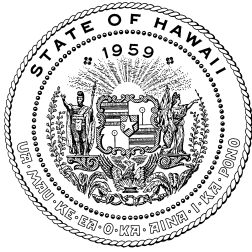


Small Business Regulatory Review Board Meeting

September 18, 2025

10:00 a.m.



SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism (DBEDT)
No. 1 Capitol District Building, 250 S. Hotel Street, Fifth Floor, Honolulu, HI 96813
Mailing Address: P.O. Box 2359, Honolulu, HI 96804
Email: dbedt.sbrrb.info@hawaii.gov
Website: sbrrb.hawaii.gov

Tel: 808 798-0737

AGENDA

Josh Green, M.D.
Governor

Sylvia Luke
Lt. Governor

James Kunane
Tokioka
DBEDT Director

Dane K. Wicker
DBEDT Deputy Director

Members

Jonathan Shick
Chairperson
O'ahu

Sanford Morioka
Vice Chairperson
O'ahu

Mary Albitz
2nd Vice
Chairperson
Maui

James (Kimo) Lee
Hawai'i

Leelen Park
Hawai'i

Tessa Gomes
O'ahu

Nikki Ige
Kaua'i

Dr. Jennifer
Salisbury
Maui

Director, DBEDT
Voting Ex Officio

Thursday, September 18, 2025 ★ 10:00 a.m.
No. 1 Capitol District Building
250 South Hotel Street, Conference Room 436
Honolulu, HI 96813

As authorized under Act 220, Session Laws of Hawaii 2021, and Section 92-3.7 Hawaii Revised Statutes (HRS), the public can participate in the meeting either:

A. By attending the in-person meeting at:

No. 1 Capitol District Building – 250 South Hotel Street, Conference Room 436, Honolulu, HI 96813; or

B. Via Video-audio livestream or via Telephone - to join the Video-audio livestream meeting, go to:

<https://us06web.zoom.us/j/88400776199?pwd=4wAvlu4jf7kz65ioBZWDXgpG4KIKJ8.1>

C. To Join via Telephone: Dial 1-669-900-6833 with Meeting ID 883 5814 0200 Passcode 066739

When the Chairperson asks for public testimony during the meeting, you may indicate that you want to provide oral testimony by using the raise hand function or, if calling in by telephone, entering * and 9 on your phone keypad. When recognized by the Chairperson, you will be unmuted. If you call in by phone, you can unmute and mute yourself by pressing * and 6 on your keypad.

Members of the public may also submit written testimony via e-mail to:

DBEDT.sbrrb.info@hawaii.gov or mailed to SBRRB, No. 1 Capitol District Building, 250 S. Hotel Street, Room 506, Honolulu, HI 96813, or P.O. Box 2359, Honolulu, HI 96804.

The Board requests that written testimony be received by Wednesday, September 17, 2025, so it may be distributed to Board members prior to the meeting. Testimony received after that time will be distributed to the Board members at the meeting.

Copies of the Board Packet will be available on-line for review at: [Agendas & Minutes – Small Business Regulatory Review Board \(hawaii.gov\)](#) and in-person at 250 South Hotel Street, Room 506, Honolulu, HI 96813 during regular business hours. An electronic draft of the minutes for this meeting will also be made available at the same location when completed.

The Board may go into Executive Session under Section 92-5 (a)(4), HRS to Consult with the Board's Attorney on Questions and Issues Concerning the Board's Powers, Duties, Immunities, Privileges and Liabilities.

- I. Call to Order**
- II. Approval of August 21, 2025 Meeting Minutes**
- III. Summary from Honorable House Representative Greggor Ilagan of “Simplifying Permitting for Enhanced Economic Development (SPEED) Task Force” – Relating to Government Procedures, Act 133 SLH 2025** – Establishes the SPEED Task Force to identify actions taken, challenges encountered, and legislative measures necessary to facilitate, expediate, and coordinate state and intergovernmental development permit processes; and appropriates funds
- IV. New Business**
 - A. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to Hawaii Administrative Rules Title 15 Chapter 217, **Kaka‘ako Mauka Area Rules**, promulgated by Hawaii Community Development Authority / Department of Business, Economic Development, and Tourism – *Discussion Leader – Tessa Gomes*
 - B. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to Title 8 Chapter 101, **Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui**, and Chapter 102, **Rules Governing the Administrative Practices and Procedures of the Liquor Commission and Liquor Control Adjudication Board of the County of Maui**, promulgated by the Department of Liquor Control, County of Maui – *Discussion Leader – Mary Albitz*
- V. Administrative Matters**
 - A. Update on the Board’s Upcoming Advocacy Activities and Programs in accordance with the Board’s Powers under Section 201M-5, Hawaii Revised Statutes (HRS)
 - 1. Business Revitalization Taskforce’s most recent meeting pursuant to Act 142 (Sessions Law Hawaii 2024, Senate Bill 2974 Relating to Economic Development) – Mandates that the Department of Business, Economic Development, and Tourism establish a task force in order to identify methods to improve Hawaii’s general economic Competitiveness and business climate, including the mitigations of regulatory and tax burdens
 - 2. Becker Communications Inc., regarding the Board’s Small Business Outreach
 - 3. Presentations to Industry Associations
 - 4. Staff’s Small Business Outreach
- VI. Next Meeting:** Thursday, October 16, 2025, at 10:00 a.m., held via Zoom and at 250 South Hotel Street – No. 1 Capitol District Building, Conference Rm 436, Honolulu, HI 96813
- VII. Adjournment**

If you need an auxiliary aid/service or other accommodation due to a disability, contact Jet’aime Ariola at 808 798-0737 and jetaime.k.ariola@hawaii.gov as soon as possible, preferably at least three (3) working days prior to the meeting. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

II. Approval of August 21, 2025 Meeting Minutes

Small Business Regulatory Review Board

MEETING MINUTES - **DRAFT**

August 21, 2025

- I. **CALL TO ORDER:** Chair Shick called the meeting to order at 10:00 a.m., with a quorum present.

MEMBERS PRESENT:

- Jonathan Shick, Chair
- Sanford Morioka, Vice Chair
- James (Kimo) Lee
- Nikki Ige
- Dr. Jennifer Salisbury
- Leelen Park
- David Sikkink

ABSENT MEMBERS:

- Mary Albitz, Second Vice Chair
- Tessa Gomes

STAFF: DBEDT

Dori Palcovich
Jet'aime Ariola

Office of the Attorney General

Alison Kato

II. **APPROVAL of JULY 24, 2025 MINUTES**

Mr. Park motioned to approve the July 24, 2025 meeting minutes, as amended. Mr. Lee seconded the motion, and the Board members unanimously agreed.

III. **NEW BUSINESS**

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to Title 3, Chapter 3, Subchapter 1, Section 1-4, Use of Community Workforce Agreements in the City Construction Projects, promulgated by Department of Budget and Fiscal Services, City and County of Honolulu

Ms. Paula Youngling, Purchasing Administrator at the Division of Purchasing for the City and County of Honolulu, and representing the Department of Budget and Fiscal Services, explained that in 2020, the Community Workforce Agreement (CWA) was established by the City and County of Honolulu, Hawaii trade organizations and labor unions. The proposed rules set forth the internal process for the City to determine which solicitations for construction projects should require execution of the CWA.

