

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held via Blue Jeans video conference, commencing at
9:03 a.m., on June 9, 2021.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

COMMISSION MEMBERS PRESENT:

CHAIRPERSON: LEON BOLOSAN
VICE CHAIR: JAMIE BECRAFT
COMMISSIONERS: AARON BOSWELL
JERRYBETH DE MELLO
SYLVIA HO
SNEHAL PATEL
STANLEY RUIDAS
BRUCE U'U

STAFF PRESENT:

DEPUTY CORPORATION COUNSEL: MIMI DESJARDINS
DIRECTOR: LAYNE N. SILVA
DEPUTY DIRECTOR: JARRETT KAHOOHANOHANO
COMMISSION SECRETARY: MARIA KHANGSENGSING
PRIVATE SECRETARY: LIANNE SUZUKI

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(June 9, 2021, 9:03 a.m.)

* * *

CHAIR BOLOSAN: The meeting of the liquor commission is now called to order. Before we do roll call, I would like to announce that we have a new commissioner joining us today. Please give a warm welcome to Snehal Patel. Sne.

All right. Okay. Robert Andrion is excused --

COMMISSIONER PATEL: Thank you.

CHAIR BOLOSAN: -- today.

Jamie Becraft. Let's have the role call. Please acknowledge your present by stating here or present. Jamie.

VICE CHAIR BECRAFT: Present.

CHAIR BOLOSAN: Jerrybeth De Mello.

COMMISSIONER DE MELLO: Here.

CHAIR BOLOSAN: Aaron Boswell.

COMMISSIONER BOSWELL: Present.

CHAIR BOLOSAN: Stanley Ruidas.

COMMISSIONER RUIDAS: Present.

CHAIR BOLOSAN: Bruce U'u.

COMMISSIONER U'U: Present.

CHAIR BOLOSAN: Okay. And I'm here, and I'm Leon. And when Silva is checking in, and then we'll say that --

COMMISSIONER HO: Chair, I'm on. Good morning, everyone.

CHAIR BOLOSAN: Okay. Sylvia Ho.

1 COMMISSIONER HO: Good morning.

2 CHAIR BOLOSAN: Good morning.

3 COMMISSIONERS: Good morning.

4 CHAIR BOLOSAN: Director Layne Silva.

5 DIRECTOR LAYNE N. SILVA: Present.

6 CHAIR BOLOSAN: Deputy Director Jarrett

7 Kahooohanohano. Jarrett?

8 DIRECTOR LAYNE N. SILVA: It looks like he's muted.

9 CHAIR BOLOSAN: Okay.

10 We have from the corp. counsel Mimi DesJardins.

11 CORP COUNSEL DESJARDINS: Aloha. Good morning,
12 everybody.

13 CHAIR BOLOSAN: Good morning.

14 CORP COUNSEL DESJARDINS: Bruce, Bruce, can you mute
15 your mic, please? It looks like you -- there's some static
16 coming out from your side. Thank you.

17 CHAIR BOLOSAN: And we do have Maria Khangsengsing.

18 MS. KHANGSENGSING: Yes, I'm here.

19 CHAIR BOLOSAN: Maria.

20 MS. KHANGSENGSING: Yes, I'm here.

21 CHAIR BOLOSAN: Lianne Suzuki on the side.

22 Did I miss anyone?

23 DIRECTOR LAYNE N. SILVA: That should be everyone.

24 CHAIR BOLOSAN: Yeah. If not --

25 I want to say public testimony will be taken when

1 each agenda item is discussed. Testimony is limited to three
2 minutes per agenda item. Please sign up in the chat and
3 indicate which agenda item you wish to testify on. You will
4 be called on when that item is discussed.

5 We have agenda for April 14, 2021. May I have a
6 motion to approve?

7 COMMISSIONER DE MELLO: I make a motion to approve
8 the agenda.

9 CHAIR BOLOSAN: Okay, Jerrybeth.

10 CORP COUNSEL DESJARDINS: Chair, this is Mimi. Just
11 for the record, it's the agenda for June 9, 2021.

12 CHAIR BOLOSAN: Oh, okay, all right.

13 CORP COUNSEL DESJARDINS: Just keeping us on our
14 toes.

15 CHAIR BOLOSAN: Thank you, Mimi.

16 Okay, all right. Yes. Can I -- it was moved by
17 Jerrybeth. Can I have a second?

18 COMMISSIONER U'U: I'll second.

19 CHAIR BOLOSAN: Okay, Bruce. You've got it, Bruce.
20 So those who are in favor, say aye, raise your hand,
21 please, so they can be counted.

22 (Response.)

23 CHAIR BOLOSAN: Okay. Opposed?

24 (No response.)

