard, yeah, how are you, sir?

5 MR. WEBER: Compared to who?

6 COMMISSIONER BECRAFT: Yeah, we're all kind of in  
7 the same boat. But if I'm hearing you correctly, you're not  
8 asking to do home delivery, you're just asking them to be able  
9 to take it out of your bar? Out of your restaurant?

10 MR. WEBER: Yeah, because the delivery services,  
11 they -- the restaurant runs on a 5 to maybe 10 percent profit  
12 margin and most of the delivery service is taking 20 or more  
13 percentage, so if I would use them, I would go even farther  
14 down the drain than I'm already are.

15 COMMISSIONER BECRAFT: Okay. Let's say --

16 MR. WEBER: And not as profitable.

17 COMMISSIONER BECRAFT: So you don't intend on doing  
18 home delivery, but let's say you were to change your mind,  
19 were you -- were you following what -- the other questions  
20 that I asked of Mike and what Garrett had brought up in regard  
21 to -- to what -- a possible safeguard system?

22 MR. WEBER: I --

23 COMMISSIONER BECRAFT: Would you comply with that or  
24 were you just not going to do any home delivery?

25 MR. WEBER: So far I don't have -- I don't have any

1 plans. I'm really strictly doing people that are my regular  
2 customers that I have their phone numbers and they text me and  
3 then I just hand them out.

4 COMMISSIONER BECRAFT: Okay.

5 MR. WEBER: They all come curbside. And I have a  
6 table six foot outside and I could put a bottle of wine or a  
7 growler or a six pack of beer in there. And I know my  
8 customers, I could check their IDs in order to recognize them  
9 with their face mask on, but that's what I would -- that's  
10 what I'm looking for.

11 COMMISSIONER BECRAFT: Okay. Thank you very much,  
12 Bernard. I appreciate it.

13 That's all, Mr. Chair.

14 CHAIR ALULI: Okay. Bernard, thank you. Any  
15 further questions for Bernard?

16 (No response.)

17 CHAIR ALULI: Not seeing any, thank you very much,  
18 Bernard.

19 Okay. Next I have Cafe O'lei. Is there somebody  
20 from Cafe O'lei on the line? Hello. Is there somebody from  
21 Cafe O'lei wishing to testify?

22 (No response.)

23 CHAIR ALULI: Okay. No response. Move on. Okay.  
24 I see that BB is back here, is there BB -- is there a BB there  
25 that wants to testify?

1 (No response.)

2 CHAIR ALULI: No. Okay. Move on. All right. I  
3 have a -- no, Jull's gone. J-U-L-L.

4 (No response.)

5 CHAIR ALULI: Kehau.

6 (No response.)

7 CHAIR ALULI: No. Christina. Oh, sorry. Okay.  
8 Thank you.

9 Oh, yeah. Leonard Nakoa.

10 (No response.)

11 CHAIR ALULI: Let's move on.

12 MR. NAKOA: Hello.

13 CHAIR ALULI: Yeah. Leonard Nakoa, are you -- oh,  
14 do you wish to testify?

15 (No response.)

16 CHAIR ALULI: Leonard, unmute your mic. We can't  
17 hear you if you wish to testify.

18 MR. NAKOA: Oh, yes. Sorry.

19 CHAIR ALULI: Okay.

20 MR. NAKOA: Jamie.

21 CHAIR ALULI: Yes.

22 MR. NAKOA: First, how much time? Hey, howzit?  
23 Yeah, I was listening this morning to, you know, all the  
24 testimonies and all that 'cause I just wanted to educate  
25 myself on where everybody's at about this thing. Like Becraft

1 was saying -- how you braddah, Jamie?

2 COMMISSIONER BECRAFT: Good. How are you?

3 MR. NAKOA: I'm trying to -- trying to find one  
4 happy medium in this whole thing, you know. So what I kind of  
5 just trying to listen and right now, I don't think this  
6 delivery system should work because we don't know if -- too  
7 much trouble you can get in between who -- or let's say pick  
8 up the beer and who would pick up and get 'em at the house.  
9 So I kind of -- kind of sketchy about that thing, you know,  
10 all that stuff. But if you gonna go, get out of your house,  
11 go over there, go pick up the -- the food and the beer, help  
12 out the restaurants, get them working, and it's almost like  
13 you're going to Foodland and buying one Spam musubi and one --  
14 and one beer, one bottle of beer, so I -- that I can kind of  
15 understand. So I'm sorry you guys in this position, but it's  
16 a crazy one, but -- yeah, I just think that delivery thing,  
17 too much furloughs and rules and bounds that gonna have to go  
18 through to make it all cherry or else you guys will get choke  
19 lawsuits. But I think if they're gonna come over there and  
20 buy 'em and then go home, then if they get one open container,  
21 that's their bad, they would open 'em up, not the delivery  
22 guy. And the delivery guy is not gonna get towed in from  
23 where there are to a house and get all that (inaudible) beer  
24 because no more -- it's the wrong person. So I think just to  
25 be safe, I just say they gotta come go get 'em, they got to go

1 to Maui Brewery Company, Cafe O'lei, or Mulligan's, purchase  
2 the food, get the good guys, and get the alcohol you need and  
3 go home and enjoy the bugger. Okay. Thank you guys for your  
4 time. Good luck.

5 CHAIR ALULI: Okay, Leonard.

6 Any questions for Leonard?

7 (No response.)

8 CHAIR ALULI: Okay. Thank you very much, Leonard.

9 I'd also just like to have the record reflect that  
10 Commissioners Andrion and Yokouchi are -- have joined the  
11 meeting.

12 Okay. So I'd like to now move on to Madge Schaefer.  
13 Madge, are you there?

14 MS. SCHAEFER: Yes. I'm don't wish to testify, I  
15 sent written testimony.

16 CHAIR ALULI: Okay. Thank you very much.

17 Move on to Mahina Martin.

18 MS. MARTIN: Hi. Good morning, Commissioners. Can  
19 you hear me?

20 CHAIR ALULI: Yes, we can. Go ahead, you've got the  
21 floor.

22 MS. MARTIN: Oh, okay. Okay. Thank you, Chair.  
23 Thank you, Commissioners, hope you're well. I appreciate the  
24 discussion. It's -- obviously, if you know me, for those of  
25 you who do, I would prefer (inaudible) more with the public

1 instead of some of us who are still working needing to take  
2 time off in the middle of the day or others who have child  
3 care and set up time for this important topic. So I have some  
4 thoughts and I do not support it, just to be clear from the  
5 beginning. I think years ago we talked about transparency for  
6 very important administrative changes, but I get that is part  
7 of the governor's emergency order. I'm more concerned -- I'm  
8 sympathetic to businesses, but my perspective is from a  
9 community one. I think that we have an emergency of a  
10 different kind going on too, which many of us are  
11 experiencing. It is unsafe for domestic violence victims  
12 stuck in a household with an abuser to add alcohol to the mix.  
13 I get that restaurants and bars are not responsible for those  
14 circumstances or those situations, but it is very dangerous to  
15 add that to the mix.

16 We also are very emotionally unstable as a  
17 community, you can see that on every island and every state  
18 across the world even. Is it necessary to -- to increase that  
19 to alcohol, I -- I don't know. I don't have data, there  
20 hasn't been enough time, I only found out about this meeting  
21 yesterday, so if there was, I'd love to do the research. So I  
22 would like this discussion do slow down, not have a decision  
23 today at all. We are looking at a short-term remedy for a  
24 long-term problem. To be able to do this now and God help the  
25 restaurants and industry can return to work well sooner than

1 later, it's something we all hope for, but the long-term  
2 effects of having emotionally unstable and then the  
3 possibility of very depressed people at home added by alcohol,  
4 not leaving their home even to get their alcohol, just  
5 restricts that and adds to that, that whole problem.

6 I am not comfortable with enticing food sales with  
7 alcohol. I realize that alcohol has higher profit margins,  
8 but that -- if I want the food, I really would want to go to a  
9 restaurant, pick up the alcohol myself, don't come to my door  
10 with it or my neighbors or others. I do not trust that photos  
11 of IDs is something we want to leave with the bar or  
12 restaurant. Granted we have (inaudible) --

13 MS. KHANGSENGSING: Just to let you know, you have  
14 45 seconds.

15 MS. MARTIN: I've got two minutes?

16 Okay. I will end by saying that I know other  
17 islands are doing it, I hear that, but we're not other  
18 islands, we're Maui, and Maui has always religiously looked  
19 out for each other the best that we can. So if this is the  
20 best we can do, it's a sad day for us. So, Commissioners, I  
21 would like you to slow down this thing, allow the public to  
22 have their -- their way and -- and not make a decision today  
23 based on industry alone. This really has long -term effects.  
24 So thank you for your time.

25 CHAIR ALULI: Any questions from any of the

1 commissioners of Mahina?

2 (No response.)

3 CHAIR ALULI: Not having any, Mahina, thank you very  
4 much.

5 MS. MARTIN: Thank you.

6 CHAIR ALULI: Okay. Let's see. I have a -- oh,  
7 he's not here. Patrick S. isn't there. Cafe O'lei not there.

8 I do not see any further testifiers. If there is,  
9 I'm going to give one more opportunity for any testifier to  
10 get on the chat line and send a quick email that they'd like  
11 to testify; otherwise, I'm going to close public testimony.

12 (No response.)

13 CHAIR ALULI: Not seeing any, public testimony is  
14 closed.

15 I would now like to move on to Item VII, Licensing,  
16 Preliminary Hearings. Item A, Application No. 13, Tommy  
17 Bahama Beverages. Who's representing? I can't see that on  
18 the hearing. Who's -- Dave, are you representing Tommy  
19 Bahama's?

20 MR. JORGENSEN: No, I'm not.

21 COMMISSIONER YOKOUCHI: Bobbie Ichikawa.

22 OFFICER LAYNE SILVA: Bobbie Ichikawa.

23 CHAIR ALULI: Oh, Bobbie Ichikawa. Okay. Layne,  
24 I'm going to turn it over to you. You want to introduce that.  
25 Okay. Go ahead.

1 OFFICER LAYNE SILVA: Yeah. Bobbie, are you there?  
2 Bobbie, you might have to unmute your mic.

3 Is anyone there to represent Tommy Bahama at this  
4 time?

5 (No response.)

6 CHAIR ALULI: Okay. Not having a -- not having a  
7 representative presently on the line, let's move on to Item D,  
8 Application No. 18, Kihei Boys Club, LLC. Layne.

9 OFFICER LAYNE SILVA: Okay. Kihei Boys Club, that's  
10 Craig. Are you still there?

11 MR. NAKAMURA: Yeah. Good morning, Mr. Chair,  
12 Members of the Commission. Can you hear me? This is Craig  
13 Nakamura on behalf of the applicant. Can you hear me?

14 CHAIR ALULI: Yes. Go ahead, Craig.

15 MR. NAKAMURA: And also on the -- also -- also on  
16 the phone should be D.K. Kodama, who is the principal of the  
17 applicant company. Is D.K. there?

18 CHAIR ALULI: What's his phone number, do you know?

19 MR. NAKAMURA: I apologize, Mr. Chair. D.K. said  
20 that he was going to be -- he said he called in, but he may  
21 have hung up.

22 CHAIR ALULI: Do you have his phone number? I  
23 have -- I have four phone numbers here with no names. They  
24 can unmute their mic.

25 Hold on. Hold on. Hold on. D.K., is that you?

1                   Nope. D.K., is that you?

2                   MR. KODAMA: Hello. Okay. Now unmuted.

3                   CHAIR ALULI: There you go.

4                   MR. NAKAMURA: That sounds like him.

5                   CHAIR ALULI: Okay. D.K., are you -- are you there?

6                   D.K.?

7                   MR. KODAMA: Hello, everyone. Hello, everyone.

8                   CHAIR ALULI: Hi, D.K. Yep. Go ahead.

9                   MR. KODAMA: Okay. I'm on, Craig.

10                  MR. NAKAMURA: Okay. Great. Yeah. So, Mr. Chair,

11                  that's D.K. Kodama who is the principal of the applicant.

12                  CHAIR ALULI: Okay. Layne, go ahead.

13                  OFFICER LAYNE SILVA: Okay. Application No. 18,

14                  applicant is Kihei Boys Club, LLC doing business as Sansei

15                  Seafood Restaurant, Steak & Sushi Bar applying for a

16                  Restaurant General License, Category B(ii).

17                  The manager, members, agent, and organizer of the

18                  manager-managed limited liability company; personal history

19                  statements; criminal history statements; and lease agreement

20                  are all within the investigator's report.

21                  The proposed premises consisting of approximately

22                  6,400 square feet located at 1819 South Kihei Road, Building

23                  A, Kihei, Hawaii.

24                  There are no schools located within a radius of 500

25                  feet.

1           The Light of the World Church is located within a  
2 radius of 500 feet.

3           And there are no liquor licenses of the same class  
4 and kind located within a radius of 500 feet.

5           There are two dispenser general licenses located  
6 within a radius of 500 feet.

7           There are 85 licenses of this class and kind  
8 currently issued within Maui County.

9           The applicant initially plans to be open Monday,  
10 Tuesday, Wednesday, and Sunday from 5:30 p.m. to 10:00 p.m.  
11 and Thursday, Friday, and Saturday from 5:30 p.m. to 1:00 a.m.  
12 the next day.

13           In the opinion of this investigator, the applicant  
14 appears to be fit and proper and does not appear to be  
15 disqualified by any provision as stated within Section 281.56  
16 HRS from obtaining or exercising a license.

17           All documents necessary for the issuance of a liquor  
18 license have not been submitted. Those items are listed in  
19 the investigator's report.

20           CHAIR ALULI: Okay. Thank you, Layne.

21           Craig, any -- any further statements today?

22           MR. NAKAMURA: Just very briefly, Mr. Chair. I  
23 think we're all familiar with the Sunsei Restaurant in Kihei.  
24 After -- I'm sure it's more than 15 years as its -- at its  
25 present location, it's going to be moving to the Kukui Mall,

1 and so we're filing an application for a new license at the  
2 Kukui Mall.

3 CHAIR ALULI: Okay. Good, good to know.

4 All right. Commissioners, any questions of the  
5 applicant or Mr. Nakamura?

6 (No response.)

7 CHAIR ALULI: Not having any, may I have a motion  
8 for approval.

9 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft.

10 COMMISSIONER U'U: Motion to approve.

11 CHAIR ALULI: Go ahead. Okay. Approved by Bruce  
12 U'u. Do I have a second?

13 COMMISSIONER BOLOSAN: Second. Leon Bolosan.

14 CHAIR ALULI: Okay. Leon Bolosan seconded. Any  
15 further discussion?

16 (No response.)

17 CHAIR ALULI: All in favor?

18 (Response.)

19 CHAIR ALULI: Any opposed?

20 (No response.)