If, pursuant to the rules, it is determined that the solicitation should require a CWA, a non-unionized contractor, large or small, and its subcontractors, would have to pay union fees and dues to the signatory unions of the CWA; this is intended to promote government efficiency and reduce overall costs. Thus, all qualified contractors may bid on City construction projects

that require a CWA. Overall, the inclusion of a CWA requirement in a solicitation for a City construction project affects all non-unionized contractors, regardless of size.

In response to Chair Shick's inquiry regarding a potential financial disadvantage for non-unionized companies to pay union dues and fees, Ms. Youngling stated that both union and non-union contractors would have to abide by the CWA; this requires that all applicable state and federal laws must be complied with. She wasn't aware of any non-unionized bidders that received past contracts through CWA.

Dr. Salisbury motioned to send the proposed amended rules to public hearing. Vice Chair Morioka seconded the motion, and the Board members unanimously agreed.

B. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to HAR Title 18 Chapter 235 Income Tax Law (Subchapter 3 Individual Income Tax Law), promulgated by Department of Taxation (DoTax)

Discussion leader Ms. Ige reminded the board members that these tax rules were brought forth to the Board last year by Mr. Garrison Kurth, DoTax Administrative Rules Specialist, who will discuss the current rule proposal.

Mr. Kurth explained that Act 46, Session Laws of Hawaii 2024, proposed by Governor Green, reflects various tax cuts effective every other year. For 2026, tax brackets will be adjusted; for 2027, the standard tax will double from \$8,800 to \$16,000; and for 2028 tax brackets will again be adjusted. While last year, DoTax's proposed changes were only for 2025, this year DoTax is before this Board for changes of the remaining years. This will, in effect, avoid DoTax coming back to the Board every year, which will help with efficiency purposes.

Also noted, in lieu of coming back to the Board each year, DoTax will update the State's public Tax Guide with the proposed changes. Mr. Kurth mentioned that DoTax may be back before this Board in the near future anyway depending on potential tax changes during the upcoming legislative sessions.

Ms. Ige motioned to send the proposed amended rules to public hearing. Mr. Park seconded the motion, and the Board members unanimously agreed.

C. Discussion and Action on the Small Business Impact Statement and Repeal of HAR Title 11 Chapter 156 and Adoption of Chapter 11-156.1, Communicable Diseases, promulgated by Department of Health (DOH)

Dr. Sarah Kemble, MD, Chief at DOH's Disease Outbreak and Control Division, explained that the rules were last updated in 2008, explaining that many changes have been made over the last 17 years. Exhibits A and B, attached to the proposed rules, have been added due to new diseases that are now public health concerns, negative test reporting for laboratories, and many other changes. The exhibits have also been streamlined with additional operational procedures and guidance outlined in DOH's website.

Dr. Kemble added that Exhibit C was replaced with departmental authority to establish and update disease control measures based on evidence with currently accepted standards. In addition, other detailed changes related to data elements that are required to be provided by health care providers and laboratories when reporting diseases have been clarified.

Discussion leader Vice Chair Morioka stated that in terms of affecting small business, the proposed changes would likely make it easier for reporting purposes. There also doesn't appear to be any monetary impact aside from the existing system of fines.

Vice Chair Morioka motioned to send the proposed amended rules to public hearing. Ms. Ige seconded the motion, and the Board members unanimously agreed.

D. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to HAR Title 4 Chapter 8, Agricultural Loan Division, promulgated by Department of Agriculture (DoAg)

Ms. Ige spoke with DoAg representatives earlier and found that many of the proposed changes will help small businesses. DoAg Loan Administrator, Mr. Richard (Buddy) Nichols, explained that the Legislature reduced the interest rate to existing farmers and new farmers to 4 percent and 3 percent, respectively. Historically, the interest rate was 1 percent over the Prime Rate. This proposal gives farmers the opportunity to produce more food locally, as currently 85 percent of Hawaii's food is imported.

The proposed rules also reflect an increase in the loan limit, which initially was \$800,000 and has been raised to \$1,500,000, for operational needs such as seeds, supplies chemicals, materials, farm equipment and working capital. The new rules will give farmers the opportunity to purchase land, not just lease it, which supports agricultural sustainability in the long term.

In addition, the rules introduce a revolving line of credit with limits up to \$100,000 to be used by farmers over time so they can continue to plant and harvest.

Ms. Ige stated that to ensure that these very favorable interest rates remain with the farmers, as opposed to other landowners, reviewing tax returns and other measures have been put into place by DoAg. Requirements include being a Hawaii resident for at least 3 years with a majority of income coming from the farm; thus, one must be a local farmer producing local food to qualify.

Ms. Ige motioned to send the proposed amended rules to public hearing. Dr. Salisbury seconded the motion, and the Board members unanimously agreed.

IV. ADMINISTRATIVE MATTERS

A. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, Hawaii Revised Statutes (HRS)

- 1. Business Revitalization Taskforce's most recent meeting pursuant to Act 142 (Sessions Law Hawaii 2024, Senate Bill 2974 Relating to Economic Development,**

and Tourism establish a task force in order to identify methods to improve Hawaii's general economic competitiveness and business climate, including the mitigations of regulatory tax burdens

Deferred until next month.

2. Simplifying Permitting for Enhanced Economic Development (SPEED) Task Force's to identify actions, challenges encountered, and legislative measures necessary to facilitate, expedite and coordinate state and intergovernmental development permit processes; and appropriates funds

Dr. Salisbury, the Board's representative for SPEED, stated that the task force has not yet met. However, she attended a recent Maui Chamber of Commerce event where House Representative Greggor Ilagan spoke about the SPEED task force. He offered to speak to this Board about the taskforce, which the members were very much in favor; the Board will reach out to Representative Ilagan to set a date and time.

The goals of the task force are: 1) to simplify permits statewide; and 2) to instill the tracking of permits. The first task force meeting is tentatively scheduled for September 11th from 9:30 am to 2:00 pm, which is open to the public. The intent is to have all four counties on the same system, as each county currently utilizes its own permitting system.

3. Review and Update of Board's "Discussion Leader Assignments" for the State and County Agencies' Hawaii Administrative Rules

The following discussion leader assignment changes were made:

- County of Hawaii – James (Kimo) Lee / Back-up – Leelen Park
- University of Hawaii – Back-up – Leelen Park
- Department of Taxation – Nikki Ige / Back-up – David Sikkink
- Department of Human Services – Sanford Morioka / Back-up – Tessa Gomes
- Department of Hawaiian Home Lands – Back-up – Leelen Park
- Department of Education – Jennifer Salisbury / Back-up – Jonathan Shick
- Department of Defense – Back-up – David Sikkink
- Department of Business, Economic Development & Tourism – David Sikkink
- Department of Budget & Finance – Jennifer Salisbury / Back-up Leelen Park
- Department of the Attorney General – Back-up – Sanford Morioka
- Department of Accounting & General Services – Mary Albitz / Back-up – David Sikkink
- Office of the Lieutenant Governor – Back-up – Sanford Morioka

4. Becker Communications, Inc., regarding the Board's Small Business Outreach

Becker's proposed social media posts for the whole month of September were reviewed and approved by DBEDT.

5. Presentation to Industry Associations

Nothing was reported.