25 CHAIR BOLOSAN: Motion carried.

1 Let's move on on the minutes. Okay. Do I look at
2 this? Minutes for March 10th, 2021. May I have a motion for
3 approval?

4 MS. KHANGSENGSING: Chair, it's not for the
5 minutes --

6 CORP COUNSEL DESJARDINS: Chair, I think --

7 MS. KHANGSENGSING: The minutes is for May 12th.

8 CHAIR BOLOSAN: Oh, okay.

9 CORP COUNSEL DESJARDINS: I think you're looking --
10 you need a different copy of the agenda.

11 CHAIR BOLOSAN: Okay. I'm so sorry.

12 CORP COUNSEL DESJARDINS: No, it's okay.

13 CHAIR BOLOSAN: Wait a minute. I have many stuff
14 over here. Okay, Mimi. Okay. What was the -- that minutes,
15 the date on that one, please?

16 CORP COUNSEL DESJARDINS: May 12th.

17 CHAIR BOLOSAN: Okay. May 12th. Okay. May I have
18 a motion for approval for the minutes of May 12th?

19 COMMISSIONER U'U: Motion for approval.

20 CHAIR BOLOSAN: Okay. Bruce, you've got it.

21 COMMISSIONER DE MELLO: I second. I'll second.

22 CHAIR BOLOSAN: Second from Jerrybeth. Okay. So
23 those who are in favor, say aye.

24 (Response.)

25 CHAIR BOLOSAN: Okay. Opposed?

1 (No response.)

2 CHAIR BOLOSAN: Motion carried.

3 And we move on, General Licensing Matters, items
4 from A to F. May I have a motion for confirmation? A motion
5 for confirmation?

6 VICE CHAIR BECRAFT: Mr. Chair, Jamie Becraft. I
7 make a motion to approve Items A through F.

8 CHAIR BOLOSAN: Okay. Jamie, you've got it. Anyone
9 for the second? Bruce.

10 COMMISSIONER U'U: Mr. Chair, I'll make a second for
11 the same motion, A through F.

12 CHAIR BOLOSAN: All right. Thank you, Bruce and
13 Jamie.

14 Motion carried. Oh, before I say that, opposed?

15 (No response.)

16 CHAIR BOLOSAN: I don't see anybody opposed to that
17 item, then motion carried.

18 We're moving very fast. It's gonna be
19 Administrative Affairs, and it's the Director's Monthly
20 Report. May I have Layne from 1 to 6? Layne.

21 DIRECTOR LAYNE N. SILVA: Okay. Thank you, Leon.
22 And, you know, before I get started, if I may, getting into
23 the administrative affairs of the director's monthly report, I
24 would just like to comment, you know, I see some of the
25 representatives in here that we deal with regularly as well as

1 the commission themselves, just a comment on the agenda being
2 so small this month. Maybe a brief explanation is that
3 we're -- we're kind of in a bottleneck time of the year right
4 now with renewals going on. That combined with our staff
5 shortage and as well as having difficulty filling these
6 positions that are available, it has -- there has been
7 somewhat of a lapse in the licensing section within the
8 department. However, I want to assure you that the move is
9 done, we're in, we're on the last stages of renewals right
10 now. Hopefully, we can get everyone that is wanting to be
11 renewed, renewed before the end of this month, June 30th, and
12 next month's agenda should be right back up to standard and to
13 normal with licensing applications and things of that nature
14 coming before you guys. So I just -- I just wanted to go off
15 topic a little bit and make that comment just to bring you
16 guys up to speed as far as what is going on within the
17 department.

18 CORP COUNSEL DESJARDINS: And then before you go on,
19 Director, I just want to remind the chair to go ahead and open
20 the Administrative Affairs, Item A, Director's Monthly Report
21 for public testimony prior to starting.

22 CHAIR BOLOSAN: Oh, yes.

23 CORP COUNSEL DESJARDINS: Since we're taking
24 testimony before each item, if you want to see if there's
25 anybody in the public --

1 CHAIR BOLOSAN: Okay. I'd like to call on --

2 CORP COUNSEL DESJARDINS: Thank you.

3 CHAIR BOLOSAN: -- anyone that would like to testify
4 either for or against for any item. I don't see nothing on
5 the chat area; that's why, Mimi, to go.

6 Anyone who would like to testify?

7 (No response.)