21 CHAIR ALULI: Seeing no opposition, motion is  
22 approved. Thank you very much.

23 MR. NAKAMURA: Thank you very much, Mr. Chair.  
24 Members of the commission, thank you.

25 MR. KODAMA: Thank you.

1 CHAIR ALULI: Thank you. D.K., thank you.

2 OFFICER LAYNE SILVA: Your mic is still muted,  
3 Bobbie.

4 MS. TYAU: Bobbie says he got disconnected, he's  
5 trying to reconnect, so might want to just go on to Dave  
6 Jorgensen.

7 CHAIR ALULI: Okay, all right. Let's move on to  
8 Application No. 19, the Breakfast Caffe. Layne.

9 OFFICER LAYNE SILVA: Application -- oh, Dave,  
10 you're up.

11 MR. JORGENSEN: Dave Jorgensen. Good morning,  
12 Chairman Aluli and members of the commission and staff. Dave  
13 Jorgensen appearing on behalf of applicant the Breakfast Caffe  
14 LLC dba Kihei Caffe Lahaina. One of the members and the  
15 manager Barry Henry Allison was planning on participating this  
16 morning, but something came up at their Kihei Caffe location,  
17 so he's unable to make this morning. We do apologize.

18 CHAIR ALULI: Okay. Thanks, Dave.

19 Layne.

20 OFFICER LAYNE SILVA: Application No. 19, the  
21 applicant is the Breakfast Caffe LLC doing business as Kihei  
22 Caffe Lahaina applying for a Restaurant General License,  
23 Category B(ii).

24 The manager, members, agent, and organizer of the  
25 member-managed limited liability company; personal history

1 statements; criminal history statements; and lease agreement  
2 are all within the investigator's report.

3 The proposed premises consisting of approximately  
4 3,654 square feet of interior space and 720 square feet of an  
5 outside patio area located at 315-355 Keawe Street, No. 601,  
6 Lahaina, Maui, Hawaii.

7 There are no schools or churches located within a  
8 radius of 500 feet.

9 Moku Roots is a licensee of the same class and kind  
10 located within a radius of 500 feet.

11 And there are five retail general licenses located  
12 within a radius of 500 feet.

13 There are 85 licenses of this class and kind  
14 currently issued within Maui County.

15 The applicant initially plans to be open seven days  
16 a week from 5:00 a.m. to 12:00 a.m. midnight.

17 In the opinion of this investigator, the applicant  
18 appears to be fit and proper and does not appear to be  
19 disqualified by any provision as stated within Section 281.56  
20 HRS from obtaining or exercising a license.

21 All documents necessary for the issuance of a liquor  
22 license have not been submitted. Those items are listed in  
23 the investigator's report.

24 CHAIR ALULI: Okay. Thank you, Layne.

25 Dave, anything further to provide?

1 MR. JORGENSEN: Just real briefly, my clients at  
2 Kihei Caffe in Kihei that does not have a liquor license,  
3 they're looking at opening this space. It's on the corner of  
4 Keawe and Honoapiilani Highway right at the traffic light  
5 there on the -- let's say the Kapalua side of Keawe and  
6 they're, you know, just -- they're in the middle of  
7 construction and they have to decide on a lot of things like  
8 capacity and other things that will be affected by the  
9 pandemic, but they're excited to keep trying to move forward  
10 and, you know, just kind of day to day watching what's going  
11 on. But I'm available for any questions anybody might have.

12 CHAIR ALULI: Thanks. Thanks, Dave.

13 Commissioners, any questions of Mr. Jorgensen?

14 COMMISSIONER DE MELLO: Yes. Jerry Beth De Mello.

15 CHAIR ALULI: Yes. Go ahead, Jerry Beth.

16 COMMISSIONER DE MELLO: Dave, do you know when  
17 they're planning on opening?

18 MR. JORGENSEN: Well, originally, they were hoping  
19 to open in June, but with the pandemic, some of the  
20 construction has gotten backed up a little bit, especially  
21 with other county departments. And because we missed the last  
22 month's meeting, the possibility of June isn't going to work.  
23 We're hopeful, we're optimistic, we have to remain optimistic,  
24 though, to be able to open once the license is approved, but  
25 it's going to be -- you know, timing-wise, I would say that

1 they're looking to open within a week or two of final approval  
2 by the liquor department, but that's all subject to the  
3 completion of the buildout.

4 COMMISSIONER DE MELLO: Okay.

5 CHAIR ALULI: Okay. Thanks, Dave.

6 Any further questions of Mr. Jorgensen?

7 (No response.)

8 CHAIR ALULI: Not having any, can I have a motion  
9 for approval?

10 COMMISSIONER DE MELLO: Jerry Beth De Mello. I make  
11 the motion to approve.

12 CHAIR ALULI: Thank you, Jerry Beth.

13 Do I have a second?

14 COMMISSIONER BECRAFT: Jamie Becraft. Second.

15 CHAIR ALULI: Okay. Jamie Becraft is the second.

16 Any further discussion?

17 (No response.)

18 CHAIR ALULI: All in favor?

19 (Response.)

20 CHAIR ALULI: Any opposed?

21 (No response.)

22 CHAIR ALULI: Motion carries. Thank you very much,  
23 Dave.

24 MR. JORGENSEN: Thank you very much. And if I may,  
25 thank you all very much and the staff and department for

1 making this happen today. This is another one sort of -- you  
2 know, again, we're grateful to be able to have this hearing  
3 today. Thank you.

4 CHAIR ALULI: Thanks, Dave.

5 I'm going to ask one more time, is Application  
6 No. --

7 MR. ISHIKAWA: Hello. Hello.

8 CHAIR ALULI: Is that for Application No. 13, Tommy  
9 Bahama Beverages?

10 FEMALE SPEAKER: Yes.

11 MR. ISHIKAWA: Yes, it is.

12 CHAIR ALULI: Okay. Good. Are you just on the  
13 phone or are you on video also?

14 MR. ISHIKAWA: Sorry, I'm on phone. I don't have a  
15 camera on my computer.

16 CHAIR ALULI: Okay, all right. So you're up and so  
17 that being said, Layne, go ahead, please.

18 OFFICER LAYNE SILVA: Okay. Howzit, Bobbie?  
19 Congratulations.

20 CHAIR ALULI: Application No. 13. Sorry.

21 MR. ISHIKAWA: Yes. Hi. This is Robert Ishikawa  
22 representing Tommy Bahama Beverages, LLC doing business as  
23 Tommy Bahama Marlin Bar.

24 CHAIR ALULI: Layne, go ahead. Thanks.

25 OFFICER LAYNE SILVA: Application No. 13, applicant

1 is Tommy Bahama Beverages, LLC doing business as Tommy Bahama  
2 Marlin Bar applying for a Restaurant General License, Category  
3 B(ii).

4 The member of the member-managed LLC publicly traded  
5 company certification designated primary decision maker within  
6 the member; personal history statement; criminal history  
7 statement; and lease are all within the investigator's report.

8 The proposed premises consisting of approximately  
9 9,550 square feet of ground floor space is located at 900  
10 Front Street, Lahaina, Maui, Hawaii.

11 There are no schools located within a radius of 500  
12 feet.

13 The Lahaina United Methodist Church is located  
14 within a radius of 500 feet.

15 Bubba Gump -- Bubba Gump Shrimp Company Restaurant &  
16 Market, Kimo's Restaurant, Pi Artisan Pizzeria, and Warren &  
17 Annabelle's are licenses of the same class and kind located  
18 within a radius of 500 feet.

19 There are five dispenser general and three retail  
20 general licenses located within a radius of 500 feet.

21 And there are 87 licenses of this class and kind  
22 currently issued within Maui County.

23 The applicant initially plans to be open seven days  
24 a week from 10:00 a.m. to 12:00 midnight.

25 Information contained within the DLC-006 form

1 submitted by Suraj -- and I apologize if I butcher this one --  
2 Agasanakatte Palakshappa indicated that --

3 MR. ISHIKAWA: That works.

4 OFFICER LAYNE SILVA: Did I get that right?

5 MR. ISHIKAWA: Yes.

6 OFFICER LAYNE SILVA: Okay, good. Indicated that he  
7 had been cited for a violation of law.

8 Information received during the criminal history  
9 background check revealed that he had not been convicted for  
10 violations of law.

11 Suraj Agasanakatte Palakshappa has submitted a  
12 letter of explanation.

13 All documents necessary for the issuance of a liquor  
14 license have not been submitted. Those items are listed in  
15 the investigator's report.

16 CHAIR ALULI: Okay. Thank you, Layne.

17 Bobbie, do you have anything further to add?

18 MR. ISHIKAWA: No, there's nothing else to add. No  
19 changes to the report. Thank you.

20 CHAIR ALULI: Okay. I do have a question. Where  
21 exactly -- are you taking over another location or what --  
22 what location are you taking over?

23 MR. ISHIKAWA: Good question. I -- it's -- we are  
24 taking over another location. I don't recall exactly what was  
25 there 'cause it was a while, I guess it was vacant for quite a

1 while, but it's on the corner --

2 OFFICER LAYNE SILVA: It was previously Hard Rock  
3 Cafe.

4 CHAIR ALULI: Oh, okay.

5 MR. ISHIKAWA: Yeah. On the corner of the outlet  
6 mall.

7 CHAIR ALULI: Yeah. I know where it is if it is  
8 Hard Rock. I was just curious. Okay.

9 Commissioners, any questions, any further questions  
10 of Bobbie Ishikawa?

11 (No response.)

12 CHAIR ALULI: If there aren't any further questions,  
13 can I have a motion for approval?

14 COMMISSIONER DE MELLO: Jerry Beth De Mello. Motion  
15 for (inaudible).

16 CHAIR ALULI: Okay. Jerry Beth made the motion for  
17 approval. And, Leslie Ann, are you making the second?

18 COMMISSIONER YOKOUCHI: Yes, sir. I'll second.

19 CHAIR ALULI: Leslie Ann Yokouchi made the second.  
20 Any further discussion?

21 (No response.)

22 CHAIR ALULI: All in favor? Do me a favor, indicate  
23 by lifting your right hand, if you would, please, so I -- it  
24 doesn't get mixed up. Everybody in favor, raise your right  
25 hand or raise your hand.

1 (Response.)

2 CHAIR ALULI: Anybody opposed, raise your hand.

3 (No response.)

4 CHAIR ALULI: Seeing no opposition, the motion  
5 carries. Bobbie, thank you very much.

6 MR. ISHIKAWA: Thank you, Mr. Chairman. Thank you,  
7 Commissioners and everyone, for making this happen. Thank you  
8 very, very much.

9 CHAIR ALULI: Okay. Thank you.

10 I would like to now request our ten-minute break, if  
11 we could, please. So right now, according to my watch, it is  
12 10:33. We'll take a ten-minute break. It'll put us back in  
13 session at 10:43. Okay. Thank you.

14 (Pause in Proceedings: 10:33 a.m.-10:43 a.m.)

15 CHAIR ALULI: Okay. We're back in session. Can  
16 everybody hear me?

17 COMMISSIONER BECRAFT: Jamie Becraft. I can.

18 OFFICER LAYNE SILVA: Yes.

19 COMMISSIONER U'U: Bruce U'u can.

20 CHAIR ALULI: Okay, all right. If I could ask  
21 that --

22 UNIDENTIFIED SPEAKER: My phone number is 808 --

23 CHAIR ALULI: There's some -- somebody saying his  
24 phone number. I don't get -- I don't know who that was.

25 COMMISSIONER BECRAFT: Does everybody have their --

1 is everybody muted? 'Cause we're getting background noise  
2 again.

3 CHAIR ALULI: I'm mute -- I'm muting people. I  
4 think everybody is muted now. I'm going to open it up so  
5 let's move on to -- back to the agenda. Move on to  
6 Administrative Affairs, let's see, Director's Monthly Report,  
7 but --

8 MS. TYAU: I can go through it.

9 CHAIR ALULI: Yeah, let's -- okay. Go ahead.

10 MS. TYAU: Liquor license renewal, we're in the  
11 process right now. As of right now, the ending is June 15th.  
12 We've received 79 (inaudible) and we've received a total of  
13 about 135. It has been posted on the website. We're doing it  
14 by mail in and then we're doing it by email to try and get any  
15 discrepancy settled. The mayor has also stated this at his  
16 press conference that mail in renewals is what is being done,  
17 no walk-ins at this time since it's closed to the public.

18 No. 2. Certification exam and education classes  
19 have been cancelled since mid-March. We've received about 75  
20 notifications for closure of licensed premises. And financial  
21 disclosure statements are all due by April 16th.

22 CHAIR ALULI: Okay. Georgette, did we -- do you --  
23 are you -- well, let's see. Before we go to one of the issues  
24 that I had a question on, I would like to (pause) -- as chair,  
25 I would like to entertain a motion for the temporary

1 appointment of Georgette Tyau as acting director for the  
2 department of liquor control. So I would like to make --  
3 entertain a motion for that approval at this point. So the  
4 chair is entertaining a motion to temporarily appoint  
5 Georgette Tyau as acting director for the department of liquor  
6 control.

7 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft.

8 CHAIR ALULI: Yes.

9 COMMISSIONER BECRAFT: Before we go there, may I ask  
10 a question in regard to what Georgette just reported upon for,  
11 like, the licenses and, you know, things that are due for  
12 liquor. I wanted to ask what she just reported us.

13 CHAIR ALULI: Okay. Yes. Go ahead.

14 COMMISSIONER BECRAFT: Georgette, the -- as far as  
15 like licenses, could -- how are we handling licenses that are  
16 expiring right now and, you know, all of our deadlines? Are  
17 we -- are we looking into extending them or are they still --  
18 how is it -- how is it -- how are they handling this, how are  
19 we handling it?

20 MS. TYAU: Well, renewal of liquor licenses went out  
21 in March, so we were on schedule from the start. We can renew  
22 from April 1st to June 15th. So we're taking it in by mail.  
23 People could always do it by mail previously, but instead of  
24 returning it to them, to the actual premises, we're -- we're  
25 communicating through email on anything that can be settled

1 through email once we receive that first original. Because  
2 some things have to be original, the check, the original  
3 signature on that main form, but everything else that we can  
4 handle by email after that is being done through that means.  
5 So we're still on schedule. By rule, it's June 15th. There  
6 was a request for it to be extended, so it was suggested that  
7 we do it June 30th, which is end of the fiscal year and when  
8 licenses actually expire. Their current licenses are good  
9 until June 30th.

10 COMMISSIONER BECRAFT: So that request was made and  
11 are we addressing that request or --

12 MS. TYAU: That was one thing that came from the  
13 public, so it is one of them that could be addressed under the  
14 Governor's Executive Order 20-04 by the commission, the  
15 extension of that deadline.

16 CHAIR ALULI: And, Jamie, to answer that question, I  
17 have got a motion to address that that I'm going to entertain.  
18 So what I'm -- would like to do, there are a couple of motions  
19 regarding extensions that I have -- that I've authored motions  
20 on that I'd like to entertain. I would first like to get  
21 Georgette -- the approval for Georgette to be appointed acting  
22 director and once we've done that, then we will go -- I would  
23 like to then go to the motions for the extensions on those  
24 issues. Okay?