6. Staff's Small Business Outreach

Ms. Ariola attended the Kapolei Chamber of Commerce's "Talk Story" with U.S. Representative, Ed Case. DBEDT's A.I. Summit is scheduled for September. A business panel, hosted by *Pacific Business News* in Maui is being held on October 10th, which Ms. Ariola is planning to attend. Ms. Ariola also registered as a member of Hawaii Economic Association (HEA), which will allow her to attend various economic meetings and webinars offered by HEA at a discount.

V. NEXT MEETING – Thursday, September 18, 2025 at 10:00 a.m., via Zoom and in Conference room 436 at No. 1 Capitol District Building, 250 S. Hotel Street, Honolulu, HI 96813.

VI. ADJOURNMENT – Dr. Salisbury motioned to adjourn the meeting and Mr. Lee seconded the motion; the meeting adjourned at 10:50 a.m.

III. Summary from Honorable House Representative Greggor Ilagan of “Simplifying Permitting for Enhanced Economic Development (SPEED) Task Force” – Relating to Government Procedures, Act 133 SLH 2025 – Establishes the SPEED Task Force to identify actions taken, challenges encountered, and legislative measures necessary to facilitate, expediate, and coordinate state and intergovernmental development permit processes; and appropriates funds

September 12, 2025

From: Dr. Jennifer Salisbury
Small Business Regulatory Review Board
SPEED Task Force Member

Subj: DEBRIEF OF INITIAL SPEED TASK FORCE MEETING SEPTEMBER 11, 2025

Aloha,

As the designated representative of the Small Business Regulatory Review Board (SBRRB) for Governor Green's Simplified Permitting for Enhanced Economic Development (SPEED) Task Force, I appeared in person for the first meeting at the Hawaii State Capitol on September 11, 2025. The agenda, board packet and members list are here: www.repilagan.com/speedtaskforce.

The task force members listed did not include many State Senators and Representatives who were present. Many additional Directors and supporting employees from the respective Counties were also on zoom or physically in the room.

All four Counties presented how their permitting process works for 20 minutes and then answered questions for 10 minutes; State Historic Preservation District (SHPD) and Department of Health also presented for 20 minutes and answered questions for 10 minutes. The final agenda item included establishing three Permitted Interaction Groups (PIGs) including: Building Permits, 6E Compliance (for SHPD) and Individual Wastewater Systems (IWS, Department of Health). **I have volunteered to contribute to all three groups.**

Interesting Takeaways from the first SPEED Task Force Meeting:

- Kauai County separates their building and zoning permits: zoning supports the form and character within the community plan and includes density consideration, while building is health and safety oriented; a zoning permit does not necessarily require an architect stamp, but a building permit does
- Kauai County has a "feasibility" feature where owners can type in the Tax Map Key/Address, hand draw their hypothetical structure, and the County will sleuth out if their idea is feasible based on infrastructure there (including water and sewer, etc.)
- Kauai County had five main frustrations:
 - Applicants had difficulty with technology
 - Applicants are unfamiliar with different departments and additional requirements outside of the permitting process for said requirements
 - A previous requirement for "action" within a certain amount of time resulted in either a "denial" of the permit OR created additional time delays for not approving
 - Technical issues with paying multiple departments' building permit review fees in one single invoice from the applicant
 - Applicants are not aware of their outstanding invoice for the building permit and/or reviews; unintended time delay

- Kauai County uses permit Classes I, II, III, IV as well as additional terminology including Additional Dwelling Unit (ADU), which is different from Additional Rental Unit (ARU)
- Hawaii County has a high volume of applications, limited staff, conducting review and compliance requirements take time, and many applications/plans are incomplete and/or poor quality
- Hawaii County issues ONE permit for building, electrical and plumbing at one time (Maui has three separate permits)
- Hawaii County intends to use AI programs for plan checking; Honolulu County has started using AI program CivCheck – lots of discussion about AI uses
- Hawaii County uses the guide to get permits reviewed, approved and issued within 45 days using the motto “One Bite of the Apple”; meaning only one plan review
- All Counties reported understaffing, competitive wage problems, cost of living problems, and ensuring experience/competency for staff hired
- One Task Force member asked “how do you measure success for this Task Force”
- Maui has “solved” the version problems with the many departments by collecting all comments from all departments’ reviewers; then architects/engineers can resubmit addressing all comments at one time
- Maui showed a “routing matrix” that personifies permit frustration:

