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- News
- Columns
- Food
- Calendar
- A&E
- Film

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- 1st Friday Pics
- Archives



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- Cover Story

2008-10-09 News



LC Watch

by Jacob Shafer write the author

October 09, 2008
"Hey, hey! What's this I see? I thought this was a party. Let's dance!"

- Ren McCormack, *Footloose*

Time to check in once again with Maui Dance Advocates and their ongoing battle to move rhythmically wherever they so choose, free from the capricious oversight of our friends in the LC.

Faithful readers will recall that the group—led by Ramoda Anand and assisted by local attorney and former LC Adjudication Board member Lance Collins—has been fighting for some time to force the commission to alter, or at least clarify, its vague, murky rules on dancing.

For those new to the subject, the rule in question (8-101-23) reads in part: "Any dancing or entertainment provided shall be in areas designated and approved by the director." Dancing outside said areas is prohibited and punishable. The question of course is, what exactly constitutes dancing (a head bob, a toe tap, a leg wiggle?) and—oh yes—what about that little thing we call the First Amendment?

MDA has tried and been denied before, but credit them with tenacity. In a complaint filed September 30, the group once again asks the circuit court to step in and recognize the blatant constitutional violation that's being committed.

The plaintiffs are seeking attorney fees and an invalidation of 8-101-23.

We're not placing our money on things changing overnight, but a read-through of the very concise complaint (it's four pages long but could easily have been a few sentences minus the requisite legalese) really leaves no room for interpretation or parsing. This is free speech 101 here; the LC

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- 2009-Apr-02

- News
- Columns
- Food
- Calendar
- A&E
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would do well to give the constitution a quick read.

Hey, don't worry guys, you don't have to wade through the whole thing—it is after all the *First* Amendment.

- Jacob Shafer

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the grid
 Maui's Guide to Late Night Entertainment



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
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