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2008-03-20 News



# LC Watch LC Dance Marathon Continues

by Anthony Pignataro write the author

March 20, 2008

One way to look at it is that the group Maui Dance Advocates is trying to save the LC. On March 12, about half a dozen members of the group and Lance Collins, their attorney (and former LC Board of Adjudication member), appeared before the Maui County Liquor Commission and asked for a "Declaratory Order"—a "clarification," in Collins' words, of the LC's definition of dancing.

"People are becoming very litigious," Collins said. He added that a Declaratory Order would protect the Liquor Commission from getting sued by someone claiming the LC rules governing dancing (no dancing in aisles or anywhere else in an establishment beyond a specially marked dance floor) violated his or her civil rights.

The commission, which rejected without any sympathy the group's original bid to change the dancing rule back in April 2007, proved just as deaf to the current bid. In fact, as Collins and First Deputy Corporation Counsel Tracy Fujita-Villarosa spent much of the hearing sparring over the precise legal requirements of Collins' request, the board remained passive, even lost.

"We want you to clarify the rule," Collins said at one point when Commissioner Arsene "Blackie" Gadarian asked what Collins wanted. "The rule is very broad." He even offered to provide the commission with a possible definition that would be "a couple pages long."

Commissioners found that unacceptable.

"I don't think it's reasonable to ask this commission to define dancing," Commissioner Ron McComber told Collins, forgetting for the moment that the Liquor Commission-approved liquor rules already contain a very broad

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definition of dancing.

In the end, Commissioner Curt Morimoto moved that his fellow commissioners trash can the whole thing. In fact, the commissioners began moving so quickly to dump the petition that LC staffer Michael Kawagishi gently reminded them that they still had to take public testimony. After graciously listening to the three members of the public who wished to speak, they voted unanimously to reject the Maui Dance Advocates petition.

Should be really fun to see what happens if someone ends up suing the county over the dancing rule.

-Anthony Pignataro



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
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