Routing Matrix

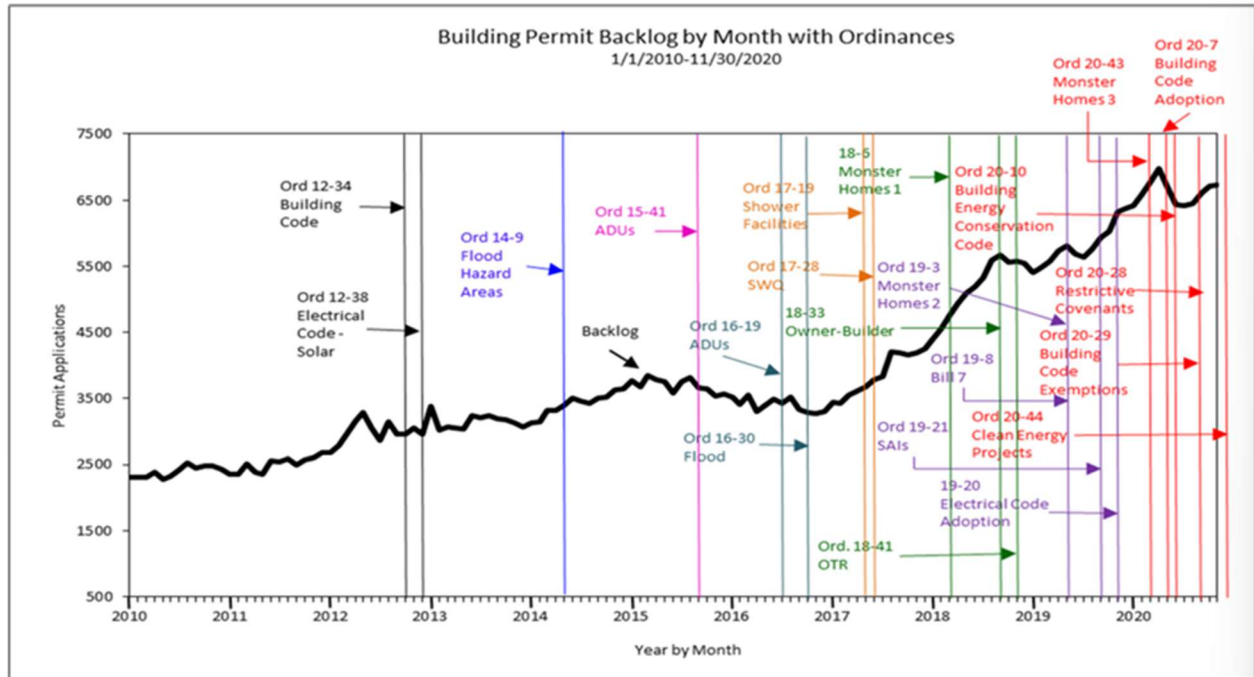
BUILDING PERMIT APPLICATION ROUTING SCHEDULE

	Building Plans Rev	Civil Construction	Dept. of Education	Dept. of Health	Dept of Water Supply	Fire Department	Historic Preservation	Housing & Human Cn	Parks and Rec	Planning Dept.	Wastewater Reclamation	Engineering Division
Res - 1 st Dwelling	yes	yes	yes	IWS or pvt sewer sys	county water	private water	Hold	yes	-	yes	-	Flood Zone
Res - 2 nd Dwelling	yes	yes	yes	IWS or pvt sewer sys	county water	private water	Hold	yes	-	yes	acc dwell only	Flood Zone
Res - 3 rd Dwelling	yes	yes	yes	IWS or pvt sewer sys	county water	yes	Hold	yes	-	yes	acc dwell only	Flood Zone
Res - 4 th Dwelling or greater	yes	yes	yes	IWS or pvt sewer sys	yes (county & private)	yes	Hold	yes	4th unit or more	yes	acc dwell only	Flood Zone
Res - Detached Structures (ex: garage, storage, etc.)	yes	yes	-	IWS or pvt sewer sys	county water	yes	Hold	-	-	yes	-	Flood Zone
Res - alteration/addition	yes	new living units and/or add with ground work	new living units only	IWS or pvt sewer sys	county water	private water	over 50 yrs old in HD	-	-	yes	acc dwell only	Flood Zone
Res - alt/add to individual apt. unit(s) (Puamana)	yes	ground work only	new living units only	IWS or pvt sewer sys	county water	yes	over 50 yrs old in HD	-	-	yes	-	Flood Zone
Res - fence/retaining wall	yes	yes	-	-	-	yes	Hold	-	-	yes	-	Flood Zone
Res - pool/spa	yes	yes	-	-	county water	-	Hold	-	-	yes	-	Flood Zone
Res - repairs (exclude re-roof)	yes	-	-	IWS or pvt sewer sys	-	-	over 50 yrs old in HD	-	-	yes	-	Flood Zone
Res - re-roof only or demolition	yes	-	-	-	-	-	over 50 yrs old in HD	-	-	yes	-	Flood Zone
Water Tank (Res or Comm)	yes	yes	-	yes	yes (county & private)	yes	Hold	-	-	yes	yes (comm only)	Flood Zone
Wind Turbine, Windmill, PV System (Res or Comm)	yes	yes	-	IWS or pvt sewer sys	-	yes	Hold	-	-	yes	yes (comm only)	Flood Zone
Comm - new/alt/add (ex: new apt. bldgs. >3 units)	yes	yes (alt/add over \$25,000 or ground work)	new living units only	yes	county water	yes	Hold or over 50 yrs old in HD	-	4th unit or more (new)	yes	yes	Flood Zone
Comm - repairs	yes	yes (alt over \$25,000)	-	yes	-	no	Hold or over 50 yrs old in HD	-	-	yes	-	Flood Zone
Comm - pool/spa	yes	yes	-	yes	county water	-	Hold	-	-	yes	-	Flood Zone
Comm - re-roof only/demo & spalling repairs	yes	-	-	-	commercial demo only	-	over 50 yrs old in HD	-	-	yes	-	Flood Zone
Comm - fences/net walls	yes	yes	-	-	-	yes	Hold	-	-	yes	-	Flood Zone
Temporary booth/tent/stage	-	-	-	-	-	yes	-	-	-	yes	-	Flood Zone

NOTES: • CIP Projects - route to ITSD • Kalaupapa Settlement - not a part of Maui County, under State Dept. of Health

rev 12.02.2024

- Maui reported that approximately 40% of applications/applicants are not “committed” to building what they have requested permits for; these are more for feasibility sake
- Honolulu County reported that at any one time approximately 75% of building permit applications are *waiting on the applicant*
- Honolulu County also reported that additional frustrating factors such as code changes every 2-3 years, and County Ordinances, even more frequently, impact the building permit backlog:



- Honolulu County coined a term called “myopic” permit, where applicants “shove” a permit into review – complete or not – before a code change, interest rate hike, or some other event, to ensure their permit gets in the queue
- Hawaii and Honolulu County both reported large influxes of solar permit applications
- State Historic Preservation District (SHPD, pronounced ship-duh) presented a very technical presentation, lots of references to governing policies
- SHPD reported that in the building permit process their requirement is to *consider*, not to *preserve* historic properties
- SHPD’s Historic Preservation Program includes HRS Chapters
 - 6E-8, which is for public projects
 - 6E-10 for private projects
 - 6E-42 for state and local projects, *which includes exemptions for residential properties in 6E-42.2*
 - 6E-43 is for Iwi or human remains
- Honolulu County now has a Historic Preservation Committee; Maui has a local agreement with SHPD, including licensed archeologists as a part of a Memorandum of Agreement for Lahaina

- There is a disconnect between SHPD's HICRIS software and other Counties; when SHPD issues a letter to applicant, that does not get transferred to the Counties automatically
 - Department of Health walked through how a Individual Wastewater System (IWS) permit works on new construction, conversion of a cesspool to a septic, and how a building permit impacts the IWS process
 - DOH discussed the rarity of a variance request for a IWS; very specific criteria to benefit the public must be met for a variance
 - DOH's approval of a IWS is good for 1 year and will expire unless:
 - The County does not issue a building permit within that 1 year,
 - Construction of the IWS does not begin within 1 year of approval or
 - County revokes a building permit associated with IWS
- Task Force members asked how the one-year timeframe could be achieved given the need for the Task Force and permit delays; DOH was unsure.

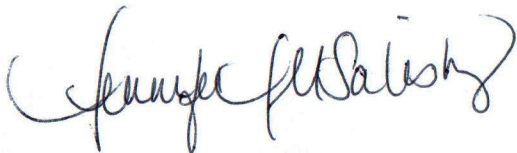
As a member of all three Permitted Interaction Groups, the meetings will take place in the next 90 days. The goal of each PIG is to create a list of recommendations as well as a SWOT analysis (Strengths, Weakness, Opportunities and Threats) for each recommendation, to present back to the Task Force.

The second of six Task Force Meetings will analyze the recommendations from each PIG and is tentatively scheduled for January 2026. The Task Force will conclude in June 2027.

As a result of my initial task force meeting I am meeting with various groups including the Construction Industry of Maui, Maui Chamber of Commerce, the County of Maui Mayor's Office, AIA contacts on Maui, and many others to support this effort.

I am open to speaking with whomever may benefit from my service on this Task Force. I am also documenting my progress on the Task Force on Facebook and will continue to send email updates as the Task Force progresses.

Mahalo for your input and support,



Dr. Jennifer Salisbury "Jen"

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1233

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

May 29, 2025

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on May 29, 2025, the following bill was signed into law:

H.B. NO. 1406, H.D. 1,
S.D. 2, C.D. 1

RELATING TO GOVERNMENT PROCEDURES.
ACT 133

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D.".

Josh Green, M.D.
Governor, State of Hawai'i

Approved by the Governor

on MAY 29 2025

HOUSE OF REPRESENTATIVES
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

ACT 133
H.B. NO. 1406
H.D. 1
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO GOVERNMENT PROCEDURES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. (a) There shall be established within the
2 house of representatives the Simplifying Permitting for Enhanced
3 Economic Development (SPEED) task force to identify actions
4 taken, challenges encountered, and legislative measures
5 necessary to facilitate, expedite, and coordinate state and
6 intergovernmental development permit processes.

