



**LIQUOR CONTROL ADJUDICATION BOARD  
COUNTY OF MAUI**

c/o Department of Liquor Control  
110 'Ala'ihī Street, Suite 212  
Kahului, Maui, Hawaii 96732  
Telephone & Fax: (808) 244-4666  
Email: liquoradjudication@mauicounty.gov  
Website: www.mauicounty.gov/185/Liquor-Control-Adjudication-Board

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OFFICE OF THE  
COUNTY CLERK

Vacant  
Chair  
Allan Almeida, Jr.  
Vice Chair  
Melissa Padilla  
Robbie Sanches  
Janice Kalanihūia  
Shane Dudoit  
Kaulana Mossman  
Rhonda I.L. Loo  
Harold Cathcart

**AMENDED  
ANNUAL WORKSHOP AGENDA**

*PURSUANT TO CHAPTERS 91 AND 92, HAWAII REVISED STATUTES, AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR REMOTE PUBLIC MEETING OF THE LIQUOR CONTROL ADJUDICATION BOARD, COUNTY OF MAUI.*

<b>Date:</b>	<b>Tuesday, April 26, 2022</b>
<b>Time:</b>	<b>9:00 a.m.</b>
<b>Remote Meeting Location:</b>	<b>BlueJeans interactive conference technology: <a href="https://bluejeans.com">https://bluejeans.com</a>, enter Meeting ID 480 718 831</b>
<b>Physical Location:</b>	<b>Department of Liquor Control 110 'Ala'ihī Street, Suite 212A Kahului, Maui, Hawaii</b>

**VIDEO ACCESS & TESTIMONY:** To observe the meeting or provide video testimony by computer or other mobile devices, log onto <https://bluejeans.com> and enter **Meeting ID 480 718 831** or use the meeting link, <https://bluejeans.com/480718831>.

**PHONE ACCESS & TESTIMONY:** To listen to the meeting or provide oral testimony by phone, dial **1 (408) 915-6290** and enter **Meeting ID 480 718 831**.

**PHYSICAL LOCATION & TESTIMONY:** Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Physical Location. Note: The Board may not be physically present at this location and COVID-19 pandemic restrictions may limit capacity.

**ORAL TESTIMONY:** Testimony will be taken at the meeting as determined by the Chair. Oral testifiers are afforded two (2) minutes to testify on each agenda item, with one (1) minute to conclude at the discretion of the Chair if necessary.

Testifiers via video may sign-up to testify by sending a direct message in the Chat function to the Board staff, signifying their intention to testify and noting the agenda item number. Testimony shall not be submitted within the Chat function, and the Chat function may not be used to contact Board members, or other meeting participants, for commenting on the agenda items, or other matters. Individuals may be disconnected from the meeting for breaking decorum.

Testifiers are asked to mute their audio and video when they are not testifying.

Video testifiers will be called first, followed by phone testifiers, and then in-person testifiers.

**WRITTEN TESTIMONY:** Whether sent via email, mail, or fax, written testimony should be submitted by noon, two (2) business days before the meeting to ensure its distribution to the Board. Email written testimony to [liquoradjudication@mauicounty.gov](mailto:liquoradjudication@mauicounty.gov); mail to the **Liquor Control Adjudication Board, c/o Department of Liquor Control, 110 'Ala'ihī Street, Suite 212, Kahului, Hawaii 96732**; or fax to **(808) 244-4666, "Attention: Liquor Control Adjudication Board"**. While the Board requests that written testimony be submitted by a certain date and time, testimony submitted after such date and time will still be accepted by the Board.