8 CHAIR BOLOSAN: Then, if not, public testimony is
9 closed.

10 So I would like to go back to you, Director, for
11 your reports. Layne.

12 DIRECTOR LAYNE N. SILVA: Okay. The Director's
13 Monthly Report No. 1 being the Public Health Emergency Rules
14 effective May 9th, 2021. There was really no change that
15 happened other than the increase in allowance of percent --
16 I'm sorry, the percentage did not increase, but the amount of
17 people allowed to be within groups inside a premises was
18 increased. Other than that, I know you're all aware that the
19 governor came out and made a statement and changed the mask
20 mandate to allow for no mask to be worn outside, whether
21 you're vaccinated or not, so that is a change that has
22 happened in the enforcement of Rule 10 for the department.

23 Going on to No. 2, COVID-19 Public Health Emergency
24 Rules, Violation, 24-Hour Shutdowns. There was a shutdown
25 that took place on Friday, the 28th of May. It was a

1 different circumstance. It was a shutdown that took place
2 that, after further review and consultation with corporation
3 counsel, based on the governor's change in mask mandate, that
4 was reversed. The violation was based on employees not
5 wearing their masks out -- in an outside area of their
6 licensed premises, but after review, that 24-hour shutdown was
7 reversed, so it may have lasted several hours during that day,
8 but it did not constitute as a 24-hour shutdown.

9 Again, just a reminder to all applicants and
10 licensees, liquor license renewals deadline is June 30th,
11 2021. And we are frantically working through all the
12 applications that we have in the department and working
13 closely with the licensees that have corrections that need to
14 be made or adjustments that need to be made to their
15 applications in order to get it all corrected and fixed. Like
16 I said, our goal is to renew everyone who wants to be renewed
17 that is able to be renewed.

18 The department attended a Zoom meeting on May 26th
19 with the Maui Restaurant Hui members. We were invited to
20 attend the meeting, myself and Deputy Director Jarrett
21 Kahooohanohano attended the meeting. It was basically just a
22 talk-story session. They had a lot of questions that we were,
23 hopefully, able to answer and, you know, clear up some of the
24 misunderstandings and questions that they had, especially
25 regarding the Public Health Emergency Rules and things that

1 were going on at that time. As well as the new administration
2 basically introducing ourselves and letting them know what our
3 goals are and what our intentions are going into the future.

4 The office of the department of liquor control is
5 officially moved into the Maui County Service Center, so we
6 are now located at 110 Alaihi Street, Room 212. We're
7 upstairs; we're right at the top of the main stairway as
8 you're coming through the lobby. So we're -- we're fully out
9 of the David Trask Building, and we're -- this is where we're
10 at now. If any of you are in the neighborhood, you're more
11 than happy to come stop by and take a look at the new -- new
12 place.

13 And the 2021 state liquor conference and
14 investigators workshops are not being held. They were
15 scheduled to be held on Maui this year. Due to the COVID and
16 all the changes in the travel, what's allowed and things of
17 that nature, the conference will not be held on Maui this
18 year. With any luck, we'll get back to normal living, and if
19 that's the case, next year, it'll happen here next year.

20 And that's all I have for the director's monthly
21 report.

22 CHAIR BOLOSAN: Okay. Thank you.

23 DIRECTOR LAYNE N. SILVA: I'll turn it back over to
24 you, Leon.

25 CHAIR BOLOSAN: Thank you, Layne. Thank you.

1 Commissioners, any comments/discussion?

2 VICE CHAIR BECRAFT: (Gesturing.)

3 CHAIR BOLOSAN: Yes, Jamie.

4 VICE CHAIR BECRAFT: Thank you, Mr. Chair.

5 Hey, Layne.

6 DIRECTOR LAYNE N. SILVA: Hey, Jamie.

7 VICE CHAIR BECRAFT: I just want a few
8 clarifications, if I may, please.

9 DIRECTOR LAYNE N. SILVA: Sure.

10 VICE CHAIR BECRAFT: So we spoke of this being a
11 bottleneck time of the year because this is, to my
12 understanding, when everybody has to renew --

13 DIRECTOR LAYNE N. SILVA: Yes.

14 VICE CHAIR BECRAFT: -- do the renewals?

15 DIRECTOR LAYNE N. SILVA: Yes.

16 VICE CHAIR BECRAFT: The licensees.

17 DIRECTOR LAYNE N. SILVA: That's true.

18 CHAIR BOLOSAN: Okay. And it's -- you know,
19 obviously, we had the move, and there's a lot of things going
20 on, and I get that, but I just want to make sure that this
21 bottleneck is not hurting anyone, any of the licensees. Are
22 there things in play to help them out, or are we talking about
23 people are gonna be losing their license? Could you just
24 expound a little bit, please?