7 (b) The speaker of the house of representatives shall
8 appoint one member of the house of representatives to serve as
9 chairperson of the task force.

10 (c) The membership of the task force shall include
11 representatives of the following bodies, to be designated by the
12 body's head or, in the case of a board or commission, by the
13 chairperson:

- 14 (1) The office of the governor;
15 (2) The Hawaii state senate;
16 (3) The department of business, economic development, and
17 tourism;



- 1 (4) The commission on water resource management of the
2 department of land and natural resources;
3 (5) The Hawaii community development authority;
4 (6) The Hawaii housing finance and development
5 corporation;
6 (7) The land use commission;
7 (8) The office of planning and sustainable development;
8 (9) The Hawaii state energy office;
9 (10) The public utilities commission;
10 (11) The small business regulatory review board;
11 (12) The state historic preservation division of the
12 department of land and natural resources;
13 (13) The wastewater branch of the department of health; and
14 (14) The state building code council of the department of
15 accounting and general services.

16 (d) The task force shall invite the following individuals
17 to participate in the task force:

- 18 (1) Representatives from each of the offices of the
19 State's Congressional delegation;
20 (2) Representatives from each of the county planning and
21 permitting departments; and



1 (3) An individual having knowledge, experience, and
2 expertise in the area of labor.

3 (e) Members shall be designated no later than August 1,
4 2025.

5 (f) The task force shall hold its first meeting no later
6 than sixty days after the finalization of its members or
7 October 1, 2025, whichever is earlier.

8 (g) The members of the task force shall serve without
9 compensation for their service on the task force.

10 (h) The task force shall cease to exist on June 30, 2027.

11 SECTION 2. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$100,000 or so much
13 thereof as may be necessary for fiscal year 2025-2026 and the
14 same sum or so much thereof as may be necessary for fiscal year
15 2026-2027 for the staffing and administrative costs of the
16 Simplifying Permitting for Enhanced Economic Development (SPEED)
17 task force.

18 The sums appropriated shall be expended by the office of
19 planning and sustainable development for the purposes of this
20 Act.

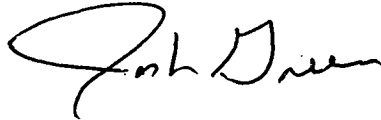


1 SECTION 3. This Act shall take effect upon its approval;
2 provided that section 2 shall take effect on July 1, 2025.



H.B. NO. 1406
H.D. 1
S.D. 2
C.D. 1

APPROVED this 29th day of May, 2025

A handwritten signature in black ink, appearing to read "Josh Green". The signature is fluid and cursive, with the first name "Josh" and the last name "Green" clearly distinguishable.

GOVERNOR OF THE STATE OF HAWAII

HB No. 1406, HD 1, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2025
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2025.



Nadine K. Nakamura
Speaker
House of Representatives

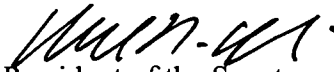



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 30, 2025
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-Third Legislature of the State of Hawai‘i, Regular Session of 2025.


President of the Senate


Clerk of the Senate

IV. New Business

A. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to Hawaii Administrative Rules Title 15 Chapter 217, Kaka‘ako Mauka Area Rules, promulgated by Hawaii Community Development Authority / Department of Business, Economic Development, and Tourism - Exhibit 1

PRE-PUBLIC HEARING SMALL BUSINESS IMPACT STATEMENT
TO THE
SMALL BUSINESS REGULATORY REVIEW BOARD
(Hawaii Revised Statutes §201M-2)

Date: _____

Department or Agency: _____

Administrative Rule Title and Chapter: _____

Chapter Name: _____

Contact Person/Title: _____

E-mail: _____ Phone: _____

A. To assist the SBRRB in complying with the meeting notice requirement in HRS §92-7, please attach a statement of the topic of the proposed rules or a general description of the subjects involved.

B. Are the draft rules available for viewing in person and on the Lieutenant Governor's Website pursuant to HRS §92-7?

☐

Yes

☐

No

If "Yes," provide details: _____

I. Rule Description:

☐

New

☐

Repeal

☐

Amendment

☐

Compilation

II. Will the proposed rule(s) affect small business?

☐

Yes

☐

No

(If "No," no need to submit this form.)

* "Affect small business" is defined as "any potential or actual requirement imposed upon a small business . . . that will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business." HRS §201M-1

* "Small business" is defined as a "for-profit corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legal entity that: (1) Is domiciled and authorized to do business in Hawaii; (2) Is independently owned and operated; and (3) Employs fewer than one hundred full-time or part-time employees in Hawaii." HRS §201M-1

III. Is the proposed rule being adopted to implement a statute or ordinance that does not require the agency to interpret or describe the requirements of the statute or ordinance?

☐

Yes

☐

No

(If "Yes" no need to submit this form. E.g., a federally-mandated regulation that does not afford the agency the discretion to consider less restrictive alternatives. HRS §201M-2(d))

IV. Is the proposed rule being adopted pursuant to emergency rulemaking? (HRS §201M-2(a))

☐

Yes

☐

No

(If "Yes" no need to submit this form.)

*

*

*

If the proposed rule affects small business and are not exempt as noted above, please provide a reasonable determination of the following:

1. Description of the small businesses that will be required to comply with the proposed rules and how they may be adversely affected.

2. In dollar amounts, the increase in the level of direct costs such as fees or fines, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.

If the proposed rule imposes a new or increased fee or fine:

- a. Amount of the current fee or fine and the last time it was increased.

 - b. Amount of the proposed fee or fine and the percentage increase.

 - c. Reason for the new or increased fee or fine.

 - d. Criteria or methodology used to determine the amount of the fee or fine (i.e., Consumer Price Index, Inflation rate, etc.).
-
-
-
-
-
-
-
-
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-
3. The probable monetary costs and benefits to the agency or other agencies directly affected, including the estimated total amount the agency expects to collect from any additionally imposed fees and the manner in which the moneys will be used.

4. The methods the agency considered or used to reduce the impact on small business such as consolidation, simplification, differing compliance or reporting requirements, less stringent deadlines, modification of the fines schedule, performance rather than design standards, exemption, or other mitigating techniques.
5. The availability and practicability of less restrictive alternatives that could be implemented in lieu of the proposed rules.
6. Consideration of creative, innovative, or flexible methods of compliance for small businesses. The businesses that will be directly affected by, bear the costs of, or directly benefit from the proposed rules.
7. How the agency involved small business in the development of the proposed rules.
 - a. If there were any recommendations made by small business, were the recommendations incorporated into the proposed rule? If yes, explain. If no, why not.

8. Whether the proposed rules include provisions that are more stringent than those mandated by any comparable or related federal, state, or county standards, with an explanation of the reason for imposing the more stringent standard.

