

A G E N D A  
LIQUOR CONTROL ADJUDICATION BOARD  
DEPARTMENT OF LIQUOR CONTROL  
COUNTY OF MAUI

DATE & TIME: THURSDAY, JULY 6, 2006, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM  
DAVID K. TRASK, JR. OFFICE BUILDING  
2145 KAOHU STREET, ROOM 107  
WAILUKU, MAUI, HAWAII 96793

**I. HEARINGS BEFORE THE BOARD:**

**A. COMPLAINT AND ACCUSATION NO. 2005-08, PLEA: NO CONTEST**

**In the matter of the accusation against 3090 INCORPORATED dba ALII NUI CHARTERS, Tour or Cruise Vessel License No. 192, Maalaea Harbor, Slip 56, Maalaea, Maui, Hawaii.**

**(CONTINUED FROM DECEMBER 1, 2005 HEARING)**

Count 1. On February 13, 2004 between the approximate times of 10:45 a.m. and 1:10 p.m., 3090 INCORPORATED dba ALII NUI CHARTERS, a tour or cruise vessel licensee, did, through their employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by Carolann Sabatino, who was at the time under the influence of liquor, as defined in Section 281-1 of the Hawaii Revised Statutes, drugs, as defined in Section 08-101-5 of the Rules of the Liquor Commission, or any combination thereof, contrary to Section 281-78(b)(1)(B) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(B) of the Rules of the Liquor Commission, County of Maui.

Count 2. On February 13, 2004 between the approximate times of 10:45 a.m. and 1:10 p.m., 3090 INCORPORATED dba ALII NUI CHARTERS, a tour or cruise vessel licensee, did, through their employee(s), fail to exercise due care as defined in Section 08-101-5 of the Rules of the Liquor Commission, in determining whether Carolann Sabatino was under the influence of liquor, 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)(11) of the Rules of the Liquor Commission, County of Maui.

**B. COMPLAINT AND ACCUSATION NO. 2006-33, PLEA: NO CONTEST**

**In the matter of the accusation against MCBARNET PAIA CORPORATION dba PAIA CHEVRON, Retail Beer and Wine License No. 402, 99 Hana Highway, Paia, Maui, Hawaii.**

- Count 1. On July 16, 2005 at approximately 7:20 p.m., MCBARNET PAIA CORPORATION dba PAIA CHEVRON, a retail beer and wine licensee, did, through its employee, sell or furnish liquor to a minor, 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 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.

**C. COMPLAINT AND ACCUSATION NO. 2006-34, PLEA: NO CONTEST**

**In the matter of the accusation against KING & MARTIN, INC. dba HECOCKS ON THE OCEAN, Dispenser General License No. 022, 505 Front Street, Lahaina, Maui, Hawaii.**

- Count 1. On June 26, 2005 at approximately 2:21 a.m., KING & MARTIN, INC. dba HECOCKS ON THE OCEAN, a dispenser general licensee, did, have the sale, service, or consumption of liquor on or within its licensed premises before or after the hours prescribed by the commission, contrary to Section 08-101-25(c) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On June 26, 2005 at approximately 2:21 a.m., KING & MARTIN, INC. dba HECOCKS ON THE OCEAN, a dispenser general licensee, failed to exercise due care to ensure that no person or employee, while on duty, be permitted to consume any alcoholic beverages, contrary to Section 08-101-80(a)(1) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On June 26, 2005 at approximately 2:21 a.m., KING & MARTIN, INC. dba HECOCKS ON THE OCEAN, a dispenser general licensee, failed to maintain time record entries at the time the employee reports 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.

**D. COMPLAINT AND ACCUSATION NO. 2006-35, PLEA: NO CONTEST**

**In the matter of the accusation against CHUN'S RESTAURANT, INC. dba ISANA, Dispenser General License No. 056, 515 South Kihei Road, #C-3, Kihei, Maui, Hawaii.**

- Count 1. On July 16, 2005 at approximately 11:43 p.m., CHUN'S

RESTAURANT, INC. dba ISANA, a dispenser general licensee, did, through its employee, sell, serve, or furnish liquor to a minor, 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 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.

## **II. ADJOURNMENT:**

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON THURSDAY, AUGUST 3, 2006, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 107, WAILUKU, MAUI, HAWAII.

Any person desiring to attend the hearing and requiring an accommodation (i.e., large print, taped material, sign language interpreter, accessible parking, etc.) may request assistance provided such a request is received three (3) working days prior to the scheduled hearing. This request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Hawaii, 96793, or by calling 243-7753.