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COUNTY OF MAUI, STATE OF HAWAII

APPROVED 2/27/2012

CHARTER COMMISSION
PUBLIC HEARING

Held at the Paia Community Center, Hana Highway,
Paia, Maui, Hawaii, commencing at 6:30 p.m., on Monday,
January 9, 2012.

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ATTENDANCE

BOARD MEMBERS PRESENT:
Joshua A. Stone, Chair
Wayne N. Hedani, Vice-Chair
Stephanie S. Crivello, Member
David P. DeLeon, Member
Frank R. DeRego, Jr., Member
Clifford P. Hashimoto, Member
Wayne N. Hedani, Member
Susan A. Moikeha, Member
Linda Kay Okamoto, Member

STAFF PRESENT:
Edward S. Kushi, Jr., First Deputy Corporation Counsel
Lisa Kahuhu, Supervising Law Technician

ADMINISTRATION PRESENT:
Rob Parson, Executive Assistant to the Mayor

OTHERS PRESENT:
Jim Smith
Lloyd Fischel
Rob Parsons
Councilmember Mike White

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(Monday, January 9, 2012, 6:30 p.m.)

* * *

CHAIR STONE: Hello, everyone. I want to thank everybody for attending this public meeting of the Charter Commission. My name is Josh Stone, and I'm the Chairman of the Commission.

If you need, there are copies of the Maui County Charter and amendments available here with Lisa Kahuhu, as well as copies of this evening's agenda. Lisa? Thank you.

As per our rules, discussions tonight will be pertaining to Maui County Charter.

And before beginning public testimony, we have a few items of business to address.

First, I'd like to call this meeting to order as of 6:30 p.m., and introduce our Commissioners that are present. Let's quickly go down the table, and just state your name and where you're from, please.

COMMISSIONER MOIKEHA: Susan Moikeha, from Kula.

COMMISSIONER CRIVELLO: Stacy Crivello, from Molokai.

COMMISSIONER OKAMOTO: Kay Okamoto, from Lanai.

VICE-CHAIR HEDANI: Wayne Hedani, from

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Wailuku.

CHAIR STONE: Josh Stone, from Paia.

COMMISSIONER HASHIMOTO: Clifford Hashimoto, Hana.

COMMISSIONER DELEON: Dave DeLeon, Haiku.

COMMISSIONER DE REGO: Frank De Rego, Kahului.

CHAIR STONE: Thank you, Commissioners.

Also, I would like to present our staff. We have with us Edward Kushi, Jr., Deputy Corporation Counsel. Ed, thanks for being here. As well as Lisa Kahuhu, our Supervising Law Technician. And, of course, Tonya McDade, our court reporter. Thank you very much, Tonya, for being here.

I'd also like to thank Akaku for being here and televising this to the public. Thanks very much, guys.

This meeting is primarily to get the public's input on the Proposed Charter Amendments that the Charter Commission are actively working on, some of which will most likely be put forward to the voters in the November elections. We're also here to receive new Charter Amendment Proposals, if any. We have copies of the draft proposals and draft proposal questions here, with Lisa Kahuhu, available to the public tonight. So please see Lisa Kahuhu if you would like to see the