If yes, please provide information comparing the costs and benefits of the proposed rules to the costs and benefits of the comparable federal, state, or county law, including the following:

- a. Description of the public purposes to be served by the proposed rule.
- b. The text of the related federal, state, or county law, including information about the purposes and applicability of the law.
- c. A comparison between the proposed rule and the related federal, state, or county law, including a comparison of their purposes, application, and administration.
- d. A comparison of the monetary costs and benefits of the proposed rule with the costs and benefits of imposing or deferring to the related federal, state, or county law, as well as a description of the manner in which any additional fees from the proposed rule will be used.
- e. A comparison of the adverse effects on small business imposed by the proposed rule with the adverse effects of the related federal, state, or county law.

* * *

Small Business Regulatory Review Board / DBEDT
Phone: (808) 586-2594 / Email: DBEDT.sbrrb.info@hawaii.gov

This Statement may be found on the SBRRB Website at: <http://dbedt.hawaii.gov/sbrrb/resources/small-business-impact-statements>

**Proposed Modifications to §15-217-57, Hawai'i Administrative Rules,
Kaka'ako Mauka Area Rules to Address Inadequate Infrastructure and Floor Area
Requirements in the Central Kaka'ako Neighborhood Zone**

September 2025

HCDA is proposing to modify provisions of the Kaka'ako Community Development District Mauka Area Rules, Hawai'i Administrative Rules ("HAR") §15-217-57, to reduce the maximum allowable density in the Central Kaka'ako Neighborhood Zone from a floor area ratio ("FAR") of 3.5 down to 1.5 FAR. This modification is intended to help small business industrial uses retain eligibility for property tax incentives established by the City and County of Honolulu within transit-oriented development areas.

Background

The 2024 Amendments to the Kaka'ako Community Development District Mauka Area Rules, §15-217, Hawai'i Administrative Rules ("HAR"), took effect on January 13, 2025. The amendments to HAR §15-217-57 (adequate infrastructure) raised the allowable density in Central Kaka'ako from a floor area ratio ("FAR") of 1.5 up to 3.5, but this calculation now includes structured parking (equivalent to about 2.0 FAR). The inclusion of the structured parking FAR for a total FAR of 3.5, aligns with the HCDA's efforts to disincentivize on-site parking as well as State of Hawai'i and City and County of Honolulu efforts to promote transit-oriented development.

In 2016, the Honolulu City Council ("City") adopted Ordinance 16-21 ("ordinance"). The ordinance identified the central Kaka'ako neighborhood zone to demonstrate how to preserve and promote small-business industrial uses within transit-oriented development zones. The ordinance provided a 50% reduction in real property tax valuations for industrial uses for a 10-year period within this area. The ordinance requires applicants to get HCDA to certify that the maximum buildable floor area ratio (FAR) is 1.5, as required by HAR §15-217-57). This exemption must be refiled every two years (before September 30th). The property tax reduction applies to tax years beginning July 1, 2017 and ending June 30, 2027.

An unintended consequence of the 2024 amendments was that small-business industrial uses became ineligible for the property tax exemption for the 2026-2027 tax year. This would increase the property taxes and cause hardship for eligible industrial uses.

Discussion

On August 27, 2025, Honolulu City Councilmembers Scott Nishimoto and Tyler Dos Santos-Tam introduced Bill 61 (2025), which is currently intended to retroactively address the discrepancy between Ordinance 16-21 and the 2024 Mauka Area Rules. The first reading of this bill passed on September 3, 2025.

The exemption is set to end on June 30, 2027, however, and it is currently unknown if the City is planning to extend this program. If the exemption is extended, HCDA's rule amendments could help maintain the eligibility for certain small business industrial uses.

§15-217-57 Adequate infrastructure. (a) This section intends to limit development within portions of the mauka area with known infrastructure deficiencies until such time as the availability of infrastructure is sufficient to accommodate the maximum level of development provided for by the mauka area rules.

(b) This section shall be applicable to the central Kaka'ako neighborhood zone only.

(c) A maximum floor area ratio of [~~3.5, including off-street parking,~~ 1.5] shall apply until the executive director determines the infrastructure within the central Kaka'ako neighborhood zone has been sufficiently upgraded, pursuant to an improvement district or other public facilities project.

(d) After the authority finds that sufficient infrastructure improvements are made, the floor area ratio shall be increased to the maximum allowable, including above-grade off-street parking structures and covered loading driveway areas, as consistent with the mauka area rules.

~~[(d)]~~ (e) Where the executive director finds that the public infrastructure is adequate to support a project within the central Kaka'ako neighborhood zone, or where a project would construct improvements to said infrastructure sufficient to accommodate the subject project and future developments, the authority may elect to waive the floor area ratio limitations of this section. [Eff 1/13/25; am and comp] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

FIGURE NZ.5 CENTRAL KAKA'AKO NEIGHBORHOOD ZONE



A. Building Types - Max Height		
Podium High Rise	●	400'
Urban Block	●	100'
Lei Building	●	100'
Courtyard Building	●	65'
Duplex, Triplex, and Quadplex	●	35'
Townhouse	●	65'
Flex-Loft	●	65'
Industrial Barn	●	35'
Side Yard House	-	-
Front Yard House	-	-
Tropical Urban Court	●	65'

B. Frontage Types	
Lanai and Front Yard	-
Stoop	●
Dooryard	●
Forecourt	●
Shopfront	●
Chinatown Shopfront	●
Raised Shopfront	●
Terrace	●
Raised Terrace	●
Gallery	-
Arcade	-
Kaka'ako Frontage	●

C. Building Placement	
Front Build to Line	n/s to 15'
Frontage Occupancy at Build to Line	75% min.
Setback Side	0'
Setback Rear	0'

D. Building Form	
Maximum Height	400'
Street Front Element Height Range	20' min. 65' max.
Maximum Density (Floor Area Ratio)	3.5 (see notes)

Footnotes:

- Raised frontages (Figures FT.7 and FT.9) are only allowed to accommodate necessary flood elevation or to address sea level rise and climate-resilient design.
- Chinatown Shopfront frontage types are only allowed on the thoroughfares indicated in Figure FT.6.
- Civic uses shall be on lots no greater than 20,000 square feet and limited to neighborhood-scaled functions such as fire stations, meeting rooms, and churches.
- Buildings over 100-feet tall with podiums are subject to podium high-rise building standards (Figure BT.10).
- Maximum density, including off-street parking, is limited to a floor area ratio of [3:5] 1.5 until infrastructure is deemed adequate (see §15-217-57).
- n/s = not specified

Legend	
●	Permitted
●	Permitted with exceptions
-	Not Permitted

IV. New Business

**B. Discussion and Action on the Small Business
Impact Statement and Proposed Amendments to
Title 8 Chapter 101, Rules Governing the
Manufacture and Sale of Intoxicating Liquor of the
County of Maui, and Chapter 102, Rules Governing
the Administrative Practices and Procedures of the
Liquor Commission and Liquor Control
Adjudication Board of the County of Maui,
promulgated by the Department of Liquor Control,
County of Maui – Exhibit 2**

**PRE-PUBLIC HEARING SMALL BUSINESS IMPACT STATEMENT
TO THE
SMALL BUSINESS REGULATORY REVIEW BOARD**
(Hawaii Revised Statutes §201M-2)

Date: August 21, 2025

Department or Agency: Department of Liquor Control, County of Maui

Administrative Rule Title and Chapter: Title 8, Chapter 101, Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui and Chapter 102, Rules Governing the Administrative Practices and Procedures of the Liquor Commission and Liquor Control Adjudication Board of the County of Maui

Chapter Name: _____

Contact Person/Title: Layne N. Silva, Director

E-mail: layne.silva@mauicounty.gov Phone: (808) 2437754

A. To assist the SBRRB in complying with the meeting notice requirement in HRS §92-7, please attach a statement of the topic of the proposed rules or a general description of the subjects involved.