25 DIRECTOR LAYNE N. SILVA: Absolutely, yes. And

1 thank you for asking. Yeah, when I say bottleneck, basically,
2 from the -- from April 1st to June 30th, every liquor license
3 that exists in Maui County needs to be renewed, so these are
4 existing licensed premises that are actually in operation and
5 have been in operation throughout last year or any time within
6 the previous fiscal year. It -- the effect that it has is
7 when there's applications for permits and things of that
8 nature; although we do try to be as conscientious as we can
9 with the issuing of time-sensitive things, there are new
10 license applications for people that are looking to open new
11 businesses and things of that nature that -- that should be
12 dealt with that are not being dealt with in a timely manner.
13 I think a lot of it is a combination of the bottleneck in the
14 renewals as well as the shortage in the staff. You know, I --
15 I'm sure everyone is aware of right now everybody is
16 scrambling to find workers, to include us. And, you know, to
17 bring in qualified employees to come in and do the job that is
18 expected within the department, you know, it -- there are a
19 few additional steps that need to be taken. So although this
20 is typically our busiest time of year, compounded with COVID,
21 compounded with the fact that we just moved in the middle of
22 renewals, as well as a staff shortage, I think that has put us
23 a little bit behind. So I would say if there is a deficit
24 within the department at this time, that's where you'll find
25 it.

1 VICE CHAIR BECRAFT: Thanks, Layne. I think my
2 question -- maybe I'll reword it a little bit. So I'll just
3 take it in a section. Like for those who need to renew, those
4 are existing licenses that the bars have, the, you know,
5 Longs, all of these places have, is that correct?

6 DIRECTOR LAYNE N. SILVA: Yes, yes.

7 VICE CHAIR BECRAFT: Okay. So that one is the one
8 I'm kind of curious of, and like you were saying, that this is
9 the bottleneck time for them. I just want to know, are they
10 gonna be losing their license if we can't get to them, or is
11 there something in play right now where, no, no, we're gonna
12 be able to -- we'll be able to help them out, we're just gonna
13 extend it as long as, you know, things are -- like
14 applications have been submitted, we'll recognize that and
15 honor until we can get to it?

16 DIRECTOR LAYNE N. SILVA: All right. Well, we are
17 gonna get through all the applications prior to June 30th,
18 whether we have to stay here late or whatever the case may be.
19 We do have extra hands; myself included is actively involved
20 in reviewing of these applications. Applications that are
21 coming in that need attention, that need correction, our
22 supervising investigator of licensing Kari Yoshizawa is
23 personally contacting these people as we're being made aware
24 of it, to inform them of the issues that they're facing. And
25 the approach we're taking is as long as we're working with

1 them towards getting whatever thing is corrected, corrected,
2 as long as it's not something that is prohibited by state law,
3 such as a tax clearance or one of those items that is
4 completely out of our control, that we are working with these
5 applicants actively to move them forward to get everybody
6 renewed.

7 VICE CHAIR BECRAFT: Okay. So what I'm hearing is
8 as long as they're in play, they've submitted their
9 application, they don't have a "you haven't paid your
10 insurance," "you haven't paid your taxes," something that's
11 very glaring -- because you guys are a little bit behind or
12 having -- you know, trying to catch up, that's not gonna
13 affect them. They're gonna still be able to function. You
14 guys will work with them, and we're not -- we're not looking
15 at people losing their license or having temporary shutdowns.
16 Is that correct?

17 DIRECTOR LAYNE N. SILVA: Yes.

18 VICE CHAIR BECRAFT: That's great.

19 DIRECTOR LAYNE N. SILVA: Yeah. We're working with
20 the applicants, yes.

21 VICE CHAIR BECRAFT: Great. And I appreciate you
22 guys putting -- so you've put yourself on it and another
23 supervisor to assist with this bottleneck?

24 DIRECTOR LAYNE N. SILVA: Actually, we're all --
25 myself, Jarrett. Sandra Kobayashi is the one who is

1 spearheading the whole thing; that's basically her area.
2 Lianne, you know, we're all actively involved at this point.

3 VICE CHAIR BECRAFT: That's great. I appreciate
4 that. And I guess if somebody else has a question, please go
5 ahead, because I was gonna break it down by section, but -- do
6 one of the other commissioners want to jump in?

7 CHAIR BOLOSAN: Commissioners?

8 (No response.)

9 VICE CHAIR BECRAFT: Okay. So I'm gonna ask you --
10 I'd like to ask, then, about -- because you broke it -- you
11 hit another section, which is the new licenses, you know,
12 people trying for new businesses. So I'm assuming they're
13 like, if I heard you correctly, that is taking a little bit
14 longer, and we don't -- we didn't really see any new licenses
15 on this agenda. Is it -- would it be safe to assume that
16 you've got everybody on that -- how long do you think it'll
17 take to catch up on that, the new licenses?