25 COMMISSIONER BECRAFT: Mr. Chair.

1 CHAIR ALULI: Yes.

2 COMMISSIONER BECRAFT: And can -- can we go into  
3 discussion as to what prompted this, this motion, how this  
4 came about? Is that something (inaudible) --

5 CHAIR ALULI: Yeah, yeah. I need to make the  
6 motions first and then --

7 COMMISSIONER BECRAFT: Oh, I see.

8 CHAIR ALULI: -- in the discussion we can come up  
9 with -- we can open it up for discussion at that point.

10 COMMISSIONER BECRAFT: I apologize.

11 CHAIR ALULI: So, again, the chair would like to  
12 entertain a motion for the temporary appointment of Georgette  
13 Tyau as acting director, department of liquor control.

14 COMMISSIONER ANDRION: Mr. Chair, Robert Andrion,  
15 Jr. I'd like to make that motion to have (inaudible) --

16 CHAIR ALULI: Okay. Motion made by Roberto Andrion.  
17 Do I have a second?

18 COMMISSIONER YOKOUCHI: Second. I'll second.

19 CHAIR ALULI: Seconded by Leslie Ann Yokouchi. So  
20 let's now open it up for discussion.

21 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft.

22 CHAIR ALULI: Jamie. Go ahead.

23 COMMISSIONER BECRAFT: Yes. Jamie Becraft. I would  
24 request that -- I don't know where this is all going to head,  
25 so I'd request that we have this discussion in executive to

1 ensure we don't -- you know, go into any personnel issues or  
2 anything. I don't know what prompted all of this, so I'd like  
3 to know, so I'd ask that we go into executive.

4 CHAIR ALULI: To address your -- this is a temporary  
5 appointment because we do not have a director at this point  
6 and I requested that under the emergency rules from the mayor  
7 and the mayor has written that letter which is enclosed  
8 (inaudible) that indicates that we can at this point approve  
9 the temporary appointment of Georgette as the director of  
10 liquor control. That's where it comes from, Jamie. Do you  
11 need further discussion than that?

12 COMMISSIONER BECRAFT: Yes, sir. I had a personnel  
13 question.

14 CHAIR ALULI: And, again, I emphasize that this is  
15 temporary until we appoint a permanent director.

16 COMMISSIONER BECRAFT: Yes, sir. I guess my  
17 question is, is that I don't understand completely how we got  
18 here. It was my understanding that she was acting in this  
19 position from the moment Glenn had retired, so I wanted to get  
20 into what prompted this and there's more to it in regard to --  
21 I see that we have a letter from the mayor, it's my  
22 understanding that, you know, that -- all respect to the  
23 mayor, I'm not trying to be disrespectful, but the mayor  
24 doesn't -- for commissions, the mayor doesn't actually have  
25 any say in how the process goes here.

1           CHAIR ALULI: Right, but -- and I will just explain  
2 the way this happened is because of the emergency situation  
3 that arose with the Covid conditions, I took it upon myself,  
4 following that emergency rule, to get the approval of the  
5 mayor, so I was the one that approached the mayor and asked  
6 him to address that issue to make sure that we followed all  
7 the proper procedures under the emergency rule. That was the  
8 reason, Jamie.

9           COMMISSIONER BECRAFT: I understand that portion. I  
10 understand what you're trying to resolve it. I'm not  
11 questioning -- I think you're doing a good job on that, but  
12 I'm requesting why -- how did it come about, I guess. So my  
13 question would be for Georgette that, you know, I wanted to  
14 ask her numerous questions on, you know, what she thought, if  
15 she believes that she's not acting director, if -- 'cause I  
16 would have missed that boat. It's my understanding that she's  
17 acting director the moment the person above her is not  
18 present, you know, that's usually how the -- you know, the  
19 situation works. So I wanted to ask Georgette some questions  
20 in regard to that 'cause I'm assuming -- it's all rumor to me  
21 now, but I'm assuming that that's why we're here, is that  
22 Georgette may not -- may not be taking that job.

23           FEMALE SPEAKER: What are we talking about?

24           UNIDENTIFIED SPEAKER: No. He's on the liquor  
25 commission.

1 COMMISSIONER BECRAFT: Someone needs to mute their  
2 mic, whoever's got their microphone on.

3 (Inaudible comments.)

4 COMMISSIONER BECRAFT: It says Rick Ruiz is talking.  
5 Rick, are you on the line?

6 CHAIR ALULI: I muted -- I muted his phone. I muted  
7 his -- I don't know who he is.

8 COMMISSIONER BECRAFT: Thank you, sir.

9 CHAIR ALULI: Yeah. Only commissioners can talk at  
10 this point, yeah, so I've muted him.

11 Jamie, hold on.

12 All right. To address Jamie's issue to want to into  
13 executive session to further discuss this personnel issue,  
14 would someone make that motion to go into executive session to  
15 discuss this.

16 COMMISSIONER U'U: Chair, I make the motion.

17 CHAIR ALULI: Okay. Then motion by U'u, Bruce U'u  
18 to go into executive session. Do I have a second?

19 COMMISSIONER BOLOSAN: I second.

20 CHAIR ALULI: Hold on. All right, Mimi. Sorry.

21 MS. DESJARDIN: I think by Statute 19-518 Ms. Tyau  
22 can request that this discussion takes place in open  
23 discussion if she chooses. You should probably ask her for --  
24 if she wants that. If she says no, then we can then ask  
25 (inaudible) but if she says she would rather have it in open

1 discussion, I think that would trump any executive session.

2 CHAIR ALULI: Okay, all right. So, Georgette, would  
3 you like to have this discussed in open session?

4 MS. TYAU: We can go into executive.

5 CHAIR ALULI: Hold on. You're -- you got muted  
6 again.

7 MS. TYAU: I said we can go into executive session,  
8 but to answer Jamie's question, I was told that I was the  
9 deputy director by a correspondence received by the chair when  
10 Glenn was retiring and it was clarified by corp. counsel that  
11 I was the deputy director. But any further discussion can  
12 take place in executive session.

13 CHAIR ALULI: Okay. That being said, Jamie, you  
14 want to make a motion or is there a motion to go into  
15 executive session?

16 Oh, Bruce made one. Bruce made one. I'm sorry. Is  
17 there a second?

18 COMMISSIONER ANDRION: Roberto Andrion. I second.

19 CHAIR ALULI: Okay.

20 COMMISSIONER BECRAFT: Chair, I guess I don't need  
21 to -- I don't think we need to go into executive session if  
22 that's the situation. It was my -- that's why -- I just -- I  
23 thought it was gonna be a little different. So just as  
24 clarification, there has been no time, Georgette, then, from  
25 the time Glenn left to now where you're -- you were not being

1 the director? Acting director is the same as director;  
2 correct?

3 MS. TYAU: Yes. So I did clarify that, but I was  
4 given all the responsibilities of the job so I am doing two  
5 jobs at this time.

6 COMMISSIONER BECRAFT: Correct. So with that  
7 responsibility comes the same power and control as though  
8 you're -- in other words, acting is the same? We're on the  
9 same page for that since he retired?

10 MS. TYAU: Well, it's limited, but I have to run  
11 daily -- I have to run day to day and I have to do everything  
12 that he was doing. What's limited on certain items.

13 COMMISSIONER BECRAFT: Okay. Maybe we should go  
14 into -- okay. I'm sorry. Yeah, let's go into executive. I'm  
15 sorry. Thank you, Mr. Chair.

16 CHAIR ALULI: Okay. All in favor?

17 (Response.)

18 CHAIR ALULI: Okay. Any opposed?

19 (No response.)

20 CHAIR ALULI: Motion carries. We're going to go  
21 into executive session.

22 (Pause in proceedings: 10:57 a.m.-11:15 a.m.)

23 CHAIR ALULI: Okay. Back in. We're back in regular  
24 session. Let's see.

25 Okay. So the motion's on the floor, it's been

1 seconded. Is there further discussion? Jamie had some  
2 questions, you had a question to ask.

3 COMMISSIONER BECRAFT: Yes, sir, I have. Jamie  
4 Becraft. I have some discussion.

5 Georgette, are you there?

6 MS. TYAU: Yes.

7 COMMISSIONER BECRAFT: I forget. So I guess our  
8 first question we'd liked to ask is: Are you willing to be  
9 the acting director?

10 MS. TYAU: Yes, because I'm already doing everything  
11 that needs to be done.

12 COMMISSIONER BECRAFT: Okay. And the next question  
13 is: During this time you've been -- so as we were saying  
14 earlier, you said you were acting director since -- doing all  
15 the work of acting director from the time Glenn had retired,  
16 have -- have we been giving you TA or temporary acting  
17 director's pay?

18 MS. TYAU: No, because I was still -- my official  
19 position is still deputy director, so no. My official  
20 position is still the deputy director, so I didn't get any TA,  
21 no.

22 COMMISSIONER BECRAFT: I see. And was that from us  
23 or is that by -- is that from -- how did we get to that?

24 MS. TYAU: Well, I received an e-mail along with the  
25 rest of the department in the end of February from chair and

1 it said deputy director heading the department. So I did ask  
2 for clarification from corporation counsel at that time and  
3 they said, no, it's still deputy director.

4 COMMISSIONER BECRAFT: Okay. And in regard to pay  
5 they addressed, they said you don't -- wouldn't be getting  
6 the -- even though you're doing the job of the director, that  
7 you would not be getting that pay?

8 MS. TYAU: Well, I didn't ask about pay because I do  
9 know personnel issues, how it works, so if my position as  
10 deputy director, there is nothing that would justify the  
11 increase without the official position change, so I -- I just  
12 remained at my current deputy director pay.

13 COMMISSIONER BECRAFT: Okay.

14 MS. TYAU: I didn't ask them about pay because once  
15 I got clarification on the deputy director position, that  
16 became moot.

17 COMMISSIONER BECRAFT: I see. So your understanding  
18 was that you were to do the complete job of the director,  
19 though, at the time, but still just be -- like without having  
20 the title?

21 MS. TYAU: Or the -- yes, that's what I was told.  
22 So I would still do my deputy director duties in addition to  
23 the director duties.

24 COMMISSIONER BECRAFT: Okay. And I guess the last  
25 was before we went out into executive session you had

1 mentioned -- I think you said, but limited, what -- were  
2 there -- were you told you were limited in your -- in your  
3 capacity?

4 MS. TYAU: Well, emergency rules came up, yeah,  
5 during 101-12 where only the commission or director may adopt  
6 emergency rules with the approval of the mayor, but this is  
7 kind of moot at this point because all of these requests from  
8 the public fall under the executive order, the requests that  
9 are -- that as the commission is able to address by the  
10 governor's executive order. The emergency rules, if there  
11 were any that could be presented to the mayor and then go  
12 before public hearing during an emergency would still have to  
13 have been for the health, safety, and welfare of the public or  
14 for protection of life and property. So if it didn't meet  
15 that criteria, it didn't matter who had the authority to  
16 present emergency rules.

17 And I had discussions with corp. counsel before,  
18 none of these -- not these issues, but increasing the  
19 certification exams, that was one of them, I wanted to know if  
20 we could extend the certification exam expiration date because  
21 we were canceling the classes due to the social distancing.  
22 And I was told I didn't have that authority, which I  
23 understood because I wasn't the director and I wasn't the  
24 commission, but also it wasn't for the protection of life and  
25 property or health, safety, and welfare of the public.

1 COMMISSIONER BECRAFT: Okay.

2 MS. TYAU: So I just -- that's where it came up.

3 COMMISSIONER BECRAFT: All right, okay. Thank you.  
4 I appreciate it.

5 Mr. Chair.

6 CHAIR ALULI: Georgette, with -- if this motion goes  
7 through and it's approved, what would be the process of you in  
8 that temporary position getting the director's pay? Who moves  
9 that forward?

10 MS. TYAU: That would be our department processing  
11 the paperwork.

12 CHAIR ALULI: Okay.

13 Okay. Are there any further questions by any of the  
14 commissioners?

15 (No response.)

16 CHAIR ALULI: So can I get a motion for approval of  
17 the appointment of Georgette Tyau as acting -- temporary  
18 acting director, department of liquor control?

19 MS. DESJARDIN: It's been moved.

20 CHAIR ALULI: It's been moved and seconded. Any  
21 further discussion?

22 (No response.)

23 CHAIR ALULI: Okay. All in favor?

24 (Response.)

25 CHAIR ALULI: Any -- any opposition?

1 (No response.)

2 CHAIR ALULI: Okay. Effective today. The motion is  
3 carried; therefore, effective, Georgette, you are appointed  
4 temporary acting director of the department of liquor control  
5 for Maui.

6 MS. TYAU: Thank you.

7 CHAIR ALULI: Okay. With that being said, the --  
8 the extension issues, as the acting director, you can make  
9 those decisions now, then; correct?

10 MS. TYAU: No. As I was explaining, all of these --  
11 and so it was in that packet that I gave you --

12 CHAIR ALULI: Right.

13 MS. TYAU: -- addressing all the requests that were  
14 known to have been brought forth by the public. So all of  
15 these requests are falling under the Governor's Executive  
16 Order 20-04 which allows for the extension of -- which is  
17 allowing county liquor commissions to waive, extend, or  
18 postpone any deadlines or administrative procedures. So  
19 everything would fall under 20-04 where the commission has the  
20 authority, so that's why it was brought forth today if we  
21 can -- if the commission can address it.

22 CHAIR ALULI: Okay.

23 MS. TYAU: Because it's it doesn't fall under  
24 (inaudible) 101.12 because it's not considered for protection  
25 of life and property.

1 CHAIR ALULI: Okay.

2 COMMISSIONER BECRAFT: Mr. Chair.

3 CHAIR ALULI: Yes, Jamie.

4 COMMISSIONER BECRAFT: This is Jamie Becraft. I  
5 have another question for Georgette.

6 Georgette, without -- if this weren't going on,  
7 let's say we're not in the Covid situation, okay, at all, and  
8 something else, flooding or whatever, there's something that  
9 came up and expirations of licenses and these questions for  
10 extensions, you know, there was another reason for it, but  
11 there is no declared emergency or anything of that nature.  
12 Does the director not have the ability to extend that -- those  
13 deadlines?

14 MS. TYAU: According to corp. counsel, you have to  
15 have the authority by rule and the rule is there, so the only  
16 way would have been through the commission. And the only  
17 way -- once an emergency is declared under the emergency rule,  
18 which the Covid issue is, it has to still be for the health  
19 and safety of the public and it has to be for protection and  
20 life -- for life and property. So we are limited and held to  
21 that. Because one of the questions when I had asked if we  
22 could extend it, it was -- you know, just a consideration if  
23 that was an option, I was told that: Is it for the protection  
24 of life and property? Well, no. So that is why we're waiting  
25 for something like this. So the emergency executive order

1 from the governor allows for it at this time that the  
2 commission can address it so that's why it's been brought  
3 forth now.

