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AGENDA
LIQUOR CONTROL ADJUDICATION BOARD
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI

OFFICE OF THE
COUNTY CLERK

DATE & TIME: MARCH 7, 2019, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM
DAVID K. TRASK, JR. OFFICE BUILDING
2145 KAOHU STREET, ROOM 108
WAILUKU, MAUI, HAWAII 96793

I. HEARINGS BEFORE THE BOARD:

A. COMPLAINT AND ACCUSATION NO. 2019-29, PLEA: NOT GUILTY

In the matter of the accusation against MNS, LTD. dba ABC STORES, Retail General License No. 394, 61 S. Kihei Road, Store No. 2, Kihei, Maui, Hawaii.

- Count 1. On March 5, 2018, MNS, LTD. dba ABC STORES, a retail general licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by a patron, who was at the time under the influence of liquor, drugs, or any combination thereof, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-60(b)(1)(B) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On March 5, 2018, MNS, LTD. dba ABC STORES, a retail general licensee, did, through its employee(s), knowingly permit a patron, who was at the time under the influence of liquor, drugs or any combination thereof, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, to be or remain in or on the licensed premises, contrary to Section 08-101-60(b)(5) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On March 5, 2018, MNS, LTD. dba ABC STORES, a retail general licensee, did, through its employee(s), fail to exercise due care, as defined in Section 08-101-5 of the Rules of the Liquor Commission, in determining whether a patron was under the influence of liquor, drugs or any

combination thereof, as defined in Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-60(b)(11) of the Rules of the Liquor Commission, County of Maui.

- Count 4. On March 5, 2018, MNS, LTD. dba ABC STORES, a retail general licensee, did, through its employee(s), failed to have time record entry made at the time its employee reported on duty and again when the employee goes off duty, contrary to Section 08-101-70(f) of the Rules of the Liquor Commission, County of Maui.

II. OTHER MATTERS:

- A. County of Maui's Motion to Correct Record of Proceedings Held on December 6, 2018 on Complaint and Accusation No. 2018-26, TANIZAKI, LTD. dba PUKALANI SUPERETTE, Retail General License No. 137, 15 Makawao Avenue, Pukalani, Maui, Hawaii.

III. ADMINISTRATIVE AFFAIRS:

- A. Resolution Honoring Jerrybeth De Mello
- B. Election of Liquor Control Adjudication Board Chairperson and Vice Chairperson for the period April 2019 through March 2020

IV. ADJOURNMENT

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON APRIL 4, 2019, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 108, WAILUKU, MAUI, HAWAII.

If you require an auxiliary aid or accommodation due to a disability, please contact the Director three working days prior to the scheduled hearing. The request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, or by calling 243-7753.