<p style="text-align: right;">Page 5</p> <p>1 Draft Proposals. 2 I would like to begin with oral testimony. 3 And before we begin, I would like to go over our oral 4 testimony rules. We'll call up each public testifier in 5 the order that they registered to testify. Each person 6 will have five minutes to testify on items concerning 7 our Maui County Charter. We may suspend the rules, 8 considering that we have a fairly small turnout tonight, 9 and allow testifiers a little bit more time than five 10 minutes. 11 Also, I would like to take this time to 12 recognize Councilman Mike White. 13 COUNCILMEMBER WHITE: Aloha. 14 CHAIR STONE: Thanks so much for attending 15 tonight. Thank you. 16 With that said, Lisa, please introduce our 17 first testifier. 18 MS. KAHUHU: Jim Smith. 19 CHAIR STONE: Mr. Smith, thank you very much 20 for being here. I say that sincerely. 21 MR. SMITH: You didn't have to qualify. 22 (Laughter.) 23 MR. SMITH: Members of the Charter Commission, 24 my name is Jim Smith and I'm a resident of Haiku. And I 25 think that, when you look around, the newspaper, you see</p>	<p style="text-align: right;">Page 7</p> <p>1 they had to define the limits of executive functions and 2 activities. Those all were removed from that, see. 3 So now, in 2012, you're looking at setting up 4 a sacrosanct position when that's not at all what we 5 need. We need to really come to grips with what 6 executive management of power is about and what 7 legislative function is in establishing policies. 8 So we go to civil service. And the Fire 9 Department came to you with a number of provisions 10 regarding a declaration of policy. We have two 11 declarations of policy in our Charter, one is the 12 ethics, it has to do with the public good. Public, 13 public; not personal. And then the Cost of Government 14 Commission, that has to do with all of it. Not a 15 declaration of policy for a Fire Department Commission 16 which, in effect, sets up a civil service commission. 17 So you're going to have four civil services commissions 18 when, in fact, the law, HRS 76, is to unify. And so you 19 have personnel matters being considered by an 20 independent body. Of what? That doesn't make sense in 21 our political system. The executive, the legislative, 22 the judicial. Okay. The State, the County. Well, this 23 screws all of that up inside and out. 24 So I'd ask you -- there's only one provision 25 here that I think is very significant in terms of</p>
<p style="text-align: right;">Page 6</p> <p>1 how people deal with political questions, all over, and 2 how we're dealing with these. And they're no less 3 serious than right here. 4 And if you'll look at your proposed 5 amendments, there are 21, 21 proposed amendments. And 6 if you look at those, you'll find that 10 of those have 7 to do with executive power, okay, and two have to do 8 with legislative, and not even with power, okay, and 9 then there are four general. So we have to look at this 10 and say, what is it that's happening with our Executive 11 Branch that causes such indifference to many things. 12 What is it that's wrong? Okay. And the answer is not 13 in the amendments that I'm seeing here. Okay. 14 If you look, for example, at the auditor. The 15 County Auditor was established, it wasn't elected, it 16 was established, as part of the Finance Department. In 17 the Charter of 1997, there was a provision on the 18 Finance to manage. Okay. It was to manage the -- 19 responsible for management of County funds. So they 20 took the auditor and they took the treasurer. So it 21 remained an executive function. It wasn't a third 22 independent duck; it was a part of that. 23 And you look at the Charter Commission -- I 24 don't mean -- I mean Cost of Government Commission, 25 well, they had a real power. In that '77 amendment,</p>	<p style="text-align: right;">Page 8</p> <p>1 meaningful. And that has to do with the Charter 2 Commission and the Council, when they move to amend the 3 Charter the same time you are doing it. And I am 4 suggesting that you simply limit them to one time prior 5 to you guys. Okay. If you limit them, it gives them 6 one term of a Mayor, to see if anything happens, and 7 they can do what they want, then, it gives them time to 8 build this, not change it every two years upon a whim. 9 Okay. That's just -- you know, that's the kind of 10 thinking, I think, is missing from this type of -- 11 Term limits, it's been there. This is 12 irrelevant. You got to trust people. They serve, they 13 learn with time. Two years is fine. 14 A budget, one year. It stimulates activity at 15 the end of the year. And the second year, you come 16 forward, you're running for office and you stimulate 17 more activity. Budget, one year. No problem. 18 If you look at how it's run, you'll find that 19 there are supplementary budget amendments and 20 amendments. Even during the budget process, it goes on. 21 So it's like, really, an annual budget? We're doing 22 this -- the whole thing -- so I don't think that -- 23 don't even -- that's not even significant. Okay. 24 When you have 49 percent of 80,000 eligible to 25 vote voting, and then, those not voting, many of</p>