4 COMMISSIONER BECRAFT: I --

5 MS. TYAU: (Inaudible) would have been in our  
6 authority is if someone, you know, had gotten written up and  
7 if an investigation had come through, at that point, depending  
8 on the recommendation, if it's like a written caution, then I  
9 would -- the director at the time could look at it and -- look  
10 at the circumstances and say, hey, no or yes. But as far as  
11 rules go, there's so many steps unless some authority can  
12 actually change it. So if any -- that would be the extent at  
13 that point.

14 COMMISSIONER BECRAFT: So it's my understanding,  
15 Georgette, and correct me if I'm wrong, that what you just  
16 said there is that there's rules and those rules can all be  
17 changed. If they were presented by the director to this  
18 commission, then we could vote and change a rule, like extend  
19 things of that nature. We wouldn't have to use this -- this  
20 emergency proclamations and all of that stuff from the  
21 governor. I mean, that's -- it's there for us to use as a  
22 tool, I guess that that's an avenue and that's the avenue  
23 we're walking down right now, but I'm just asking if we remove  
24 that, am I -- am I incorrect on what I'm thinking that -- that  
25 it could have been brought by the liquor department to the

1 liquor commission and we could've just made this rule change?

2 MS. TYAU: No. Under -- if it wasn't any urgency  
3 and it doesn't qualify -- if it didn't qualify under the  
4 emergency rules, it would go through the normal rule making  
5 process, which would be how it gets reviewed by everyone, goes  
6 to corp. counsel, goes to the commission to review on what  
7 they want to put forth through public hearing and then we come  
8 up with like a final that goes forth to public hearing, so it  
9 would have been a much longer process. It wouldn't just be  
10 one person saying, Hey, let's change this rule. It's just  
11 that the executive order that the governor just did is  
12 allowing commissions to do that so we're not going through  
13 that whole process.

14 COMMISSIONER BECRAFT: Okay. So I think I heard you  
15 correctly, it's just -- you're saying as the director of  
16 liquor, you did not have the ability to just waive deadlines  
17 for like renewals, you couldn't -- you just couldn't do that  
18 under normal circumstances?

19 MS. TYAU: No, because it's by rule that went before  
20 public hearing.

21 COMMISSIONER BECRAFT: Okay. That -- I appreciate  
22 that clarification.

23 Mr. Chair, I have no other questions. Thank you.

24 CHAIR ALULI: Okay. Do any other commissioners have  
25 any questions of Georgette?

1 (No response.)

2 CHAIR ALULI: Okay. If there aren't, I -- to  
3 address Items B and C, which are some of the issues that  
4 Georgette brought up, I as the chair would like to entertain  
5 motions to address that. So the first motion that I would  
6 like to entertain is a motion to extend the expiration of  
7 director's cards which are expiring on March -- expiration of  
8 cards expiring on March 1st, 2020, through the end of the  
9 emergency period, I'd like to extend that to 90 days beyond  
10 the end of the emergency period. And that was in your packet  
11 so -- and that being for a motion to approve the extension of  
12 the director cards to 90 days beyond the end of the emergency  
13 period.

14 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft.

15 CHAIR ALULI: Yeah.

16 COMMISSIONER BECRAFT: Question. Is that the max we  
17 can give or can we readdress this if -- if we're still in this  
18 situation later?

19 CHAIR ALULI: Yes. But we can -- we can open that  
20 up in discussion. So right now I would just like a motion --

21 COMMISSIONER BECRAFT: Jamie Becraft.

22 CHAIR ALULI: -- to approve that.

23 COMMISSIONER BECRAFT: Jamie Becraft. I make a  
24 motion to approve that.

25 CHAIR ALULI: Second.

1 COMMISSIONER U'U: Bruce U'u. Second.

2 CHAIR ALULI: Okay. Any further discussion?

3 So --

4 COMMISSIONER ANDRION: Mr. Chair, Robert Andrion.

5 CHAIR ALULI: Yes.

6 COMMISSIONER ANDRION: I'd ask on the motion, there  
7 should be something in there that -- that we should we be able  
8 to go back into and extend it in the event that we hit the 90  
9 days and we're still in this -- in this situation.

10 CHAIR ALULI: At that point we can address it,  
11 Bobbie.

12 COMMISSIONER ANDRION: Okay. Understood. I  
13 just wasn't clear. Thank you.

14 CHAIR ALULI: Okay.

15 MS. TYAU: You could beyond 90 days right now if you  
16 choose to, that was just a suggestion 'cause other departments  
17 were doing 90 days. But you could go beyond 90 days if you  
18 choose to.

19 CHAIR ALULI: (Inaudible) 90 days would be good --  
20 more than sufficient time to address it if, in fact, we did  
21 have to extend it. 90 days give us, you know, a pretty long  
22 period of time beyond that emergency period. So within that  
23 90 days period we'd be more than able to address it at that  
24 point.

25 If there's no further discussion, all in favor?

1 (Response.)

2 CHAIR ALULI: Any opposed?

3 (No response.)

4 CHAIR ALULI: Thank you. Motion carries on the  
5 director cards extension.

6 Next motion, the chair would like to entertain a  
7 motion to extend the application for liquor license renewals  
8 to June 30, 2020, at 4:30 p.m., which is the end of the fiscal  
9 year and term of existing licenses. So I would like to  
10 entertain a motion to extend the liquor license renewals to  
11 June 30, 2020, at 4:30 p.m.

12 Leslie Ann. Hold on, Leslie Ann. Your mic's muted.  
13 Unmute your mic, Leslie.

14 COMMISSIONER YOKOUCHI: I would like to make a  
15 motion to extend the license period to June 30th at 4:30 p.m.

16 COMMISSIONER DE MELLO: I second that motion.

17 CHAIR ALULI: Jerry Beth De Mello seconded the  
18 motion. Any further discussion?

19 COMMISSIONER BECRAFT: Mr. Chair, just a quick  
20 question for --

21 CHAIR ALULI: Yes, Jamie.

22 COMMISSIONER BECRAFT: Jamie Becraft. Quick  
23 question for Georgette.

24 Georgette, do you feel that's going to be enough  
25 time to appease the -- you know, the folks that have been, you

1 know, trying to -- trying to get this extended? Is that going  
2 to be enough time for them?

3 MS. TYAU: Well, actually, I don't think this is an  
4 issue because we've been doing -- we got all of the renewal  
5 paperwork delivered in March like we normally do, so they  
6 still have that option from April 1st to June 15th. We are  
7 (inaudible) there's been no interruption of service as far as  
8 them turning in their paperwork or it being reviewed. The  
9 only thing is that June 30 is where we want it to be because  
10 after June 30th, they don't have a liquor license to renew,  
11 it's cancelled. Liquor licenses are only good for the fiscal  
12 year, so it expires on June 30th.

13 COMMISSIONER BECRAFT: Right. So my question is  
14 that -- I don't know what the issues are. So if -- if they --  
15 I guess if they bring up more issues, I would assume that we  
16 can extend even that deadline of the expired driver's --  
17 liquor licenses under this -- under this governor's -- you  
18 know, our situation that we're in right now. So I'm just  
19 asking 'cause you've seen more of the complaints and you know  
20 the process way better than I do.

21 MS. TYAU: Well, we didn't have any complaints. We  
22 didn't have any complaints or anyone saying they couldn't  
23 renew. There was one person who just asked if the renewal  
24 period was going to be extended. All the other counties are  
25 still going with June 30th also only because licenses expire

1 on June 30th. And I guess that would be the same for corp.  
2 counsel, I don't know if you can renew a license after it's  
3 expired because it doesn't exist anymore, so I'm not sure what  
4 the legalities would be of that.

5 COMMISSIONER BECRAFT: Okay. I think -- I think  
6 I've got the answer I wanted. I'm good, Mr. Chair. Thank you  
7 very much. No further questions.

8 CHAIR ALULI: Any other commissioners have any  
9 questions?

10 (No response.)

11 CHAIR ALULI: If not, all in favor --

12 (Response.)

13 CHAIR ALULI: -- of passing the motion?

14 Any opposed?

15 (No response.)

16 CHAIR ALULI: Okay. Motion carries. Thank you.

17 Okay. The next issue that I would like to address  
18 is the liquor liability issue and this has come up because a  
19 lot of bars and restaurants are closed and so it has been  
20 requested that properties or businesses that are closed be  
21 allowed to suspend their liquor liability insurance coverage  
22 for now. So I would like to entertain a motion that due to  
23 the conditions brought on by the economic shutdown because of  
24 the Covid-19 pandemic, that the liquor liability insurance  
25 temporarily be suspended, but must be renewed prior to

1 reopening of the business or the establishment.

2 MS. TYAU: Chair, if you could -- Chair, if you guys  
3 could state that -- because we have liquor liability insurance  
4 that is for this year already, but if you could state that  
5 it's not a requirement of renewal, 'cause -- because right now  
6 for renewal it's -- they need to submit it. So the request is  
7 that it not be a requirement to renew their liquor license.

8 CHAIR ALULI: Okay. So the motion would include  
9 that the insurance would be what, again, Georgette?

10 MS. TYAU: Since these are different (inaudible) of  
11 paper, liquor liability insurance, request to waive for  
12 renewal of liquor license due to premises being closed. So  
13 the request is to waive it for the renewal of liquor license.

14 COMMISSIONER BECRAFT: Mr. Chair, I make the motion.

15 CHAIR ALULI: I'm sorry, Jamie.

16 COMMISSIONER BECRAFT: Mr. Chair, (inaudible) what  
17 she -- how she described, I motion that (inaudible) --

18 CHAIR ALULI: Whose phone is that?

19 MS. TYAU: Because, you know what, because by  
20 Section 281.31(f) HRS, liquor liability insurance is required  
21 for renewal.

22 CHAIR ALULI: Right.

23 MS. TYAU: So in our rule, we cannot accept a  
24 renewal without the liquor liability, proof of liquor  
25 liability insurance, so that is the waiving, waiving for

1 renewal.

2 CHAIR ALULI: Okay. Right. So this is the waiving,  
3 the temporary waiving of liquor liability insurance until the  
4 point where they do renew; right? 'Cause --

5 MS. TYAU: No. They're going to have to -- they're  
6 going to have to renew their liquor license -- the request,  
7 you know, by June 30th, they're going to have to renew their  
8 liquor license. The request is that liquor liability  
9 insurance not be a requirement of renewal.

10 COMMISSIONER BECRAFT: Mr. Chair, this is for this  
11 coming year. She's not talking about what's happening  
12 presently, like canceling your car insurance today.

13 CHAIR ALULI: Right.

14 COMMISSIONER BECRAFT: What she's saying is is this  
15 all coming up. If we moved it to June 30th, that they have  
16 until then to submit their request for renewal for the  
17 license, but she's saying for next year, like your car  
18 insurance, no need your (inaudible) for the next year because  
19 it's going to be parked and unused, so --

20 MS. TYAU: Until the (inaudible) --

21 COMMISSIONER YOKOUCHI: Until the restaurant opens;  
22 right?

23 COMMISSIONER BECRAFT: Right. And it's only a  
24 requirement for them to do it, but -- they are renewing their  
25 liquor license, but they're closed, hoping for it to open. So

1 during this time that they're closed, they don't need the  
2 insurance.

3 CHAIR ALULI: Right.

4 COMMISSIONER BECRAFT: (Inaudible) next year is what  
5 she's saying, not for right now. So when we make the motion,  
6 we have to make a motion to waive the requirement of showing  
7 by the end of June that you have this insurance. She's saying  
8 to make your requirement -- your request for a license, you'll  
9 get your license, but you'll need insurance only if your  
10 business is not open. But the second it opens, before it  
11 opens, you have to get your -- you have to get your insurance.

12 MS. TYAU: Well, what we're planning, if you could  
13 consider this, if somebody was to send in their renewal  
14 application, we have all these requirements attached like  
15 state tax clearance, the payment, one of them is liquor  
16 liability insurance. So if we get the renewal application, we  
17 won't kick it back because they don't have liquor liability  
18 insurance, but what it is is that we're not going to give them  
19 their liquor license that becomes effective July 1st, we're  
20 going to hold on to that physical license. They can renew  
21 their liquor license, but we won't give them their physical  
22 license to place on the wall come July 1st until they provide  
23 us the liquor liability insurance, whether it be in mid-July  
24 or so forth. But right now we'll allow them to renew if this  
25 is waived, so renew their liquor license without the liquor

1 liability insurance.

2 CHAIR ALULI: Right. Okay. So let me restate that  
3 motion. So the motion that the chair would like to entertain  
4 is that currently if the establishment is closed, that they  
5 can suspend their liquor liability insurance. However, when  
6 they reopen or when they reapply for their license, if they  
7 are still closed, they will not need the liquor liability  
8 insurance until they are set to reopen, at which point they  
9 will have to have their liquor liability insurance in place.  
10 That's the motion.

11 MS. TYAU: I'm going to defer to corp. counsel, but  
12 I think it might be easier to just say liquor liability  
13 insurance is not a requirement of renewal, but whoever doesn't  
14 submit it won't get their actual physical license until they  
15 do. But I would defer to corp. counsel.

16 MS. DESJARDIN: Just for clarification (inaudible)  
17 that the insurance is suspended -- or not required up until  
18 June 30th of this year unless you open prior to that.  
19 (Inaudible).

20 CHAIR ALULI: Mimi, we can't hear you very well.

21 MS. TYAU: Okay. Let me clarify one more time. I  
22 don't think you need to tie it to the June 30th. Right now we  
23 are in the renewal process, if it could just be waived because  
24 the rule -- the rule is addressing renewals. No license shall  
25 be granted, reinstated, or renewed until after the required

1 insurance coverage is obtained, so that we're trying to  
2 address. So I don't think you need to put in June 30th or  
3 anything like that. It's just for the renewal of your liquor  
4 license, which has already been established that they have  
5 until June 30th, but for the renewal of your liquor license,  
6 this requirement of insurance coverage is waived. (Inaudible)  
7 is saying they won't get their permanent license until they  
8 give us proof of liquor liability insurance.

9 CHAIR ALULI: Okay. So, yeah, Leslie Ann, hold --  
10 we're not in the discussion stage yet, so -- because we  
11 haven't had the motion, so --

12 COMMISSIONER YOKOUCHI: I wanted to make a motion.

13 CHAIR ALULI: Yeah. Let me --

14 COMMISSIONER YOKOUCHI: I was waiting to try and  
15 make a motion.

16 CHAIR ALULI: Let me restate the motion since  
17 hopefully it's clear this time. So the motion that I would  
18 like to entertain is that liquor liability insurance is being  
19 waived.

20 MS. TYAU: For renewal.

21 CHAIR ALULI: For renewal. So -- okay. So the  
22 motion that I would entertain is that liquor liability  
23 insurance will be temporarily -- temporarily waived for  
24 renewals, but they must provide proof of liquor liability  
25 insurance before reopening.