18 DIRECTOR LAYNE N. SILVA: Well, like I said, now
19 that we're moved in, now that we've got most of the additional
20 distractions dealt with, our goal is to get back to normal
21 productivity in the licensing section. You know, it's a
22 give-and-take because of the shortness of staff. I think the
23 actual staff shortage does play a big part, a big role in that
24 realm, even more so than the fact that we're in renewals right
25 now. So, you know, the hopes are that we can fill these

1 positions, but we have also taken an active role in that realm
2 as well. And our goal is to get back up to normal
3 productivity so that we can start -- you'll start seeing new
4 license applications and things of that nature in the July
5 agenda and going forward.

6 VICE CHAIR BECRAFT: Okay. So we're probably gonna
7 see a lot more of those, then, on our next agenda?

8 DIRECTOR LAYNE N. SILVA: Yeah, absolutely.

9 VICE CHAIR BECRAFT: The new licenses.

10 DIRECTOR LAYNE N. SILVA: Yes.

11 VICE CHAIR BECRAFT: Okay. That's what I was kind
12 of looking at, just to kind of give those who are applying --
13 you know, that they can see that, you know, next month,
14 hopefully, we're gonna be able to get to a lot of those, you
15 know, once this renewal part is done.

16 DIRECTOR LAYNE N. SILVA: Yeah.

17 VICE CHAIR BECRAFT: I appreciate that. And then --
18 so the shortages that we've been speaking of, that you were
19 speaking of, are we -- are we -- do we have some -- a plan?
20 Are we moving forward with a recruitment plan, or is there --
21 is there an intended -- it's one thing to say we have
22 shortages, it's another thing to say what we're doing about
23 it. So can you tell me what we're doing about it?

24 DIRECTOR LAYNE N. SILVA: Yes. Actually, we -- it's
25 my understanding, and I believe it is with the department of

1 personnel services at this point, we have two openings that
2 are going to be posted. I have a meeting with the department
3 of personnel next Tuesday and with the hopes to discuss ways
4 to expedite filling those positions. But, yeah, we are moving
5 forward; we do have a plan.

6 VICE CHAIR BECRAFT: Okay. Great. That's --
7 that -- and that's all we can do, is try to -- try to hire,
8 right?

9 DIRECTOR LAYNE N. SILVA: Yes.

10 VICE CHAIR BECRAFT: And I guess my last, and I
11 don't know if this is off base or whatever, out of my -- I
12 don't know the answer to this, so can you just give me an
13 estimate of what you believe the starting wages is for
14 these -- for these positions?

15 DIRECTOR LAYNE N. SILVA: I don't know exactly, but
16 I do believe the -- what we're looking at is an opening for an
17 LCO trainee in licensing, as well as an LCO1 in licensing, and
18 we're looking at -- between the two, it's somewhere between
19 \$21 to \$23 an hour. You know, there's no glory, and you're
20 not gonna get rich working here, but, you know, there is
21 something to be said, you know, about holding a job like this.
22 It's not for everybody.

23 VICE CHAIR BECRAFT: And I truly -- yeah, I get
24 that. I would -- I know that you guys -- I've worked with you
25 in the past and it's a tough job, you know, nighttime and

1 going to the bars and dealing with intoxicated people and that
2 never -- never a dull moment, but --

3 DIRECTOR LAYNE N. SILVA: Right.

4 VICE CHAIR BECRAFT: Hard to find somebody, too, at
5 21 or 23 bucks an hour, you know, to be staying up all night
6 and taking that type of abuse on a regular basis. So I can
7 attest to, you know, some of the stuff I know that you guys
8 have gone through, so thanks. I appreciate all of your
9 answers. I just wanted to, you know, point out that, yeah,
10 we -- you guys did have a lot going on, and I just wanted to
11 make it really clear that there's a plan in play, that
12 nobody's gonna be losing their license, you know, they're
13 still gonna be able to be open, you guys are working with
14 them, and planning -- you know, trying to get the recruiting
15 going. And looks like maybe next month's agenda, we'll be
16 able to address a lot of these new applicants, so I appreciate
17 all of the information. Thank you, Layne.

18 That's all I have, Mr. Chair.

19 CHAIR BOLOSAN: Okay. Thank you, Jamie and Layne.

20 Any more from the commissioners? Questions?

21 Discussion?

22 COMMISSIONER PATEL: Yeah.

23 CHAIR BOLOSAN: Yes.

24 COMMISSIONER PATEL: Since I'm new -- hi, aloha
25 everybody. I had a question, Director Silva. In terms of

1 when we're talking about the renewals, are a lot of those just
2 people like, you know, Mr. Becraft was talking about just the
3 Longs Drugs, ones that -- like longtime standing, no issues
4 usually, just automatic renewal or, you know, it's pretty
5 clear-cut, the renewal process for them, or how -- what
6 percentage exists of that versus where you have to dig in and
7 really, like, okay, this changed or, you know, your insurance
8 isn't up to date, or there's a tax -- you know, due here?
9 What would you say, like, when you're going through these,
10 what percentage is like, okay, clearcut, renewed, right, and
11 then ones that aren't?