<p style="text-align: right;">Page 9</p> <p>1 those -- what is that saying? That's saying that the 2 judgment of political elected officials is not including 3 them and they don't see it as good. 4 We die or we live on the perception of good 5 judgment; not the indifference of those with the power. 6 And this Charter is what sets that. 7 Now, if you take, for example, the Mayor's 8 Office, and you put, in the Mayor's Office, assure that 9 personnel will be treated fairly and equally, as a duty, 10 well, then they're going to have to look. But if you 11 set up a commission that hires them, and they say then 12 you're going to take up personal service -- personnel 13 complaints and such like that, you've changed the nature 14 of that whole shabang. You've turned inside out this 15 relation of quasi-judicial and administrative power, and 16 all that type of stuff is inside out if you go down that 17 road. You got to keep the executive responsible. Okay. 18 The Cost of -- the Cost of Government 19 Commission has been responsible, and they failed. Why 20 did they fail? That's the question. They started off 21 with a duty, in '77, that said they're going to be 22 limiting excess. Okay. That changed in '82. What 23 happened? Now what do they do? 24 If you gave them the authority to reprimand a 25 director for failing to be efficient, to reprimand,</p>	<p style="text-align: right;">Page 11</p> <p>1 money in that? Well, there's only six (sic) 2 administrators, and they get \$1.2 million. 16 3 administrators. So you can figure there are 99 4 financial service people, and they get \$5 million. So 5 99 get five, and 16 get one-and-a-half. Well, we know 6 where the -- we know where it's going. Okay. 7 And if you look at the Management 8 Department -- now you talk about management. Okay. We 9 have a management department, and they had 19 employees 10 in 2001, and their budget was \$2,700,000. In 2011, they 11 had 46, and their budget was \$4,100,000. That's a nice 12 growth. That is a -- and that's strategy. That's doing 13 what you want the auditor to do. Okay. 14 And the cost of services commission, you want 15 them to do that, too, but they're not doing it. And 16 they'll say, "We can't, we just go with advice." No, 17 no, no. You make it happen. You don't create an 18 auditor and hire him to make that happen, that's 19 ridiculous. 20 If you're going to have an auditor, it should 21 be with the Legislative Branch because they spend the 22 money. Okay. And if you want to hold a director 23 accountable and he's hired by a commission, well, then, 24 you make, okay, that commission hold him to his mission, 25 which is an executive statement of what he's supposed to</p>
<p style="text-align: right;">Page 10</p> <p>1 okay, a director for failing to comply with their 2 mission statement -- it's been so screwed up. What they 3 did was they brought in this program budgeting episode. 4 And what that meant was the departments were programs. 5 And they had to define mission and they had to define 6 all these type of things as they went forward for their 7 money. Well, that's good. They defined their mission. 8 And the more detail, the better it is. We're going to 9 do this, we're going to do that, we're going -- Fire 10 Department, we're going to make it safe and learn, we're 11 going to treat our people good, fine, that's your 12 mission statement. Cost of Government Commission reads 13 that. And fire control commission says, okay, we're 14 holding you accountable for your mission statement. And 15 that's in the executive power. So take the mission 16 statement, have them spell out how they're going to 17 treat their people, have the Mayor make that happen, 18 because he is the manager, and then send it on. 19 If you look at the finances, this is amazing. 20 In 2000, the Finance Department, budget with 141 -- with 21 104 equivalent personnel, whatever that is, okay, their 22 budget was \$4,855,000. In 2011, with 141 personnel, 23 their budget was eight thousand -- \$8,674,000. So they 24 doubled their budget in 10 years. They got more people. 25 So where is the efficiency? Who is getting the most</p>	<p style="text-align: right;">Page 12</p> <p>1 do. So it's got to stay executive and it's got to stay 2 legislative and it's got to stay strong. 3 And they want to -- and there's a tremendous 4 voice creating confusion, breaking these things down, 5 but it's not that difficult. We don't want 6 commissioners to have the power elected representatives 7 do. And so everyone, then, is a ceremonial head. We'll 8 have a ceremonial mayor and we're going to have rows of 9 commissioners who are appointed with great power, okay, 10 and a ceremonial councilmember. Okay. Because they got 11 to rely on the commissions. So then we can have 12 relatives being appointed to commissions and then we 13 have aristocracy, and then we're back to the cave. 14 (Laughter.) 15 MR. SMITH: Anyhow, thank you for your time. 16 I appreciate it. 17 CHAIR STONE: Mr. Smith, I'm very happy that 18 we allowed you the time to just go all the way through. 19 MR. SMITH: That's the first time it's 20 happened in my life. 21 (Laughter.) 22 MR. SMITH: I think it might be an age thing. 23 CHAIR STONE: Remember me well. 24 MR. SMITH: I'm going to remember you, but not 25 for this.</p>