1 COMMISSIONER BECRAFT: I make the motion. Jamie  
2 Becraft.

3 CHAIR ALULI: Do I have a second?

4 COMMISSIONER YOKOUCHI: Second.

5 COMMISSIONER BOLOSAN: I second.

6 CHAIR ALULI: Okay. Any further discussion?

7 (No response.)

8 CHAIR ALULI: All in favor?

9 (Response.)

10 CHAIR ALULI: Any opposed?

11 (No response.)

12 CHAIR ALULI: Okay. Motion carries. Thank you.

13 COMMISSIONER BECRAFT: Good job, Chair.

14 CHAIR ALULI: Okay. I would like to ask, is there  
15 any commissioner that would like to make a motion regarding  
16 the take out and pick up of liquor at a -- from a licensee of  
17 Class 2 license, Class 5 licensee, Class 6, 12, and 18.  
18 Anybody wish to make a motion to allow for takeout liquor?

19 COMMISSIONER BECRAFT: Jamie Becraft, Chair. I  
20 motion.

21 MS. TYAU: Chair, did you mention 14 also?

22 CHAIR ALULI: Yes, I did. Okay. So the motion --  
23 do I have a second?

24 COMMISSIONER YOKOUCHI: Second. Second.

25 CHAIR ALULI: Any further -- okay. It's been

1 seconded by Leslie Ann Yokouchi. Any further discussion?

2 (No response.)

3 CHAIR ALULI: All in favor?

4 (Response.)

5 CHAIR ALULI: Any opposed?

6 (No response.)

7 CHAIR ALULI: The motion carries. Thank you.

8 COMMISSIONER BECRAFT: Mr. Chair, a question.

9 CHAIR ALULI: Yes, Jamie.

10 COMMISSIONER BECRAFT: Can that be -- when is it --  
11 is that going to be immediate?

12 CHAIR ALULI: Yes.

13 COMMISSIONER BECRAFT: And how do we get the -- how  
14 are we going to be -- Georgette, I guess the question for  
15 Georgette is: How are we going to get this information out to  
16 the liquor establishments?

17 MS. TYAU: Because this is an unusual situation, I  
18 would have to get direction from corporation counsel on how  
19 these rules -- if there's anything that has to be -- because  
20 normally rules go through corporation counsel and it's drafted  
21 and so forth, so I don't know what -- what the requirements  
22 are for getting emergency rules on. They normally draft the  
23 rules.

24 COMMISSIONER BECRAFT: Okay. My -- my point of my  
25 question raising is I don't want to sit on this. I'd like

1 it -- you know, I'm not trying to burden anyone, but I'd like  
2 to see this, if possible, you know, at the end of the day or  
3 by tomorrow so that they can -- you know, so that this can be  
4 a benefit as possibly can.

5 Mimi, are you there?

6 COMMISSIONER DE MELLO: Turn your mic on.

7 COMMISSIONER BECRAFT: Do you see -- do you see  
8 issues with this? Are you going to need some time?

9 MS. DESJARDIN: I -- yeah, we can work with her and  
10 get out as soon as possible. Gary, between him representing  
11 the department and me representing the commission, you know,  
12 we'll -- I don't think there's any other action that you need  
13 to take in order to effectuate. Is that your question?

14 COMMISSIONER BECRAFT: Yeah. I just wanted to know  
15 if this is going to be -- you know, 'cause I don't want -- I  
16 would hate to find out two weeks later that, you know, there  
17 is some type of bug or something that we didn't address or  
18 that you guys aren't able to help her, Georgette. You know,  
19 Georgette, right now do you see any trouble that this is, you  
20 know, going to take more than a couple of days to get -- a day  
21 or two to get out there, if you could point it out to us now  
22 so that, you know, we're not walking around blind and not  
23 knowing what's going on, why -- why it may not be getting  
24 done.

25 MS. TYAU: Like I said, I would have to get

1 direction from corporation counsel because normally they're  
2 the ones that draft the rules. This is the first time we have  
3 emergency rules. If it can be effective, like I said, it  
4 would be up to corp. counsel to give us direction, we can put  
5 it on our website and so forth, but I don't know as far as the  
6 legalities of actually it being processed. Like I only know  
7 normal rules where the process goes -- how it goes through and  
8 then it becomes effect -- even after the commission approves  
9 it on the normal rule making changes, it still goes to  
10 corporation counsel and they still do their thing before it  
11 actually becomes effectively. I don't know how it applies to  
12 emergency rules.

13 COMMISSIONER BECRAFT: Okay.

14 MS. TYAU: That would be through corp. counsel.

15 COMMISSIONER BECRAFT: I would --

16 MS. TYAU: And as far as notification, we can notify  
17 if it does -- if it is effective.

18 COMMISSIONER BECRAFT: Okay. I just request,  
19 Georgette, that we just stay on top of this and try  
20 to (inaudible). Just, you know, keep an open line of  
21 communication between you and corporation counsel, I'm sure we  
22 can get this done, you know, quickly.

23 Thank you, Chair. That's all I have.

24 CHAIR ALULI: Okay, Jamie.

25 The last thing on the table is the discussion of

1 home delivery by (inaudible) make a motion relevant to  
2 delivery.

3 COMMISSIONER BECRAFT: Let's -- somebody's got  
4 feedback because they've got their mic on and something in the  
5 background that's feeding back, so if we can all remember just  
6 to shut down our mics so we can hear the chair.

7 CHAIR ALULI: Did every -- did you all get that?  
8 Does anybody wish to make a motion regarding home delivery?

9 COMMISSIONER BECRAFT: I thought we already did  
10 that.

11 CHAIR ALULI: No.

12 COMMISSIONER BECRAFT: No?

13 CHAIR ALULI: No.

14 COMMISSIONER BECRAFT: Jamie Becraft. I make the  
15 motion.

16 CHAIR ALULI: You want to state the motion.

17 COMMISSIONER BECRAFT: For to us approve home  
18 delivery for our restaurants.

19 CHAIR ALULI: Okay. Do I have a second?

20 COMMISSIONER YOKOUCHI: Second.

21 MS. TYAU: Chair, if you could the class of license  
22 you're approving.

23 CHAIR ALULI: Jamie. Go ahead. This would be --  
24 Jamie, you have the paperwork in front of you, I think;  
25 correct?

1 MS. TYAU: And those were just the ones that were  
2 currently able to do recorking. It's up to the commission on  
3 what they want to allow or who they want to allow. And, also,  
4 if you're going to address the requirements of it, the  
5 guidelines, if any.

6 COMMISSIONER BECRAFT: Okay.

7 CHAIR ALULI: Jamie, I think it was in the email  
8 packet, not in the -- it was in an email sent to you, the  
9 additional --

10 COMMISSIONER BECRAFT: (Inaudible). You know, this  
11 working from your chair's okay, but not -- not good when  
12 you're looking for paperwork. Hang on a second, Chair, I'll  
13 pull that up.

14 MS. TYAU: This is just a base of who may have food  
15 because all of those things can be addressed by the  
16 proclamations, you know, with food and if you have any  
17 guidelines that will go with it.

18 COMMISSIONER BECRAFT: Okay. Okay. Chair, this  
19 is -- Chair, Jamie Becraft. I make a motion for home delivery  
20 for licenses of Class 2, Class 5, Class 6, Class 12, Class 14,  
21 and Class 18 to be able to do home delivery --

22 CHAIR ALULI: There's one more. There's one more  
23 class in there, Jamie, Class 4.

24 COMMISSIONER BECRAFT: I don't show a Class 4, but  
25 is that -- let's see. Okay. Yes, so add Class 4, also

1 Class 4.

2 CHAIR ALULI: That was for take out, this is pick  
3 up. That's for take out, not pick up. It's the one for home  
4 delivery.

5 COMMISSIONER BECRAFT: Okay. But -- hold on. Okay.  
6 In Class 4, I'm in the wrong one. But, yes, to include  
7 Class 4. I would suggest that we impose the -- the  
8 requirement that whoever does do the delivery does take the  
9 photograph of the person accepting the liquor to include that  
10 person's identification in that photograph. I think all the  
11 vendors found -- you know, didn't have any trouble doing that.  
12 I think it would really add to the -- to the safety of it so  
13 it's not going to kids, that they're not leaving it on a step,  
14 all these concerns that the public has brought up. So I would  
15 ask that that be part of the conditions if they're going to be  
16 making deliveries and that the liquor establishment doing the  
17 sales maintains that record so that liquor control can make  
18 easy checks to make sure that they're -- that they're abiding  
19 by the laws.

20 CHAIR ALULI: Okay. Do I have a second for --

21 MS. TYAU: And also if you could -- in your motion  
22 if you could address Executive Order 20-04 which is allowing  
23 license -- allowing the commission to allow licensees to sell  
24 unopened beer, unopened wine, or prepackaged cocktails with  
25 food for pick up, delivery, take out, or other means.

1           COMMISSIONER BECRAFT: Yes. So I'll add into the  
2 motion --

3           MS. TYAU: Especially limiting it to the unopened  
4 beer, unopened wine, or prepackaged cocktails. It does not  
5 include distilled spirits in the governor's executive order.  
6 It's specific to the commission allowing all or selected  
7 unopened beer, unopened wine, or prepackaged cocktails with  
8 food.

9           COMMISSIONER BECRAFT: That's all spelled out in  
10 that Section 20-04; correct?

11          MS. TYAU: Right. Yes.

12          COMMISSIONER BECRAFT: Okay. So I move -- I so add  
13 that to my motion to include the 20-04 as the guidelines too  
14 for them to follow in the governor's -- that's in his  
15 proclamation, I believe. Correct?

16          CHAIR ALULI: Correct.

17          COMMISSIONER BECRAFT: Okay. Is my motion clear or  
18 should I reset it?

19          CHAIR ALULI: You might want to restate it.

20          COMMISSIONER BECRAFT: Okay. So I make a motion  
21 that we allow liquor -- people carrying liquor licenses under  
22 class -- the Class 2, 4, 5, 6, 12, 14, and 18 to be able to do  
23 home delivery of liquor with food that follows the  
24 executive -- the proclamation number under 20-04, the rules  
25 set forth within there. To also add that upon delivery of

1 liquor, that whoever they -- the -- whoever they have deliver  
2 the liquor to the home or place of destination, that they're  
3 required to take a photograph of the person accepting the  
4 liquor and that person's identification to be included in that  
5 one photograph together and that person has to match the  
6 person who purchased the liquor. And the liquor establishment  
7 has to maintain that record as -- with their receipts of the  
8 sale of that liquor so it's readily available for the liquor  
9 department to make checks to make sure that they're abiding by  
10 all laws and doing -- selling liquor to people that are of  
11 legal age. That is my motion.

12 MS. TYAU: Another thing to consider that the person  
13 making the delivery be someone with a certification card, an  
14 employee approved by the director card.

15 COMMISSIONER BECRAFT: That's -- is that a  
16 requirement?

17 MS. TYAU: Well, any time liquor is being sold or  
18 selling or serving, you always need someone with the employee  
19 approved by the director card in active charge.

20 COMMISSIONER BECRAFT: Okay.

21 MS. TYAU: It will be the person -- this would have  
22 to be a 21 or older person who can actually handle liquor and  
23 who went through certification process.

24 COMMISSIONER BECRAFT: (Inaudible) how I understand  
25 it's going to happen. So I would -- I would call in, I

1 would -- I think I would be complying with that by calling in  
2 to a restaurant and they have the card and they're the ones  
3 making the sale. That's different, I would think, than the  
4 person making the delivery. So I don't know, is it a  
5 requirement for them to -- 'cause the delivery person doesn't  
6 make the sale, they're just the delivery (inaudible).

7 MS. TYAU: Well, just keep in mind that no one under  
8 18 can be handling liquor, anyone handling liquor 18 to 20  
9 would have to be under the supervision of someone with the  
10 certification card. So if -- if it's not someone with a  
11 certification card, just something to consider, your delivery  
12 person might be under 21.

13 COMMISSIONER BECRAFT: I think that's a law  
14 violation; right? Isn't it illegal for anyone under the age  
15 of 21 to have liquor? So I don't know if we've got to recite  
16 all the laws, do we?

17 COMMISSIONER YOKOUCHI: Yeah.

18 MS. DESJARDIN: Can I make a suggestion just as a  
19 point of order? So Commissioner Becraft has made a motion,  
20 he's asking for a second. I understand the acting director  
21 has some concerns that can be read during the discussion  
22 portion, but can we at least -- the motion's got a lot of  
23 points to it, do you want to just see if you can get a second  
24 to what your motion is and then make a friendly amendment to  
25 that motion or whatever, but --

1 COMMISSIONER BECRAFT: Okay. Thanks Mimi.

2 MS. DESJARDIN: (Inaudible.)

3 CHAIR ALULI: Right. Okay. Thanks, Mimi.

4 So we got the motion on the -- on the table, can I  
5 have a second?

6 COMMISSIONER YOKOUCHI: Second.

7 CHAIR ALULI: Okay. Leslie Yokouchi seconded.

8 Okay. Now we can open it for discussion.

9 COMMISSIONER BECRAFT: So I think -- I think what --  
10 what Georgette was saying is -- for me, I just want to keep it  
11 as simple as possible. I understand Georgette's concern and  
12 it follows along all the lines. I just -- as long as it's  
13 legal at this point, I'm good with it. I think -- I mean, I'm  
14 not gonna go -- I don't want to go over every law. I mean, if  
15 they're going to use an 18-year-old or a 17-year-old to  
16 deliver it, they're going to be committing a violation  
17 themselves and I don't think any of them are going to do. So,  
18 I mean, what do they say, ignorance is not an excuse for the  
19 law. I don't know if we have to reset that. I don't want to  
20 make it so that the delivery person has to have a liquor card  
21 either because some of these agencies may elect to make a  
22 contract with Uber or whatever and just make sure that they're  
23 21 come and make the deliveries for them. So I don't want to  
24 make it more cumbersome, I'd like to just keep it as it is as  
25 long as it's legal.

1           And I guess that would be a question for Mimi. Am I  
2 correct in everything I've said, the motion so far, what I've  
3 said, it would be legal?

4           MS. TYAU: By rule the delivery would have to be by  
5 a -- by an employee of the licensee. And if it's not by rule,  
6 if the person is 18, anybody under 18 cannot handle liquor at  
7 all. If the person is 18 to 20, someone with a certification  
8 card would still have to go along with them in order to cover  
9 the current rule. But it would have to be by an employee of  
10 the licensee.

11           COMMISSIONER BECRAFT: I didn't know -- I thought we  
12 were doing this for the first time, I didn't know we had  
13 rules (inaudible) --

14           MS. TYAU: No, we're going -- if you're just  
15 suggesting home delivery, then I would think our rules still  
16 apply as far as who handles the liquor within the licensed  
17 premises, unless it's going to be allowed by another -- by the  
18 rule. I thought the thing was just for licensees to do home  
19 delivery, but if it's -- if it's the licensee just extending  
20 what they can do, then it would still be by an employee of the  
21 licensee unless the motion is for something else is what I'm  
22 saying.