12 DIRECTOR LAYNE N. SILVA: Well, to be perfectly
13 honest with you, there is no clear-cut renewal. Everybody
14 goes through the same process whether you've been in business
15 for 40 years or if you've been in business since October.
16 Because -- because of the things that we look at that are
17 required by state law, you know, especially -- like you
18 mentioned these places like Longs Drugs, maybe, and -- and not
19 to pick on anybody, but when you're talking --

20 COMMISSIONER PATEL: No. Yeah.

21 DIRECTOR LAYNE N. SILVA: -- corporate structures,
22 you know, a lot of times in the corporate world, a lot of
23 places do not operate in the way that is required by our state
24 law and by Maui County rules, so the renewal process is kind
25 of our checks and balances, that's where we will come across

1 if there was some change that was made at the corporate level
2 that would need to be addressed, you know, going forward. So,
3 basically, every -- it doesn't matter what type of license you
4 have, how long you've been in business, everybody goes through
5 the same rigorous process.

6 COMMISSIONER PATEL: And so when they're applying,
7 they're applying just -- I'm sorry, guys, I'm kind of new at
8 this, so I just wanna get some clarification. When they're
9 applying, they're applying through a physical format, not an
10 online platform that contains that information? It's -- you
11 have to write it in or type it in --

12 DIRECTOR LAYNE N. SILVA: Yes.

13 COMMISSIONER PATEL: -- and send it in?

14 DIRECTOR LAYNE N. SILVA: Yes.

15 COMMISSIONER PATEL: Okay. And --

16 CHAIR BOLOSAN: We are -- because of the requirement
17 of an original signature, although, you know, we have
18 implemented electronic correspondence once -- after we receive
19 the application, then the correspondence is going to
20 electronic from that point forward.

21 COMMISSIONER PATEL: Okay. So on the back and
22 forth, got it. And, yeah, at some point I'd like to maybe
23 come down and just talk about the process and look at the
24 application and just kind of see -- you know, one thing is
25 like, I come also from a bit of a tech background, and if we

1 can look at the fields, it's basically if/then statements,
2 right? So if all of this fits, then it goes to this section
3 where it's already -- you're kind of -- your team knows all of
4 these parameters are already, you know, checked off. We can
5 make go through that process a bit faster if that form was
6 originally placed -- even a preliminary form before it gets to
7 a physical signature, like a pre-off, right, based on the
8 information, and then you folks would say, okay, you guys are
9 checked, you just need to physically sign this and send this
10 in, drop it off. I don't know if that makes sense or -- but,
11 you know, just kind of thinking as I'm coming across your
12 needs in terms of the bottleneck you talk about where we can
13 assist, because it's really -- right now with COVID, I know
14 there's a lot of businesses that may not exist any longer, and
15 because of that, there's new people coming into the territory,
16 right, like --

17 DIRECTOR LAYNE N. SILVA: Absolutely.

18 COMMISSIONER PATEL: And they're looking to start up
19 as far as they can and revive our economy and get things
20 going. But I know that hiring, you know, Mr. Silva, that's --
21 even on my end, it's tough to get people back to work right
22 now, so, yeah.

23 CHAIR BOLOSAN: Thank you, Sne.

24 Okay. Jamie, go ahead.

25 VICE CHAIR BECRAFT: Mr. Chair, thank you.

1 Layne, I just wanted to expound upon Sne's
2 questions. We -- and Sne, thank you, we have all been working
3 toward that, by the way, that is our goal. We've been talking
4 about that for a while. And with your background, that would
5 be helpful, 'cause I can only talk about it, I don't know how
6 to -- I don't know how to do it, but maybe you can be helpful
7 in that area. But the -- we have -- Mr. Director, we had
8 spoke about this before and when I heard your response -- are
9 those forms, the renewal forms, those are not online? Is
10 that -- is that --

11 DIRECTOR LAYNE N. SILVA: They are online, yes.

12 VICE CHAIR BECRAFT: Oh, okay. Your response, I
13 don't believe, actually represented that. Because that was
14 what Sne's --

15 DIRECTOR LAYNE N. SILVA: Actually, yeah, just to
16 clarify. All of our forms are online, but -- and I could be
17 wrong, but what I was hearing was -- and it is kind of some of
18 the stuff that we have talked about in the past. Like we're
19 looking at that fast field to try to get to a more active
20 online presence. But as of right now, our forms are online,
21 and I believe they're all -- they're all fillable, but we
22 still require those original signatures, so it's a situation
23 where they'll print it out.