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1 (Laughter.)
 2 CHAIR STONE: Okay. Commissioners, any
 3 clarification on the eloquent testimony of Mr. Smith?
 4 (No Response.)
 5 CHAIR STONE: No. It was very good testimony.
 6 Thank you, Jim.
 7 MR. SMITH: Thank you.
 8 CHAIR STONE: Thanks very much.
 9 Lisa, next testifier, please.
 10 MS. KAHUHU: Lloyd Fischel.
 11 CHAIR STONE: Lloyd, thank you for being here.
 12 MR. FISCHEL: Thank you for being here. I
 13 don't think that our population understands just how
 14 important this gathering is and what your work is that
 15 you're doing. I wish that The Maui News and other
 16 leaders in our society really discussed the fact that
 17 this Charter that we're reviewing, that you've been
 18 laboring over for many, many months, and will continue
 19 to labor over, is the basis of our constitutional
 20 rights. They are actually what give our society the
 21 rights that we have. And because of this, under the
 22 direction of Mr. Stone, all of you have come together to
 23 unite together, to try to improve what needs to be
 24 improved, if anything, in our Charter.
 25 Because we came from a history of very wise

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1 people that created the separation of powers, over the
 2 years, charters have been amended very little, one or
 3 two changes to a charter, because we recognize that it
 4 isn't like a baseball game or a football game where
 5 players come in and out to see who does the best. As
 6 the last testifier said, it's not about setting up
 7 commissions to see if government can be run better. We
 8 have our government in place, and we have the separation
 9 of powers; the executive, the judicial and the
 10 Legislative Branch. And as was pointed out, these
 11 separations of powers must be maintained in order for us
 12 to really continue to have a democratic society.
 13 We see changes all over the world, especially
 14 in economics, around the world, that lead people to have
 15 fear. And when people have fear, there's always an
 16 attempt to tinker with maybe everything, even that which
 17 is going well.
 18 And in this regard, I'd like to draw attention
 19 to two of the Proposed Charter Amendments. The first
 20 one is Number 3. Number 3 is something that's come up
 21 in the past, where the Charter be amended to authorize
 22 the prosecuting attorney to appoint investigators who
 23 shall have the powers and privileges of a police officer
 24 of the County; and, B, prosecute offenses against the
 25 laws of the State under the authority of the Attorney

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1 General of the State.
 2 A few weeks ago, the United States Congress
 3 and Senate, Senate and the President, signed an action
 4 which will allow any American anywhere in the world to
 5 be picked up, incarcerated, without any due process of
 6 law. The cornerstone of the revolution of the United
 7 States, the cornerstone of our freedoms, was signed away
 8 with one document. If we put to the public, and they
 9 might approve of this 3(b), we have now given the laws
 10 of the State to the authority of the Attorney General in
 11 Honolulu. Any one of us could be picked up with one
 12 phone call, one text message, one email, from Honolulu,
 13 without any charge, and it would be okay under this law.
 14 We have to be very, very careful about this
 15 particular provision. There is no place for this
 16 provision. Why can't we prosecute our own laws
 17 correctly? These people are being paid enough up on the
 18 Hill. We have enough policemen. We have enough
 19 judiciary. We don't need somebody in Honolulu -- who
 20 knows who that person is, how that person got there --
 21 to be able to enlist police powers and force them upon
 22 our people in Maui County.
 23 The second provision I'd like to mention is
 24 Number 19, the Charter shall be amended to add the
 25 following to the powers, duties and functions to the