23           COMMISSIONER BECRAFT: Well, I think my motion was  
24 that. It isn't something else. It's that -- leaving it up to  
25 them to make the decision on how they're going to make the

1 thing, the delivery process. I -- everybody right now is  
2 saying that they're going to be doing their own delivery.

3 COMMISSIONER DE MELLO: I think what --

4 CHAIR ALULI: That's -- that's the motion on the  
5 table.

6 COMMISSIONER DE MELLO: Can I say something?

7 CHAIR ALULI: Yeah. Go ahead, Jerry Beth.

8 COMMISSIONER DE MELLO: I hear what Georgette is  
9 saying is to prevent -- prevent any minors delivering, because  
10 if they're going to put in the order, they have their drivers  
11 or they have the Uber pick it up, you have no control  
12 unless -- everything has to be to that establishment. If  
13 they've got the card -- now are you going to have everybody  
14 carded and -- and of age for them to deliver it?

15 CHAIR ALULI: Yeah, but Jamie's motion is not  
16 addressing that at all.

17 COMMISSIONER DE MELLO: Correct.

18 CHAIR ALULI: He's just addressing exactly what his  
19 motion was about and that's just the fact that home deliveries  
20 with the conditions that he added is all we're addressing at  
21 this point, so that -- that's the motion on the table.

22 COMMISSIONER DE MELLO: So the motion -- the motion  
23 is incomplete.

24 MS. DESJARDIN: Well, his motion is what it is. And  
25 then procedurally, if people want to make amendments to the

1 main motion and then you can vote on whether those amendments  
2 should be made part of the main motion, you can do that. For  
3 example, somebody could say, Well, I move to amend the main  
4 motion to include blah, blah, blah, or exclude a portion. You  
5 can entertain those types of sub-motions at this point, but he  
6 has made his motion, it's been seconded.

7 CHAIR ALULI: Okay.

8 COMMISSIONER YOKOUCHI: I have a question. So,  
9 Mimi, all these amendments and motions that we try to decide  
10 on today, would that make -- come out as rule changes? Are  
11 these rule changes or are we just --

12 MS. DESJARDIN: No.

13 COMMISSIONER YOKOUCHI: It's just emergency.

14 MS. DESJARDIN: Yeah. The whole point is  
15 (inaudible) to make is these. Right, you don't have to do  
16 rule changes. However --

17 COMMISSIONER YOKOUCHI: (Inaudible.) Seems like  
18 what we're trying to add, we're getting too cumbersome, as  
19 Jamie mentioned. And I think in any rule, we can go into a  
20 restaurant and say this and that and this and that and make  
21 rules, but (inaudible) we follow, that's why we have the  
22 liquor control guys, right, to make sure rules are being  
23 followed. I don't think we need to be so specific, 'cause  
24 that will just entail things and drag things on. And I think  
25 right now what these restaurants need is a quick answer so

1 they can go on to business because we are all -- we are all  
2 almost a month behind already, because our meeting was  
3 cancelled, to address this proclamation. So I think we just  
4 need to move on and instead of being so specific on things.  
5 It'll be impossible to get every item for everything that I  
6 think we want to do.

7 CHAIR ALULI: So, Mimi, the question --

8 MS. DESJARDIN: So (inaudible). If you have a  
9 motion and part of that motion is that -- that if it passed as  
10 is, that the establishment shall maintain the record for the  
11 liquor department's review if necessary. Okay? So if, for  
12 example, somebody goes out and hires an agent or a third party  
13 to do these deliveries and they don't determine a method to --  
14 to live up to that part of what you are passing, then they're  
15 going to get in trouble. It's up to the liquor establishment  
16 to follow the rules that you guys are trying to put into place  
17 right now. So on the one hand if you -- that's up to them.  
18 If they don't -- if they decide to use an Uber and they don't  
19 figure out a method, then they're going to run into a problem  
20 because they didn't follow the rule which was that, you know,  
21 you're going to take a picture of the ID with all those  
22 things. So they're not going to have lived up to the rule  
23 that you're trying to put together right now.

24 MS. TYAU: Just for clarification, the department  
25 doesn't regulate third parties and I don't believe the other

1 counties are doing Uber -- so just the two main points I think  
2 is important, because what we have authority over to enforce  
3 is the licensee, that's our jurisdiction. So at least -- like  
4 I said, it's in the sense where you need someone with the  
5 certification card, the employee approved by the director card  
6 at any time liquor is being sold or served and you cannot --  
7 at any place, so that would be number one. But the licensee  
8 is normally the only people that can handle the liquor to the  
9 point of ending the sale, so if you do a third -- if you're  
10 going to allow third-party Uber, I'm not sure how the  
11 department would enforce a third party because our  
12 jurisdiction is the licensee. So just the two main points in  
13 all of this. So I think that prior when there was home  
14 delivery, the two main things that was in place was that it be  
15 done by someone holding an employee holding the certification  
16 card, the employee approved by the director card, and that  
17 they insure that the person is 21, which is the picture  
18 they're taking. But if you're going to allow Uber, Uber is  
19 not our jurisdiction, so I'm not sure --

20 COMMISSIONER BECRAFT: Georgette. Jamie Becraft  
21 here.

22 COMMISSIONER YOKOUCHI: Yeah, it's county law --  
23 it's law that you cannot handle liquor if they are not 21. If  
24 it comes under liquor control and I think that's the Hawaii  
25 state law. The police are (inaudible) for ensuring that.

1 MS. TYAU: Exactly. It would fall on police. If  
2 it's outside of the liquor licensee, then it would fall upon  
3 police.

4 COMMISSIONER BECRAFT: Mr. Chair.

5 CHAIR ALULI: Yes.

6 COMMISSIONER BECRAFT: Jamie Becraft.

7 CHAIR ALULI: Jamie.

8 COMMISSIONER BECRAFT: I have -- I have another  
9 question for Georgette.

10 Georgette, do you think that you -- that they -- you  
11 don't have enforcement for Uber, that wouldn't change -- so if  
12 I'm following this thought pattern correctly, then if we pass  
13 what we're -- we have in motion thing here, if they use Uber,  
14 that does not alleviate the licensee from fulfilling the  
15 requirement of having a photograph of a person like this with  
16 my hand by my, you know, face or, you know, holding up  
17 license, a photo of me and my license to be part of their  
18 record for you to review. So you -- so the fact that we're  
19 using Uber to -- to -- if they decide to use Uber to make a  
20 delivery, I don't see how that would hamper you in  
21 enforcement.

22 MS. TYAU: I would defer to corp. counsel, but I'm  
23 just trying to express that the emergency rule right now is  
24 allowing home delivery or taking it, everything else is still  
25 in place. So what I'm saying is that it's always been an

1 employee of the licensee who has to be the one to handle the  
2 liquor. Unless you guys are going to change that rule for  
3 this one, then it would -- I believe it would have to be said.  
4 Because if our current rule is there, it's always the  
5 employee -- it has to be handled by the employee and it always  
6 has to be someone with an employee approved by the director  
7 card. So if that's not going apply here, then I guess that  
8 would have to be said that it doesn't apply here 'cause  
9 otherwise our rules, other rules and laws are still in effect.

10 COMMISSIONER U'U: Question.

11 CHAIR ALULI: Who is that? Bruce.

12 COMMISSIONER U'U: I just wanted to -- this is  
13 kicking the can around, so to speak. Would it be acceptable  
14 to not allow third-party deliveries? I think a lot of the  
15 testimony out there were against third-party delivery, maybe  
16 that they're not being held accountable for whatever reason.  
17 I'm just throwing it out there as part of the discussion if  
18 that's the rule we want to take in an Uber delivery or not.  
19 Is it acceptable, is it not. You know, I get it, under 21 --  
20 you must be 21 to deliver, but I'm just throwing it out there.  
21 It's a -- a lot of the problems stem from that. And I don't  
22 know. I mean, Garrett talked about it, he talked on the  
23 subject that -- I think his position was not a third-party  
24 delivery, so I don't know -- I just wanted feedback on what  
25 people are feeling and thinking about the third party, anybody

1 else. Thank you.

2 COMMISSIONER BECRAFT: Thank you, Bruce.

3 Mr. Chair, Jamie Becraft.

4 CHAIR ALULI: Yes, Jamie.

5 COMMISSIONER BECRAFT: Yeah, Bruce, this is Jamie.

6 You know, I'm okay with it technically, if that's where we're  
7 going to end up. My -- my main thing is I don't want to -- I  
8 just don't want to make this more cumbersome. I don't want to  
9 say, Hey, we're trying to help, but now you have to have a to  
10 have a blue card, a pink card, you've gotta drive on the left  
11 side of the road. You know, I don't want to -- I don't want  
12 to add the -- I'm just trying to -- we're going to pass this  
13 under this thought pattern of it's an emergency, people are  
14 just looking for avenues to try to keep people employed. You  
15 know, I don't want to be putting up further roadblocks. I  
16 don't want -- if -- even the -- that blue card thing, I want  
17 to make sure we waive that if that is actually a requirement  
18 because I've never heard of that or know of that. And I have  
19 to defer to Georgette because she would have the most  
20 knowledge, but in my -- even if the blue card thing in and of  
21 itself -- if one of these agencies now opens up and hires a  
22 new -- you know, a new 24-year-old college student, you know,  
23 to do their deliveries, now -- now they're going to, Oh, but  
24 we have to wait for you to clear your licensing through -- and  
25 I don't want that, you know.

1           COMMISSIONER U'U: I wasn't speaking of the  
2           licensing part, I was more speaking -- speaking on the  
3           delivery part, the third-party delivery. And I'm not --

4           COMMISSIONER BECRAFT: And that -- if there's other  
5           people that don't like that, I mean, speak it and -- I mean,  
6           I'm not -- I'm not -- I'm not dead set on that, you know.

7           COMMISSIONER U'U: I'm just throwing it out there  
8           for that part, specifically only that part.

9           COMMISSIONER BECRAFT: Yeah. I mean, let's --

10          MS. DESJARDIN: So if somebody wants to make a  
11          friendly amendment or make a motion to include something in  
12          the main motion, you can do that. Once you -- you know, as  
13          this discussion has matured, I know you know that, but that  
14          would be the proper -- the appropriate way to handle this at  
15          this point rather than saying it has to be this way. It's  
16          whatever you folks decide based on the governor's  
17          proclamation, which is pretty wide open, frankly.

18          COMMISSIONER U'U: Okay.

19          COMMISSIONER BECRAFT: Does anybody else want to --

20          CHAIR ALULI: So, Bruce, with that -- and so, Mimi,  
21          I'd ask -- I'm sorry. So, Mimi, with that in mind, Bruce  
22          could make an amendment to the motion addressing that part; is  
23          that correct? (Inaudible.)

24          MS. DESJARDIN: No, no, no. It's any -- actually,  
25          Jamie probably isn't the person to do it because he made the

1 motion, but he --

2 CHAIR ALULI: Right.

3 MS. DESJARDIN: But someone could say, I move to  
4 amend the main motion to include we allow Uber or we don't  
5 allow Uber or whatever you want to say. And then if you get a  
6 second, then you can discuss and then vote on that and it  
7 either passes or it fails, it either becomes part of your main  
8 motion now or it doesn't. So right now you just have the  
9 stuff Jamie said.

10 CHAIR ALULI: Right.

11 COMMISSIONER BECRAFT: And before we go there,  
12 though, Mr. Chair, I would ask -- I mean, I appreciate Bruce's  
13 input and, you know -- and I've done my input. I mean, I'd  
14 like to -- if any of our other members would like to weigh in  
15 on what they see, you know, what they feel.

16 COMMISSIONER ANDRION: Mr. Chair, Robert Andrion.

17 CHAIR ALULI: Go ahead, Roberto.

18 COMMISSIONER ANDRION: As far as the delivery, and I  
19 think we should ask the institutions, the restaurants who  
20 wants to do deliveries, we should put it on them to have their  
21 own employees deliver instead of having a third party, that  
22 way it would basically, how would you say, eliminate the --  
23 the problems with the blue card. Because the institution  
24 itself would have the blue card and anybody else that is  
25 basically -- and they would know that for anyone to deliver,

1 it would have to be over 21 because they're handling the  
2 liquor. So if we left it at the -- at the responsibility of  
3 the people that wants to open up a delivery system, then I  
4 think that would alleviate a lot of this issues that we're  
5 facing.

6 COMMISSIONER YOKOUCHI: This is Leslie Yokouchi.

7 CHAIR ALULI: Go ahead.

8 COMMISSIONER YOKOUCHI: Couldn't we put it upon the  
9 establishments to check when Uber guy comes in for the  
10 delivery pickup to make sure that he's 21 if he's taking  
11 alcohol? Would that be simple (inaudible) to pick up the food  
12 and alcohol and put it on the road have to ensure that he's  
13 21.

14 COMMISSIONER BECRAFT: That would be -- that  
15 would -- that would work too.

16 COMMISSIONER YOKOUCHI: 'Cause they're the  
17 establishments, they know the liquor laws backwards and  
18 forwards and I think they are (inaudible) properly.

19 CHAIR ALULI: Okay. Mimi, I have a question at this  
20 point. If there is -- if the commissioners wish to add an  
21 amendment, we would have to vote on that amendment; correct?

22 COMMISSIONER BECRAFT: Wait, wait. Mr. Chair,  
23 somebody's got to kill their mics again. I think it's Leslie  
24 Ann, since I -- because we have huge feedback. Let's hit --  
25 there you go.

1           Try again, please, Chair. I'm sorry.

2           CHAIR ALULI: Okay. So, Mimi, my question -- oh,  
3 wait a minute. (Inaudible).

4           COMMISSIONER BECRAFT: Bruce, maybe yours. Can you  
5 try yours one? Mute. Yeah, try again.

6           CHAIR ALULI: So, Mimi, my question --

7           COMMISSIONER BECRAFT: It's somebody else that's  
8 logged in from outside. We can hear them knocking and all  
9 sorts of stuff. Can you mute the outsiders, Mr. Chair?

10          CHAIR ALULI: (Inaudible) I'm not sure what's going  
11 on, but anyway. (Inaudible) feedback somewhere. All right.  
12 I'll try my best. Okay. I think it's gone now.

13          So, Mimi, my question is: We have to vote on the  
14 amendment to Jamie's original motion, then, right, if, in  
15 fact, we want to address this issue of third-party delivery;  
16 is that correct?

17          MS. DESJARDIN: Yeah. So so far nobody's actually  
18 made a motion, but when you folks are done with your  
19 discussion, to move it on, what you -- somebody wants to  
20 entertain a motion to amend the main motion to include, you  
21 know, or whatever you want say. But somebody needs to make a  
22 motion at this point to add to Jamie's motion. I'm sorry,  
23 Commissioner Becraft's motion.

24          CHAIR ALULI: Okay.

25          MS. DESJARDIN: Does that make sense?

1 CHAIR ALULI: Yes, it does.

2 So does anybody wish to make an amendment to Jamie's  
3 motion that's on the floor right now to either include or not  
4 include third-party delivery?

