

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

April 11, 2023

**Committee
Report No. _____**

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations, Ethics, and Transparency Committee, having met on March 21, 2023, and reconvened on March 30, 2023, makes reference to Resolution 23-93, entitled “APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI.”

Resolution 23-93’s purpose is to approve or disapprove the Mayor’s reappointment of Gary Yoshio Murai to the Liquor Control Adjudication Board for a term expiring March 31, 2028.

By correspondence dated February 24, 2023, the Mayor transmitted a completed application form for the nominee.

Your Committee notes general appointment procedures for boards, committees, and commissions are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended (“Charter”), and Chapter 2.41, Maui County Code.

Your Committee further notes specific provisions for the Liquor Control Adjudication Board are located in Section 2.41.080, Maui County Code, and Charter Section 8-13.3.

The Council must approve or disapprove the nomination by April 25, 2023, or the nomination will be deemed approved.

Your Committee interviewed Mr. Murai.

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 2

**Committee
Report No. _____**

Mr. Murai said, if approved, he hopes to help ensure a healthy liquor industry that does not adversely affect public health or safety, while also helping to provide a fair and consistent enforcement of laws.

Mr. Murai has many years of experience advising County board and commissions during his 11-year tenure at the Department of the Corporation Counsel before retiring in 2021, and is available to attend meetings.

According to his application, and prior to his employment with the County, Mr. Murai was employed with the Legal Aid Society of Hawai'i, Crudele & DeLima, and the State of Hawai'i Department of the Attorney General.

A representative from the Office of the Mayor said Mr. Murai would be an asset to the Liquor Control Adjudication Board based on his prior County and board experience.

Your Committee expressed appreciation for Mr. Murai's willingness to serve the community. Your Committee recommended his nomination to the Liquor Control Adjudication Board be approved and Exhibit "B" to Resolution 23-93, be revised accordingly.

Your Committee noted the resolution incorrectly references Section 2.39.010, Maui County Code, and erroneously listed Mr. Murai as a nominee for reappointment given this is the first time he has applied for this board.

Your Committee voted 9-0 to recommend adoption of Resolution 23-93, CD1. Committee Chair U'u-Hodgins, Vice-Chair Paltin, and members Cook, Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted "aye."

Your Committee is in receipt of Resolution 23-93, CD1, approved as to form and legality by the Department of the Corporation Counsel,

COUNCIL OF THE COUNTY OF MAUI

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Page 3

**Committee
Report No.** _____

incorporating your Committee's recommended revisions and nonsubstantive revisions.

Your Government Relations, Ethics, and Transparency Committee RECOMMENDS that Resolution 23-93, CD1, as revised herein and attached hereto, entitled "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI," be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



NOHELANI U'U-HODGINS, Chair

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Resolution

No. 23-93, CD1

APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI

WHEREAS, by correspondence dated February 24, 2023, Mayor Richard T. Bissen, Jr. notified the Council that he nominated the person listed in Exhibit “A,” as attached, as a member to the Liquor Control Adjudication Board for the County of Maui, in accordance with Section 2.39.010, Maui County Code; and

WHEREAS, Revised Charter of the County of Maui (1983), as amended (“Charter”), Charter Sections 8-13.3 and 13-2 requires the Mayor’s nominee to be approved by the Council; and

WHEREAS, Charter Section 13-2(16) requires the Council to approve or disapprove the nomination within sixty days after the Mayor submits the name of the nominee to the Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it approves the appointment of the person listed in Exhibit “B,” as attached, as a member to the Liquor Control Adjudication Board for the term specified;
2. That it disapproves the appointment of the person listed in Exhibit “C,” as attached;
3. That the Council expresses its gratitude and appreciation to the appointed member for his willingness to be considered for public service and actively participate in County government; and
4. That certified copies of this Resolution be transmitted to the Mayor, the Managing Director, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

/s/ Mimi Desjardins

MIMI DESJARDINS

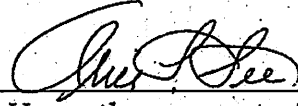
Deputy Corporation Counsel

County of Maui

LF2023-0096

2023-02-12 Reso LCAB Mass Nom Term Expire 2028-03-31

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "J. R. Lee", is written over a horizontal line.

Upon the request of the Mayor.

NOMINATED MEMBER AND TERM

Liquor Control Adjudication Board

Gary Yoshio Murai (Reappointment)

Term Expiration 3/31/2028

APPROVED MEMBER AND TERM

Liquor Control Adjudication Board

Gary Yoshio Murai

Term Expiration 3/31/2028

DISAPPROVED MEMBER

Liquor Control Adjudication Board