B. Are the draft rules available for viewing in person and on the Lieutenant Governor's Website pursuant to HRS §92-7?

☐ Yes ☒ No

If "Yes," provide details: _____

I. Rule Description:

☐ New ☐ Repeal ☒ Amendment ☐ Compilation

II. Will the proposed rule(s) affect small business?

☐ Yes ☒ No

(If "No," no need to submit this form.)

* "Affect small business" is defined as "any potential or actual requirement imposed upon a small business . . . that will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business." HRS §201M-1

* "Small business" is defined as a "for-profit corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legal entity that: (1) Is domiciled and authorized to do business in Hawaii; (2) Is independently owned and operated; and (3) Employs fewer than one hundred full-time or part-time employees in Hawaii." HRS §201M-1

III. Is the proposed rule being adopted to implement a statute or ordinance that does not require the agency to interpret or describe the requirements of the statute or ordinance?

☒ Yes ☐ No

(If "Yes" no need to submit this form. E.g., a federally-mandated regulation that does not afford the agency the discretion to consider less restrictive alternatives. HRS §201M-2(d))

IV. Is the proposed rule being adopted pursuant to emergency rulemaking? (HRS §201M-2(a))

☐ Yes ☒ No

(If "Yes" no need to submit this form.)

*

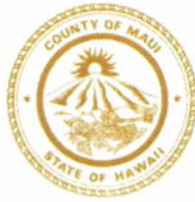
*

*

RICHARD T. BISSEN, JR.
Mayor

LAYNE N. SILVA
Director

JARRETT K. KAHO‘OHANO HANO
Deputy Director



DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI
110 ‘ALA‘IHI STREET, ROOM 212
KAHULUI, MAUI, HAWAII 96732
TELEPHONE: (808) 243-7753

TO: Jonathan Shick, Chairperson
Small Business Regulatory Review Board/DBEDT

FROM: Layne N. Silva, Director
Department of Liquor Control, County of Maui

A handwritten signature in black ink, appearing to be "LS" or similar initials.

DATE: August 21, 2025

SUBJECT: **Proposed Rule Amendment for Department of Liquor Control, County of Maui, Title 8, Chapter 101, Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui and Chapter 102, Rules Governing the Administrative Practices and Procedures of the Liquor Commission and Liquor Control Adjudication Board of the County of Maui**

Pursuant to Chapters 91 and 92, Hawaii Revised Statutes, the County of Maui Liquor Commission has provided notice of a public hearing for the purpose of amending certain subsections of the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui and Rules Governing the Administrative Practices and Procedures of the Liquor Commission and Liquor Control Adjudication Board of the County of Maui. Enclosed is the Notice of Public Hearing, which includes the proposed rule amendments for your review, comments, and suggestions.

The proposed rule amendment will:

1. Section 08-101-103 – adding in a specific HRS section.
2. Section 08-102-16 – deleting current wording to simplify this section by referring to a specific HRS section, regarding the revocation or suspension of license and hearing.
3. Not cause any direct or significant economic burden upon small businesses.
4. Not impact or be directly related to the formation, operation, or expansion of a small business.
5. Greatly assist and not adversely affect small businesses.

Should you require further information or assistance, please do not hesitate to call me at (808) 243-7754.

Encl.

NOTICE OF PUBLIC HEARING

Pursuant to § 91-3(a), Hawaii Revised Statutes, the Liquor Control Commission, County of Maui (the "agency") hereby provides notice of a public hearing for the purpose of adopting amendments to § 08-101-103 of the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui and § 08-102-16 of the Rules Governing the Administrative Practices and Procedures of the Liquor Commission and Liquor Control Adjudication Board of the County of Maui (collectively "Rules").

The entire text of the proposed rule amendments is stated below and is further summarized as follows:

SUMMARY

Rules §§ 08-101-103 and 08-102-16 provide for the assessment of penalty. The proposed rule amendments would provide the Liquor Control Adjudication Board greater flexibility in assessing fines for violations of liquor control laws by a licensee in accordance with Hawaii Revised Statutes § 281-91. In 2022, the Hawaii State Legislature amended Hawaii Revised Statutes § 281-91 to increase the penalty from \$2,000 to \$5,000, effective January 1, 2023. Additionally, the proposed rule amendments provide better clarity in the Rules so that the penalty is listed only in Rule § 08-101-103 entitled "Assessment of penalty; hearing." Rule § 08-102-16 entitled "Revocation or suspension of license; hearing" copies the language of HRS § 281-91 and is amended to refer to HRS § 281-91.

PROPOSED RULE AMENDMENTS

1. Material, except source notes, to be repealed is bracketed. New material is underscored.
2. Rule § 08-101-103 is amended by amending subsection (d) to read as follows:

"(d) Any order of revocation, suspension, fine, or reprimand imposed by the commission or board upon the licensee shall be in addition to any penalty that might be imposed upon the licensee upon the licensee's conviction at law for any violation of chapter 281, HRS. No licensee shall be subject to both the penalty assessed and collected by the commission or board, and to revocation or suspension of license. The amount of penalty assessed and collected by the commission or board from any licensee for any particular offense shall be consistent with HRS **§ 281-91**."

3. Rule § 08-102-16 is amended to read as follows:

(a) The commission or board shall comply with HRS § 281-91 regarding the revocation or suspension of license and hearing. [The commission or board may revoke any license at any time issued, or suspend the right of the licensee to use the licensee's license, or assess and collect a penalty or reprimand the licensee, either for the violation of any condition of the license or of any provision of chapter 281, HRS, or of any rules of the commission applicable thereto, or upon the conviction in a court of law of the licensee of any violation of this chapter or of any other law relative to the licensee's license or the proper exercise thereof, or of any violation of law in any other respect on account whereof the commission or board may deem the licensee to be an unfit or improper person to hold a license, or for any other cause deemed sufficient by the commission or board.

In every case where the commission or board proposed to revoke or suspend the exercise of any license or assess and collect a penalty for any cause other than a conviction at law of the licensee as above specified, the licensee shall be entitled to notice and hearing in conformity with chapter 91, HRS; the notice to be given at least five days before the hearing, except that any special license shall be subject to summary revocation for any violation of, or evidence of intent to violate, the proper exercise thereof, without hearing before the commission or board.

At the hearing, before final action is taken by the commission or board, the licensee shall be entitled to be heard in person or through counsel and shall be given a full and fair opportunity to present any facts showing that the alleged cause or causes for the proposed action do not exist, or any reasons why no penalty should be imposed. The testimony taken at the hearing shall be under oath and recorded stenographically or by machine, but the parties shall not be bound by the strict rules of evidence; certified copies of any transcript and of any other record made of or at the hearing shall be furnished to the licensee upon the licensee's request and at the licensee's expense.