5 COMMISSIONER BECRAFT: And I -- Mr. Chair, and  
6 it's -- Bruce, sorry, your mic wasn't on, I -- I wasn't  
7 talking over you.

8 But it -- are we making a motion to amend to have  
9 them responsible to take a -- for them to look at the Uber's  
10 license or are we making a motion -- or are we doing the  
11 removing of the third party?

12 CHAIR ALULI: I'm not -- I don't know. I -- it  
13 depends on who -- who wants -- it depends on what motion wants  
14 to be made as the amendment regarding third-party delivery.  
15 So, again, the question is: Does anybody wish to make an  
16 amendment to Jamie's motion on the floor right now regarding  
17 third-party deliverers? Bruce, do you wish to make --

18 COMMISSIONER U'U: I can add something.

19 CHAIR ALULI: Yeah. Go ahead.

20 COMMISSIONER U'U: Is that (inaudible).

21 CHAIR ALULI: Bruce, go ahead. Yes.

22 COMMISSIONER U'U: Okay, yeah. You know, just to  
23 get the ball rolling, I want to make an amendment and if it  
24 dies, it dies. I would like to make an amendment that they  
25 allow no third-party delivery. And my reasoning is part of

1 the -- part of the executive --

2 MS. DESJARDIN: Commissioner U'u.

3 COMMISSIONER U'U: Yes.

4 MS. DESJARDIN: Just make the -- just make the  
5 motion first and see if you get a second and then there can be  
6 discussion of the motion.

7 COMMISSIONER U'U: Thank you very much. I'd like to  
8 make a motion that there will be no third-party delivery for  
9 varying reasons.

10 CHAIR ALULI: Okay. Do I have a second to that  
11 motion?

12 COMMISSIONER DE MELLO: Jerry Beth De Mello. I  
13 second.

14 CHAIR ALULI: Okay. It's been moved and seconded.  
15 Discussion.

16 COMMISSIONER BECRAFT: Mr. Chair --

17 MS. DESJARDIN: Let Mr. -- can Commissioner U'u  
18 explain his motion first?

19 COMMISSIONER BECRAFT: Oh, okay. Yes.

20 CHAIR ALULI: Okay. Go ahead.

21 MS. DESJARDIN: (Inaudible) why he put it forth.

22 COMMISSIONER U'U: Thank you. Commissioner U'u  
23 speaking. It's my first day, by the way, for my meeting.

24 You know, I believe the executive order set out by  
25 the governor was to get back the people to working so we don't

1 have the social challenges of people being unemployed. So  
2 enacting this, it is to bring employment back to the people  
3 currently not working for the same restaurant or what have  
4 you. To have a third party, in my opinion, to deliver  
5 something would be taking away from an employment for who was  
6 working prior and not hiring a third party who's already work  
7 at the time. So I guess for me it is the social impact of  
8 getting your job back will balance the alcohol sales that we  
9 need to give up, is what I'm saying. So that's my thought  
10 process, I thought that was -- that was the reasoning behind  
11 the proclamation and I'd feel better if it passed that -- the  
12 second part is that the establishment now becomes responsible  
13 for the delivery where they can say it wasn't us, it was a  
14 third party, being Uber or what have you. Just that's my two  
15 cents and thank you for my time. Thank you for giving me the  
16 time.

17 CHAIR ALULI: Jamie Becraft.

18 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft. I  
19 agree with Bruce, I'm good with it. I think it's a good point  
20 and I support -- I support that. I do have one question for  
21 Georgette, though. If we go with that system and they open up  
22 and they hire a driver to make delivery, do they have to come  
23 in and get a special card?

24 MS. TYAU: No. The only card we have is the  
25 certification -- employee approved by the director card, which

1 you have to be 21 to get.

2 COMMISSIONER BECRAFT: So they (inaudible) --

3 MS. TYAU: And then currently anybody (inaudible)  
4 liquor -- anywhere there's liquor, you needed someone with a  
5 certification card present, that's the current rule.

6 COMMISSIONER BECRAFT: How -- and how long would it  
7 take me to get that card if I were applying today.

8 MS. TYAU: Well, a lot of the employees already have  
9 that card and that is the one that we did an extension to  
10 because it's good for four years from date of issue, so that's  
11 the one that I extended that if it expired during this time  
12 period. A lot of the premises, all of their employees,  
13 they're required to have it whether they're acting in a  
14 managerial or supervisory capacity. I cannot tell you exactly  
15 what they had. As of right now, we don't have the test, the  
16 test is cancelled as of right now.

17 COMMISSIONER BECRAFT: Okay. Then I want to make  
18 sure that we end this -- if we could also add into this motion  
19 somehow that we're going to waive the blue card requirement  
20 for delivery so that they can go ahead and make hiring for --  
21 you know, to keep it in the business, that they can hire  
22 someone and they can make the delivery and they're got to be  
23 in trouble because they can't get this blue card for that. So  
24 I'd like to waive that. I do not think --

25 (Inaudible comment.)

1 CHAIR ALULI: Yeah. We have to address the  
2 amendment motion by Bruce first which is the not allowing  
3 third-party delivery.

4 COMMISSIONER BECRAFT: I see. I understand.

5 CHAIR ALULI: So any further discussion regarding  
6 that issue?

7 COMMISSIONER BECRAFT: No. I'm good with it. Thank  
8 you.

9 CHAIR ALULI: Okay. So all in favor of the  
10 amendment to not allow third-party delivery put forth by Bruce  
11 U'u, all in favor?

12 (Response.)

13 CHAIR ALULI: Any opposed?

14 (No response.)

15 CHAIR ALULI: Okay. That motion carries. Now --  
16 Leslie Ann, did you oppose that third -- restricting --

17 COMMISSIONER YOKOUCHI: Yes, I did.

18 CHAIR ALULI: Yeah. Okay. I didn't recognize that.  
19 Okay. But it's -- okay. Oh, no --

20 UNIDENTIFIED SPEAKER: Chair (inaudible).

21 CHAIR ALULI: Oh, we've got one, two -- we've got.  
22 Okay. We have five.

23 No, you can't vote, Auntie, you're not a  
24 commissioner.

25 COMMISSIONER BECRAFT: We have Roberto, Bolosan, we

1 have Jerry Beth, U'u, and me, that's five.

2 CHAIR ALULI: Yeah, we have five. Yeah. Okay. So  
3 the motion carries.

4 So now we move back to the original motion that's on  
5 the table from Commissioner Becraft, so all in favor of Jamie  
6 Becraft's motion.

7 COMMISSIONER BECRAFT: I have a question. Are we  
8 going to be add another motion -- what I wanted to add it on  
9 if we vote on mine now, Mimi, or do we need to --

10 MS. DESJARDIN: Well, if you want add -- if you want  
11 to do a -- right now you have a main motion as amended, 'cause  
12 it got approved. Now if you folks want to add more amendments  
13 to that main motion, now would be the time before Chair Aluli  
14 asks for the vote.

15 COMMISSIONER BECRAFT: Can I make that amendment?

16 MS. DESJARDIN: Yes.

17 COMMISSIONER BECRAFT: Okay. I would ask to make an  
18 amendment, Chair, if I may.

19 CHAIR ALULI: Yes.

20 COMMISSIONER BECRAFT: I'd like to add into the  
21 original motion on the main motion that the person delivering  
22 for the liquor license not be required to have a blue card  
23 because if they hire someone new right now -- oh, I shouldn't  
24 discuss. That's my motion.

25 MS. DESJARDIN: Yeah, just stay with the motion and

1 see if there's a second.

2 COMMISSIONER BECRAFT: I'm done.

3 MS. DESJARDIN: All right.

4 MS. TYAU: (Inaudible) an employee approved by the  
5 director card.

6 COMMISSIONER BECRAFT: Okay. The employee --

7 MS. TYAU: The employee approved by the director  
8 card.

9 COMMISSIONER BECRAFT: Employee approved by director  
10 card.

11 MS. TYAU: By the director card is the official  
12 name.

13 COMMISSIONER BECRAFT: Yeah, that's -- that's what  
14 I'd like to have waived. That's my motion.

15 COMMISSIONER YOKOUCHI: Second.

16 CHAIR ALULI: Okay. Discussion.

17 COMMISSIONER BECRAFT: I'm just going to say that's  
18 something where I -- I'm sorry.

19 CHAIR ALULI: (Inaudible) that's an amendment to  
20 your motion, so discussion on that -- on the amendment. Any  
21 further discussion?

22 (No response.)

23 CHAIR ALULI: All in favor of Jamie's amendment?

24 (Response.)

25 CHAIR ALULI: That's three. Those opposed to the

1 amendment?

2 (No response.)

3 CHAIR ALULI: The amendment doesn't pass, then,  
4 'cause it doesn't -- it's not a -- we only had three, yeah.

5 MS. DESJARDIN: Well, no, if -- if you don't recuse  
6 yourself and you don't vote, it's an affirmative vote in favor  
7 of the motion. So it's only one opposition, which is  
8 Commissioner Bolosan, is what I see. Is anybody else in  
9 opposition to it?

10 CHAIR ALULI: Well, then the motion carries, Mimi?

11 MS. DESJARDIN: Yes.

12 CHAIR ALULI: Yeah. Okay. Then the motion does  
13 carry.

14 Okay, all right. So now we go back to the main  
15 motion; right? Okay. So --

16 MS. DESJARDIN: As amended.

17 CHAIR ALULI: As amended. Okay. The main motion as  
18 amended by Commissioner Becraft, all in favor?

19 (Response.)

20 CHAIR ALULI: Motion carries. Sorry. Any -- who's  
21 opposed? Any opposition?

22 (No response.)

23 CHAIR ALULI: No. Motion carries.

24 All right. So let's move on to the last item on the  
25 Administrative Affairs agenda -- or second to the last, Review

1 of recruitment for vacant Liquor Control Department, for the  
2 director of the liquor control department. Yeah. All right.

3 The chair would like to go into executive session on  
4 this issue, so I would like to entertain a motion to go into  
5 executive session regarding Item E.

6 COMMISSIONER U'U: Motion to go into executive  
7 session.

8 COMMISSIONER BECRAFT: Jamie Becraft.

9 COMMISSIONER BOLOSAN: Bolosan. Second.

10 CHAIR ALULI: Okay. It has been moved and seconded.  
11 We'll go into executive session.

12 COMMISSIONER BECRAFT: All in favor.

13 CHAIR ALULI: Now. Okay. Thank you. So let's go  
14 into executive session.

15 MS. DESJARDIN: I'm sorry. Did you vote on that?

16 COMMISSIONER BECRAFT: There was no vote.

17 CHAIR ALULI: I'm sorry. Okay. I'm sorry. Yes.  
18 Thank you, Mimi.

19 All in favor of going into executive session? I'm  
20 sorry.

21 MS. DESJARDIN: We lost Ms. Yokouchi.

22 COMMISSIONER BECRAFT: One, two -- so we have five,  
23 does that -- does that count 'cause we have five?

24 CHAIR ALULI: Yes.

25 COMMISSIONER BECRAFT: I'm not sure. Is that good

1 enough?

2 CHAIR ALULI: Yep. So let's go into executive  
3 session.

4 (Pause in proceedings: 12:28 p.m.-12:46 p.m.)

5 CHAIR ALULI: Okay. Regular session is back in  
6 order. All right. The chair would like to entertain a motion  
7 to, number one, form a temporary investigative group known as  
8 TIG to -- which is a subcommittee, for the recruitment of a  
9 new director of the liquor department. The purpose of the TIG  
10 is to recruit and interview qualified candidates for the  
11 position of the director of the liquor -- department of liquor  
12 and to report back to the liquor control commission as a whole  
13 on recommendations of candidates to be considered by the  
14 commission.

15 The scope of the TIG is to identify and select  
16 appropriate places to advertise for the position, such as  
17 social media and other online sites, newspapers, periodicals,  
18 etc. Duties should include determining the frequency in which  
19 advertisements should run, the wording of the advertisement,  
20 if different from the existing ad, the period of time for  
21 recruitment, the interview process itself including questions  
22 to be asked and investigation into the background of potential  
23 candidates with the goal of presenting to the commission the  
24 best candidates available for consideration. The TIG may  
25 consult with corporation counsel and HR personnel within the

1 County of Maui for guidance where necessary, any other means  
2 necessary to accomplish the TIG's purpose -- or any other  
3 means necessary to establish the TIG's purpose.

4 At the conclusion of its investigation, the TIG  
5 shall create a report for the liquor control commission which  
6 includes a list of potential candidates for the commission's  
7 consideration. The report shall include background  
8 information and data on the potential candidates who are being  
9 presented for consideration by the TIG.

10 Rules of the TIG. Number 1. Discussion of matters  
11 pertaining to the scope and purpose of the TIG are limited to  
12 those who are members of the TIG only.

13 2. The physical presence of two TIG members for a  
14 discussion called and convened by the TIG chair or cochair in  
15 the TIG's -- TIG chair's absence shall constitute a quorum.

16 3. The discussion of matters relating to the  
17 purpose and the scope of the TIG investigation is only  
18 permitted during discussion called and convened by the TIG  
19 chair or TIG cochair.

20 Number 4. Two affirmative votes shall be required  
21 to establish a recommendation of the TIG. Items that do not  
22 receive two affirmative votes may be disclosed as findings  
23 rather than recommendations.

24 The TIG chair shall submit a report of findings and  
25 recommendations, if any, to the liquor control commission no

1 later than -- and I would like to establish June 30th as that  
2 date.

3 Number 6. The TIG shall be dissolved upon  
4 submission of its report to the liquor control commission.

5 Procedures once the TIG has completed its  
6 investigation: Number 1. Present reports -- report and  
7 findings to the liquor control commission shall be -- there  
8 shall be no deliberation or discussion at that time.

9 Questions of the TIG presenter are allowed.

10 And, second, there should be -- we should set a  
11 subsequent meeting for deliberation and decision making soon  
12 after the presentation of the TIG report of the commission.

13 So that being said, I would like to entertain a  
14 motion to select a chair for the TIG, a cochair, and a third  
15 party, and to extend the search date to June 30, 2020. That's  
16 the motion that I would like to entertain at this point. So  
17 that's the motion.

18 Yeah, go ahead, Bruce.

19 COMMISSIONER U'U: I've got a question. So when  
20 was --

21 CHAIR ALULI: There's a motion. I'm entertaining a  
22 motion.

23 COMMISSIONER U'U: Oh, there's a motion.

24 CHAIR ALULI: Yeah.

25 COMMISSIONER U'U: Okay, okay. None. None from me.

1 CHAIR ALULI: Jamie, you're -- you're making --  
2 Jamie, unmute.

3 COMMISSIONER BECRAFT: You're the first person ever  
4 to tell me to do that.

5 CHAIR ALULI: Okay. Go.

6 COMMISSIONER BECRAFT: Yeah, I hear a motion. I  
7 approve.

8 CHAIR ALULI: So do you have a -- we need a second.

9 COMMISSIONER DE MELLO: I second.

10 CHAIR ALULI: I entertained the motion, so, Bruce,  
11 you made the second; right?

12 COMMISSIONER U'U: No, I did not.

13 COMMISSIONER DE MELLO: Jerry Beth did.

14 CHAIR ALULI: Okay. Jerry Beth made the second.  
15 Okay. Okay. So now we're open for discussion. Any further  
16 discussion -- any further discussion on the extension or the  
17 formation of the TIG?