24 VICE CHAIR BECRAFT: Right.

25 DIRECTOR LAYNE N. SILVA: They print it out and mail

1 it in, so --

2 VICE CHAIR BECRAFT: Okay.

3 DIRECTOR LAYNE N. SILVA: And I think what we're
4 alluding to as far as electronic is going towards more of a
5 streamlined-type situation where, you know, it's kind of like
6 a fill in the field and -- and press a button on your app, and
7 it shoots back and that type of thing, which we are looking
8 into trying to move into as soon as possible, but we're not
9 there yet. But I believe that's what we were kind of alluding
10 to just then, yeah.

11 COMMISSIONER PATEL: Yeah, that's exactly right, is,
12 you know, being able to submit through that process online and
13 then the --

14 DIRECTOR LAYNE N. SILVA: Right.

15 COMMISSIONER PATEL: The signature portion could
16 come after the fact and, you know, yeah.

17 VICE CHAIR BECRAFT: Just -- I just want to add one
18 thing, that even though we do that -- and that's the way to
19 go. I'm not saying -- I'm not gonna say something negative
20 where I'm saying we shouldn't be there. I believe a hundred
21 percent that we should be there, you know, and we're not. But
22 as quickly as we can, you know, we're moving forward and --
23 and the director has been supportive of that, so I'm
24 appreciative. But I just want to point out too is one of the
25 things that didn't come out, and I believe -- if I'm not

1 correct on this, Layne, please correct my -- even if we did
2 have that, a lot of the problems, my understanding, is that
3 every year when they review these applications, these
4 renewals, they find stakeholders have changed, management has
5 changed, and there hasn't been proper notification given,
6 which is required by law to have the -- you know, we have to
7 vet the stakeholder. You can't just be a stakeholder in a --
8 in a liquor business, you know, if you -- if you have a
9 felony, you're -- you're out, you know. Various different
10 things would make you not be able to be a stakeholder, and
11 there's percentages and stuff. So just so we know that it's
12 not just as simple as filling out a form; it's this checks and
13 balances, make sure that everything is in compliance. Is
14 that -- is that an accurate description, Layne?

15 DIRECTOR LAYNE N. SILVA: That is absolutely
16 correct. And that is -- because I can tell you when an -- a
17 renewal application comes in, and it's all good, it'll
18 probably take ten minutes to go from front to back and say
19 it's all good, issue the license. When you do come across the
20 changes that occur in the corporate structure or in stock
21 ownership percentages or, you know, memberships and
22 managements in the LLCs and things of that nature, that's when
23 it gets complicated, that's when the time -- it takes time.
24 So you're absolutely right, that is the purpose, I believe,
25 for the renewal process based -- because state law has certain

1 requirements as far as who can and who cannot be a licensee
2 within the state of Hawaii.

3 VICE CHAIR BECRAFT: Thank you, Director. I
4 appreciate it. I just wanted to clarify everything. But,
5 yeah, I'm with Mr. Sne; I'm all about let's get it all online,
6 everything.

7 DIRECTOR LAYNE N. SILVA: Yeah.

8 VICE CHAIR BECRAFT: Thank you. That's all I have,
9 Mr. Chair.

10 CHAIR BOLOSAN: Okay. Thank you, gentlemen. Thank
11 you, Jamie, Sne, and Layne.

12 Any more comments? Any more discussion from -- on
13 any issue?

14 (No response.)

15 CHAIR BOLOSAN: Well, if not, that should conclude
16 the -- the director's monthly report area. So I would like to
17 move on to D, Workshop for both liquor control adjudication
18 board and liquor control commission members is scheduled for
19 Thursday, June the 17th, 2021, at 9:00 a.m. via Blue Jeans
20 video conference. Since there's two people that I know that
21 will be involved on this workshop, who is the director and
22 corp. counsel, Mimi, would you like to add anything on the
23 workshop for now?

24 CORP COUNSEL DESJARDINS: Yeah. Let me just add
25 that you'll be so much smarter after this workshop than you

1 are now. I can't even stress that enough.

2 CHAIR BOLOSAN: Okay.

3 CORP COUNSEL DESJARDINS: And the price is right.
4 So I'm -- I really hope you're all there. It's a -- it's a
5 nice way for us to exchange information. You can ask
6 questions; the public is invited. It's a public meeting. So
7 just encourage you to join, and then any questions that you
8 have, we'll answer them to the best of our abilities. So
9 we'll see you there on the 17th and appreciate your time.