Any order of revocation, suspension, fine, or reprimand imposed by the commission or board upon the licensee shall be in addition to any penalty that might be imposed upon the licensee's conviction at law for any violation of this chapter. No licensee shall be subject to both the penalty assessed and collected by the commission or board and to

revocation or suspension of license. The amount of penalty assessed and collected for any particular offense shall not exceed the sum of \$2,000.

Whenever the service of an order or notice shall be required by this section, the service shall be made in the following manner: In the case of any violation based upon the personal observation of any investigator, a written notice of the violation shall be given to the licensee or the licensee's employee approved by the director in active charge of the premises, or by serving a certified copy of the notice or order upon the holder of the license wherever the holder may be found in the circuit wherein the holder is licensed or, if the holder cannot be found after diligent search, by leaving a certified copy thereof at the holder's dwelling or usual place of abode with some person of suitable age and discretion residing therein. If the holder of the license cannot be found after diligent search, and service cannot be made, then service may be made by posting a certified copy of the notice or order in a conspicuous place on the licensed premises and depositing another certified copy thereof in the certified mail of the United States post office, postage prepaid, addressed to the holder of the license at the holder's last known residence address; provided that in the case of a partnership, limited liability company, or licensed corporation or unincorporated association, service may be made upon any partner, member, manager, organizer, officer, or director, thereof.]

4. This rule shall take effect ten days after filing with the Office of the County Clerk.

The proposed rule amendments may be downloaded from the Department of Liquor Control's webpage at <https://www.mauicounty.gov/667/Liquor-Control>. They are also available for viewing Monday through Friday, excluding holidays, between 8:00 a.m. and 4:00 p.m. at the County of Maui Service Center, Department of Liquor Control, 110 Alaihi Street, Suite 212, Kahului, Maui, Hawaii 96732.

The proposed rule amendments will be mailed to any interested person who requests them and pays the required copying and postage fees. Requests for copies may be made to the Liquor Control Commission by email at liquorcommission@mauicounty.gov or by phone (808) 244-4666.

The Liquor Control Commission will conduct a public hearing on the proposed rule amendments on **Wednesday, October 1, 2025, at 9:00 a.m.** Interested persons may observe the public hearing or provide testimony at the County of Maui Service Center, Suite 212A Conference Room, 110 Alaihi Street,

Kahului, Maui, Hawaii 96732. This public hearing will also be held remotely via Microsoft Teams. To observe the public hearing or provide video testimony from an electronic device, log onto <https://aka.ms/join-a-meeting>, enter **Meeting ID: 251 898 433 776 3**, and **Meeting Passcode: gN2SF6Jo**. To listen to the public hearing or provide oral testimony by phone, dial **1-808-800-0254**, and enter **Conference ID: 905 746 822#**.

Any interested person may submit oral or written testimony on the proposed rule amendments to be adopted at the public hearing. Written testimony may be submitted by email at liquorcommission@mauicounty.gov; mail to the **Liquor Control Commission, 110 Alaihi Street, Suite 212, Kahului, Maui, Hawaii 96732**; or fax to **(808) 244-4666, "Attention: Liquor Control Commission"**. Written testimony must be received by the Liquor Control Commission before the public hearing closes on October 1, 2025.

Any person requesting an auxiliary aid/service or an accommodation due to a disability, please email liquorcommission@mauicounty.gov or phone (808) 244-4666, preferably at least three (3) business days prior to the meeting. If a request is received in less than three (3) business days, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. This notice is available in alternate formats such as large print, Braille, or electronic copy upon request.

Please call (808) 244-4666 if further information is needed.

By: _____
LAYNE SILVA
Director
Department of Liquor Control

(MN: Thursday, August 28, 2025)

could generally be expected of a person under twenty-one years of age, at the time of the alleged offense;

- (3) A decoy shall either carry his or her own identification showing the decoy's correct date of birth or shall carry no identification; a decoy who carries identification shall present it upon request to any seller of alcoholic beverages;
- (4) A decoy shall answer truthfully any questions about his or her age;
- (5) Following any completed sale, the liquor control officer or any law enforcement officer directing the decoy shall make a reasonable attempt to enter the licensed premises to have the minor decoy, who purchased alcoholic beverages, make a face-to-face identification of the alleged seller of the alcoholic beverages.

(c) Any licensee who sells to a decoy shall be prosecuted under section 08-101-60(b)(1)(A) of the rules of the commission, section 281-78(b)(1)(A), HRS, or any other related rules or laws governing the sale, service, possession, or consumption of liquor by a minor. [Eff 7/1/00] (Auth: HRS §§91-2, 281-17) (Imp: HRS §281-17)

§08-101-103 Assessment of penalty; hearing. (a) The commission or board may revoke any license at any time issued, or suspend the right of the licensee to use the licensee's license, or assess and collect a penalty, or reprimand the licensee, either for the violation of any condition of the license, or of any provisions of chapter 281, HRS, or of any rule of the commission, applicable thereto, or upon the conviction in a court of law of the licensee of any violation of chapter 281, HRS, or of any other law relative to the licensee's license or the proper exercise thereof, or of any violation of law in any other respect on account whereof the commission may deem the licensee to be an unfit or improper person to hold a license, or for any other cause

deemed sufficient by the commission.

(b) In every case where it is proposed to revoke or suspend the exercise of any license or assess and collect a penalty for any cause other than a conviction at law of the licensee as above specified, the licensee shall be entitled to notice and hearing in conformity with chapter 91, HRS, the notice to be given at least five calendar days before the hearing, except that any special license shall be subject to summary revocation for any violation of or evidence of intent to violate the proper exercise thereof, without hearing before the commission or board.

(c) At the hearing, before final action is taken by the commission or board, the licensee shall be entitled to be heard in person or through counsel and shall be given a full and fair opportunity to present any facts showing that the alleged cause or causes for the proposed action do not exist, or any reasons why no penalty should be imposed. The testimony taken at the hearing shall be under oath and recorded stenographically, or by machine, but the parties shall not be bound by the strict rules of evidence; certified copies of any transcript and of any other record made of or at the hearing shall be furnished to the licensee upon the licensee's request and at the licensee's expense.

(d) Any order of revocation, suspension, fine, or reprimand imposed by the commission or board upon the licensee shall be in addition to any penalty that might be imposed upon the licensee upon the licensee's conviction at law for any violation of chapter 281, HRS. No licensee shall be subject to both the penalty assessed and collected by the commission or board, and to revocation or suspension of license. The amount of penalty assessed and collected by the commission or board from any licensee for any particular offense shall be consistent with HRS. [Eff 7/1/00; am and comp 3/15/24] (Auth: HRS §§ 91-2, 281-17) (Imp: HRS §281-17)

§08-101-104 Mandatory minimum penalties. (a)

V. Administrative Matters

A. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, Hawaii Revised Statutes (HRS)

1. Update on the Business Revitalization Taskforce's most current meeting pursuant to Act 142 (Sessions Law Hawaii 2024, Senate Bill 2974 Relating to Economic Development) – Mandates that DBEDT establish a task force in order to identify methods to improve Hawaii's general economic competitiveness and business climate, including the mitigations of regulatory and tax burdens – *No Attachment*
2. Update and Discussion on Becker Communications Inc., regarding the Board's Small Business Outreach – *No Attachment*
3. Presentations to Industry Associations – *No Attachment*
4. Staff's Small Business Outreach – *No Attachment*