18 COMMISSIONER U'U: Discussion?

19 CHAIR ALULI: Yes.

20 COMMISSIONER U'U: Bruce U'u speaking. So when --  
21 so we extended the deadline and I guess we're looking for more  
22 people to apply. My question will be: When was the actual  
23 deadline or is it still ongoing? So I'm assuming we're  
24 extending the deadline. Am I wrong?

25 CHAIR ALULI: You're right, we are -- my motion is

1 to extend the deadline, correct, to June 30.

2 COMMISSIONER U'U: When was the official deadline --

3 CHAIR ALULI: I think the official --

4 COMMISSIONER U'U: -- prior to this extension?

5 COMMISSIONER DE MELLO: March.

6 CHAIR ALULI: I think it was May 8th.

7 COMMISSIONER U'U: Oh, May 8th. Just curious, how  
8 much -- I'm out of the loop. I just need some information in  
9 my brain. Is that something we discuss --

10 CHAIR ALULI: We can't discuss that at this point.

11 COMMISSIONER U'U: Okay, okay, okay. I'm assuming  
12 there hasn't been much applicants or we would not be asking to  
13 extend. That's just an assumption.

14 CHAIR ALULI: Okay.

15 COMMISSIONER U'U: Okay.

16 CHAIR ALULI: Any further discussion? All in favor?

17 (Response.)

18 CHAIR ALULI: Okay. Leslie Ann, where did Leslie --  
19 okay. So we've got one, two, three --

20 COMMISSIONER DE MELLO: Four. We've got one, two,  
21 three -- where did Leslie go?

22 COMMISSIONER ANDRION: I have -- I believe we have  
23 five, don't we?

24 COMMISSIONER U'U: Yeah.

25 CHAIR ALULI: Leslie Ann -- do we have five already?

1 Okay.

2 COMMISSIONER BECRAFT: Let's call our names out.

3 Jamie Becraft, aye. That's one. Jamie Becraft, aye. That's.

4 CHAIR ALULI: Okay. I'm going to call individually.

5 Jamie Becraft, aye.

6 Bruce?

7 COMMISSIONER U'U: Aye.

8 CHAIR ALULI: Roberto? Roberto, unmute your mic.

9 COMMISSIONER ANDRION: I'm sorry. Aye. Aye.

10 CHAIR ALULI: Leslie Ann is gone. Leon?

11 COMMISSIONER BOLOSAN: Aye. Do you hear me?

12 CHAIR ALULI: Yeah.

13 COMMISSIONER BOLOSAN: Aye.

14 CHAIR ALULI: That's five then.

15 COMMISSIONER BECRAFT: Jerry Beth. No, you only

16 have four.

17 COMMISSIONER DE MELLO: Aye.

18 COMMISSIONER BECRAFT: Now you're at five with Jerry

19 Beth.

20 CHAIR ALULI: Any opposed?

21 (No response.)

22 CHAIR ALULI: No opposition. Motion carries.

23 Okay. So, Mimi, question, so the forming of the

24 TIG, does that require -- or how do we move forward with that?

25 Can we do --

1 MS. DESJARDIN: Now you have a TIG -- under  
2 Hawaii -- can you guys hear me okay?

3 COMMISSIONER DE MELLO: Mm-hmm.

4 COMMISSIONER BECRAFT: We can now.

5 MS. DESJARDIN: Under HRS what you want to do now is  
6 that you're going -- a TIG can have more than two but less  
7 than a majority of the members of the commission. So at this  
8 point you now entertain a motion for chair of the TIG and then  
9 the cochair and then one member of the TIG. And you want to  
10 include in that what the authority of those members will be.  
11 So, for example, the chair -- under a TIG, the chair would be  
12 the one that would control, the cochair would sit in the place  
13 of the chair if the chair is unable to, and then you would  
14 have a third member of the TIG who's just a voting member, one  
15 member. So at this point you might want to entertain motions  
16 as to who is going to be on this TIG, who is going to take  
17 those seats.

18 CHAIR ALULI: Okay. So I, as the chair, would make  
19 that -- could make that motion?

20 MS. DESJARDIN: You could entertain a motion to  
21 nominate somebody and entertain a motion, I nominate -- if you  
22 have somebody in mind, I nominate so-and-so. You could open  
23 the floor up for people to ask for nominations of these three  
24 parties.

25 CHAIR ALULI: Okay. So as chair, I would like to

1 entertain a motion to appoint Jamie Becraft as the chair for  
2 the -- for the TIG. Are there any other appointment --  
3 appointments that people would like to make. (Inaudible.)

4 COMMISSIONER BECRAFT: Feedback, somebody's got to  
5 put their. Mute your mics, everyone.

6 Try again, Chair, please.

7 CHAIR ALULI: Okay. It's gone. There we go. Okay.  
8 The chair --

9 COMMISSIONER BECRAFT: It's not gone. Can you --  
10 Chair, can you mute everybody?

11 The feedback is coming from Leslie Ann's office. My  
12 (inaudible) showing that she's not muted.

13 Now try, Chair.

14 CHAIR ALULI: Now it's good. Where did -- how  
15 did -- the chair would like to --

16 COMMISSIONER BECRAFT: Leslie Ann muted herself.

17 CHAIR ALULI: All right. So the chair would like to  
18 entertain a motion to appoint Jamie Becraft as the chair for  
19 the -- for the TIG. Do I have a second?

20 COMMISSIONER U'U: I'll second. Bruce U'u second.

21 MS. DESJARDIN: I'm sorry. Somebody needs to move  
22 and then a second.

23 CHAIR ALULI: I'm sorry. Go ahead.

24 MS. DESJARDIN: That's okay. You're entertaining  
25 the motion, is there somebody to make the motion?

1 CHAIR ALULI: So, Bruce, do you want to make -- you  
2 make the motion.

3 COMMISSIONER U'U: I'll make the motion.

4 CHAIR ALULI: Okay. Do I have a second?

5 COMMISSIONER DE MELLO: Second. De Mello.

6 CHAIR ALULI: Okay. Any further discussion?

7 (No response.)

8 CHAIR ALULI: All in -- all in favor?

9 (Response.)

10 CHAIR ALULI: Okay. Motion carries. All -- any --  
11 any opposed?

12 (No response.)

13 CHAIR ALULI: Okay. Motion carries. So Jamie  
14 Becraft will chair.

15 I would like to entertain a motion for a cochair --  
16 I'm sorry. Or a vice chair, sorry, not cochair. A vice  
17 chair --

18 COMMISSIONER BECRAFT: Mr. Chair.

19 CHAIR ALULI: Yes, Jamie.

20 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft. My  
21 motion for vice chair to be Bruce U'u.

22 COMMISSIONER DE MELLO: I second that motion.

23 COMMISSIONER BECRAFT: That -- okay.

24 CHAIR ALULI: Jerry Beth De Mello seconded the  
25 motion. Any discussion?

1 COMMISSIONER BECRAFT: It had to be first and  
2 seconded. First I made the motion.

3 MS. DESJARDIN: You made the motion and Ms. De Mello  
4 seconded it.

5 COMMISSIONER DE MELLO: Yeah.

6 COMMISSIONER BECRAFT: Is that how it -- I thought.  
7 Okay.

8 MS. DESJARDIN: You just moved for Commissioner U'u  
9 to be vice chair.

10 COMMISSIONER BECRAFT: Yes, yes. Do you have a  
11 first and a second?

12 MS. DESJARDIN: You make the motion and a second.

13 COMMISSIONER BECRAFT: Okay. Thank you. I was  
14 messed all up.

15 CHAIR ALULI: Okay, all right. All in favor?

16 (Response.)

17 CHAIR ALULI: Select the third party for the TIG --  
18 or third member, sorry, third member for the TIG. Any  
19 recommendations? Jamie.

20 COMMISSIONER BECRAFT: Roberto had his hand up.

21 CHAIR ALULI: So Roberto.

22 COMMISSIONER ANDRION: I was going to nominate  
23 Leslie Ann just to put a balance of a female in there and not  
24 just have all those testosterone that are going.

25 COMMISSIONER DE MELLO: Yeah, but where did she go?

1 COMMISSIONER BECRAFT: I was going to ask for Jerry  
2 Beth.

3 COMMISSIONER ANDRION: Oh, there she is. So if --

4 COMMISSIONER DE MELLO: Leslie.

5 COMMISSIONER ANDRION: Okay. So I'd like to make a  
6 motion that Leslie Ann as the third party to the TIG.

7 COMMISSIONER YOKOUCHI: I had to leave for five  
8 minutes and what, what am I getting railroaded into?

9 COMMISSIONER DE MELLO: I second the motion.

10 CHAIR ALULI: Do me a favor, do me a favor, let's go  
11 back to what I was hoping to do at the beginning. Would  
12 everybody mute their mics and then if you want to be speak,  
13 since we're not doing paper, raise your hand and let me --  
14 then unmute yourself. I'll recognize you and unmute yourself  
15 so we're not talking over one another. We keep talking over  
16 one another. So everybody just mute your mics, okay? Please.

17 Leslie Ann, if you would mute yours for now.

18 Okay. So for the third person, a recommendation has  
19 been -- a motion has been moved by Roberto Andrion to make the  
20 third member of the TIG, to appoint Leslie-Ann Yokouchi. So  
21 do I have -- I'm going to unmute everybody and --

22 MS. DESJARDIN: And Commissioner De Mello seconded  
23 that.

24 COMMISSIONER DE MELLO: Yes.

25 CHAIR ALULI: Oh, it's already been -- okay.

1 Discussion on Leslie Ann Yokouchi as the third member of the  
2 party, of the TIG party -- TIG group. Any discussion?

3 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft.

4 CHAIR ALULI: Yes, Jamie.

5 COMMISSIONER BECRAFT: Does Leslie -- Leslie Ann, do  
6 you know what this is for.

7 COMMISSIONER YOKOUCHI: I'm assuming it's the  
8 committee that we talked about earlier that you're going to be  
9 the chair for? No? For the recruitment of a new director.

10 COMMISSIONER DE MELLO: Yes.

11 COMMISSIONER BECRAFT: And you would like to  
12 participate with that?

13 COMMISSIONER YOKOUCHI: Yeah, I wouldn't mind.  
14 It'll be very interesting.

15 Who is the second member? Who's the other member  
16 besides Jamie?

17 COMMISSIONER DE MELLO: Above you.

18 CHAIR ALULI: Bruce.

19 COMMISSIONER YOKOUCHI: Bruce.

20 COMMISSIONER BECRAFT: Yes.

21 COMMISSIONER YOKOUCHI: Cool. Welcome, Bruce.

22 CHAIR ALULI: Okay. So all in favor of Leslie Ann  
23 Yokouchi being the third member of the TIG group. All in  
24 favor?

25 (Response.)

1 CHAIR ALULI: Any opposed?

2 (No response.)

3 CHAIR ALULI: No. Motion carries. Okay. We've got  
4 the group.

5 Do I need a motion for adjournment?

6 Okay, all right. The chair would like to  
7 entertain -- at this time the chair would like to entertain a  
8 motion to extend the application date to June 30th, 2020. Do  
9 I have a motion for that.

10 Leon Bolosan make the motion.

11 COMMISSIONER DE MELLO: Second.

12 CHAIR ALULI: Second by Jerry Beth De Mello.

13 Any further discussion?

14 (No response.)

15 CHAIR ALULI: All in favor?

16 COMMISSIONER ANDRION: Mr. Chair, I've got a  
17 question.

18 CHAIR ALULI: Okay, all right. Yes.

19 COMMISSIONER ANDRION: I'm sorry. So it goes to the  
20 30th and if at that point in time that June 30th comes around  
21 and there -- would there be another possibility of extending  
22 it or are we going to make -- there's going to be a decision  
23 at that time?

24 CHAIR ALULI: No. It all depends on the TIG, it all  
25 depends on the TIG's recommendation.

1 COMMISSIONER ANDRION: Understood. Thank you.

2 CHAIR ALULI: Okay, all right. So all in favor of  
3 the motion to extend to June 30th?

4 (Response.)

5 CHAIR ALULI: Any opposed?

6 (No response.)

7 CHAIR ALULI: All right. Thank you. Motion  
8 carries.

9 All right, folks. I think the only -- the last  
10 thing is the Item F report on the liquor control adjudication  
11 board. Georgette, is there anything to report on that?

12 MS. TYAU: Just that the March, April, and May  
13 meetings were cancelled.

14 CHAIR ALULI: Okay, all right. That's it. Before  
15 we do close, I'm going to request that we plan to have at this  
16 point a -- another virtual meeting in June on the second  
17 Wednesday. Okay?

18 So with that being said, if there are no further  
19 items, I would like to call for adjournment. Do I have a  
20 motion for adjournment?

21 COMMISSIONER BECRAFT: Mr. Chair, I have a question  
22 before that, if I may.

23 CHAIR ALULI: Yes, Jamie.

24 COMMISSIONER BECRAFT: I just want to make  
25 clarification in regard to what we have approved so far with

1 the -- with the home delivery and stuff of that nature. As  
2 the old saying goes for me personally, I'd like to have seen  
3 this done yesterday, so can I get something regarding  
4 Georgette maybe contacting you in the next day or two? I just  
5 want to make sure that this gets moved forward as expediently  
6 as possible.

7 COMMISSIONER YOKOUCHI: I agree.

8 CHAIR ALULI: Okay. I will -- I will talk with  
9 Georgette about that and we will move it forward quickly.

10 MS. TYAU: I'll send an email today to corp. counsel  
11 and the chair on what's going to be done next so we can move  
12 forward.

13 COMMISSIONER BECRAFT: Okay. Great. 'Cause I would  
14 hate to the set this take another week or so. We're behind  
15 the ball on this.

16 And then is it possible also, Georgette, that  
17 these -- you know, I've been looking on the internet and  
18 seeing like Honolulu's webpage, they've got everything on  
19 their webpage. So can all this stuff be put up on our webpage  
20 so people can access and see what's going on and, you know, so  
21 they know what's happening?

22 MS. TYAU: Yeah. So once I know when it's going to  
23 be effective and I work with corp. counsel, then we do put  
24 things on our webpage.

25 COMMISSIONER BECRAFT: All right.

1 MS. TYAU: Things are updated on our webpage, yes.

2 COMMISSIONER BECRAFT: Okay. Terrific. Thank you  
3 very much.

4 That's all I have, Chair. Thank you.

5 CHAIR ALULI: All right. All in favor of  
6 adjournment?

7 (Response.)

8 CHAIR ALULI: No opposition, I'm sure. Meeting  
9 adjourned. Thank you very much.

10 (The proceedings were adjourned.)

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