10 CHAIR BOLOSAN: Okay. Thank you, Mimi.

11 You got anything, Layne, to add on?

12 DIRECTOR LAYNE N. SILVA: No, I think Mimi covered
13 it very well. She's exactly right; you guys are gonna know
14 everything on the -- after the 17th.

15 CHAIR BOLOSAN: Oh, okay, all right.

16 Jerrybeth, go ahead.

17 COMMISSIONER DE MELLO: Is this workshop mandatory?

18 CHAIR BOLOSAN: Okay. Layne and Mimi, can you
19 answer those questions?

20 CORP COUNSEL DESJARDINS: I don't know if it's
21 mandatory or not. Maybe that's -- it's highly recommended if
22 you can join. I know, Jerrybeth, you are not a new member.
23 If you were a brand-new member, I would -- I would use the
24 word mandatory, but --

25 COMMISSIONER DE MELLO: Okay.

1 CORP COUNSEL DESJARDINS: We would really love to
2 see you there, but I understand if you have a conflict.
3 You've suffered through the workshop before, I'm sure.

4 COMMISSIONER DE MELLO: Yeah, 'cause I have other
5 Zoom meetings going on on that day.

6 CHAIR BOLOSAN: Oh, okay.

7 CORP COUNSEL DESJARDINS: Okay. But definitely,
8 Sne, we'll see you there. And -- and I think Ms. Ho will also
9 be there, for sure. And hopefully, the rest of you.

10 CHAIR BOLOSAN: Okay. Layne, any additional
11 information? Any questions?

12 DIRECTOR LAYNE N. SILVA: No. Like Mimi said, I
13 don't believe it's mandatory, but it is --

14 CHAIR BOLOSAN: Yeah.

15 DIRECTOR LAYNE N. SILVA: -- highly recommended.
16 And I think it will be a good opportunity for me to just kind
17 of on my end to go over the construct of the department and
18 what we do and what the different sections do and then how it
19 leads to end up in your guys's field or in the field of the
20 adjudication board. But I think there will be some pretty
21 valuable knowledge if you're interested. Mandatory, maybe
22 not; highly recommended, sure. Yeah.

23 CHAIR BOLOSAN: Okay. Thank you, Jerrybeth and
24 Layne.

25 COMMISSIONER U'U: Question.

1 CHAIR BOLOSAN: Bruce, go ahead.

2 COMMISSIONER U'U: Yeah, I just wanted to let
3 everyone know I'll be on that meeting. I have a work-related
4 meeting at 8:30 that same morning, I am hoping to be out of
5 that meeting at 9:20 because we're usually on it, so if you
6 can delay the roll call and make it slower, I'll be there.
7 About 9:20, 9:30 at the absolute latest, but I'll be there.

8 CHAIR BOLOSAN: Okay. We'll do that.

9 So any more from the commissioners?

10 (No response.)

11 CHAIR BOLOSAN: Okay. If not -- okay. Any more?

12 (No response.)

13 CHAIR BOLOSAN: If not, we have some information
14 here. The liquor control adjudication board meeting on
15 June 3rd, 2021, was canceled.

16 And the next meeting, regular meeting of the liquor
17 control commission, is scheduled for July 14th, 2021. You
18 guys want to say anything about what I just said on C and D?

19 (No response.)

20 CHAIR BOLOSAN: If not, it's the end of the day.

21 May I have a motion to adjourn?

22 COMMISSIONER DE MELLO: I'll make a motion to
23 adjourn.

24 CHAIR BOLOSAN: Jerrybeth, you got the motion.

25 Anyone to second? Second?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMISSIONER PATEL: Seconded.

CHAIR BOLOSAN: Okay. Sne, you got it. All in favor, say aye.

(Response.)

CHAIR BOLOSAN: Okay. Meeting adjourned.

VICE CHAIR BECRAFT: Any opposed?

CHAIR BOLOSAN: Any opposed? I suppose you don't want to oppose.

VICE CHAIR BECRAFT: You gotta ask, though.

CHAIR BOLOSAN: Any opposed?

(No response.)

CHAIR BOLOSAN: Okay. Motion carried. Meeting adjourned.

(The proceedings were adjourned at 9:42 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

I, Sandra J. Gran, Certified Shorthand Reporter for the State of Hawaii, hereby certify that on June 9, 2021, at 9:03 a.m., the proceedings were taken down by me in machine shorthand and was thereafter reduced to typewritten form under my supervision; that the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 23rd day of June, 2021, in Maui, Hawaii.



Sandra J. Gran, RPR
Hawaii CSR 424