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- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **AGENDA:** Approval of today's agenda of April 26, 2022.
- IV. **PUBLIC TESTIMONY:** All testimony shall be relevant to the meeting agenda's specific items.
- V. **WORKSHOP:** The Liquor Control Commission and Liquor Control Adjudication Board members will receive presentations from personnel from the Department of Liquor Control, Prosecuting Attorney, and Corporation Counsel on the following items. No action will be taken by the members.
  - A. Department of Liquor Control
    1. Duties and Functions
    2. Mission and Goals
    3. General Overview of Title MC-08 Subtitle 01 Chapter 101 Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui
    4. General Overview of Title MC-08 Subtitle 01 Chapter 102 Rules Governing Administrative Practices and Procedures of the Liquor Commission and Liquor Control Adjudication Board
    5. Licensing Section
    6. Enforcement Section
    7. Certification Exam and Training
    8. Minor Registration for Employment
  - B. Liquor Control Commission
    1. Duties and Responsibilities
    2. Approving or Denying Liquor License Applications and Permits
      - a. Preliminary and Public Hearings
      - b. Public Testimony and Protests
      - c. Refusal of Applications Due to Protests or other Disqualifications
      - d. Conditions Imposed by the Commission
  - C. Liquor Control Adjudication Board
    1. Duties and Responsibilities

2. Adjudication of Violations
    - a. Complaint and Accusations
    - b. Mandatory Minimum Penalties
      - i. Excessive Service
      - ii. Service to Minors
    - c. Other Penalties
    - d. Findings of Fact, Conclusion of Law, Decision and Order
    - e. Appeals
  3. Hawaii Small Business Regulatory Flexibility Act
  4. Prosecuting Attorney's Role in Adjudications and Procedure
    - a. Burden of Proof
    - b. Preponderance of Evidence
    - c. Procedure for Adjudications
      - i. Complaint and Accusation
      - ii. Stipulation and Waiver
      - iii. Stipulation, Waiver, and Request for Informal Hearing
      - iv. Notice of Defense and Hearing
      - v. Penalty Phase
- D. Department of the Corporation Counsel
1. Duties and Responsibilities
  2. The Liquor Laws of Maui County
    - a. Charter of the County of Maui
      - i. Article 8, Chapter 13 – Department of Liquor Control
        1. Section 8-13.2 – Liquor Control Commission
        2. Section 8-13.3 – Liquor Control Adjudication Board
        3. Section 8-13.4 – Director of the Department of Liquor Control
      - ii. Article 13 – General Provisions
    - b. Hawaii Revised Statutes Chapter 281 – Intoxicating Liquor
    - c. County Administrative Rules
      - i. Title MC-08 Subtitle 01 Chapter 101 Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui
      - ii. Title MC-08 Subtitle 01 Chapter 102 Rules Governing Administrative Practices and Procedures of the Liquor Commission and Liquor Control Adjudication Board
  3. Sunshine Law
  4. Robert's Rules of Order
  5. Charter of the County of Maui, Article 10 – Code of Ethics
  6. County of Maui Board of Ethics – Gifts Protocol Quick Guide
  7. Attendance Policy
  8. County of Maui Policy Against Discrimination
  9. County of Maui Violence in the Workplace Action Plan

## VI. QUESTIONS AND ANSWERS

## VII. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELATION.

SPECIAL ASSISTANCE: If you require an auxiliary aid or service or an accommodation due to a disability, please contact the Board staff no later than three (3) business days prior to the scheduled meeting by calling **(808) 244-4666** or email to [liquoradjudication@mauicounty.gov](mailto:liquoradjudication@mauicounty.gov).

BOARD PACKETS: Board packets, as defined in § 92-7.5, Hawaii Revised Statutes are available for public inspection at the office of the Department of Liquor Control. They may also be found at <https://mauicounty.gov/185/Liquor-Control-Adjudication-Board> under Meeting Documents.

EXECUTIVE SESSION: An executive session may be called in order for the Board to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities, pursuant to § 92-5(a)(4), Hawaii Revised Statutes.

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to thirty minutes to restore communication when audiovisual communication cannot be maintained with Boards participating in the meeting or with the public location identified above. If connection cannot be restored within thirty minutes, the meeting is automatically terminated.

PLEASE NOTE: If any Board member is unable to attend the scheduled meeting, please call **(808) 244-4666** at least one (1) day prior to the meeting date. Thank you for your cooperation.