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1 Director of the Department of Environmental Management.
 2 Now, we all know that the current Mayor set up this
 3 position, Environmental Manager. And I see that he's
 4 with us today, joined our meeting.
 5 And thank you for attending.
 6 This idea of setting up an Office of the
 7 Director of Management under the Mayor's Office, I
 8 believe, is, again, making mush out of the separation of
 9 powers between the Executive and the Legislative Branch.
 10 If the Office of Management comes up with a scheme to
 11 use methane gas from the dumps to create energy, if the
 12 Office of Management comes up with some other kind of
 13 way of processing metals, you know, destroyed
 14 automobiles, other kinds of metals and so forth, if that
 15 office comes up with a way to produce a better way of
 16 creating energy, that should go before the people,
 17 because it's the people's taxes that are going to help
 18 pay for that. This should not be designed in a way that
 19 the Mayor's Office can stipulate these kind of very,
 20 very important issues. We are facing a future of
 21 uncertain energy. And every one of us and all of our
 22 families and our children, and our children's children,
 23 all the way down the road, should have a right to say in
 24 our energy.
 25 I think it's unbelievably crazy that we have

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1 wind up on a hill that was paid for, in part, by County,
 2 in terms of administration and hours spent to maintain,
 3 blah, blah, blah, blah, blah, part by the government and
 4 bonds. And our County, contrary to what the Mayor had
 5 said when it was first put up there, under the prior
 6 Arakawa Administration, that it would provide 13 percent
 7 of Maui's energy needs. And we all know that not one of
 8 us have had a reduction in the cost of our energy. We
 9 all know that that company has made a lot of money.
 10 We're talking about tens of thousands, if not hundreds
 11 of thousands, a day when the wind is blowing, but we get
 12 no benefit as a society. And that is our hill. That is
 13 Maui County.
 14 I'm pointing this out to you because it's an
 15 example of how things go awry when a Mayor or a
 16 particular individual has authority over our energy
 17 needs. This position and the idea to guide efforts to
 18 maximize opportunities for natural resource protection,
 19 conservation, restoration, to coordinate and develop
 20 policies and initiatives that integrate sustainable
 21 resource development, and so forth and so on, this
 22 belongs to our elected representatives because they
 23 represent us; not some executive who might have some
 24 kind of ties to special companies, including wind
 25 companies.

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1 So I ask you, please, to not include this.
 2 Let it be gone and not include it in any further
 3 discussion. Thank you.
 4 CHAIR STONE: Thank you very much, Lloyd, for
 5 your testimony.
 6 MR. FISCHEL: Thank you.
 7 CHAIR STONE: Commissioners, clarification on
 8 the testimony? Questions?
 9 (No Response.)
 10 CHAIR STONE: Okay. No. Thanks so much for
 11 being here.
 12 MR. FISCHEL: Thank you. And thank you guys
 13 for coming.
 14 CHAIR STONE: Lisa, next testifier, please.
 15 MS. KAHUHU: Chair, no one else is signed up.
 16 CHAIR STONE: I'd like to open the floor to
 17 any member of the public who would wish to testify this
 18 evening before I close oral testimony. Going once --
 19 okay, we have another testifier. Thank you for being
 20 here this evening. Please state your name for the
 21 record.
 22 MR. PARSONS: Good evening, Chair Stone and
 23 Commissioners. My name is Rob Parsons. I am an
 24 Executive Assistant to Mayor Arakawa. And I came to
 25 listen to the discussion tonight, and certainly had no

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1 preconceived notion that I'd be speaking to you, but I
 2 want to make myself available to you for any
 3 clarifications you might feel are necessary in regards
 4 to the previous testimony from my friend Lloyd Fischel.
 5 I will briefly state that I think he made some
 6 good points, but that they were convoluted, because I
 7 think this proposal actually provides the opposite of
 8 what he represented as the situation. By putting -- by
 9 assigning additional duties and responsibilities to the
 10 Department of Environmental Management, this would have
 11 public oversight.
 12 Additional positions, as perhaps conceived by
 13 this Charter proposal, couldn't happen without a budget
 14 amendment, without the County Council reviewing should
 15 there be people assigned, in addition to a couple of
 16 appointed people who are directly under the Mayor's
 17 watch right now; myself, Doug McLeod, our Energy
 18 Commissioner, who I think has done great work.
 19 The idea of this proposal is twofold. And I
 20 think you've heard from the Mayor that he doesn't feel
 21 there are assurances that we can count on continued
 22 State funding, with the State fiscal situation, to
 23 support the things that we are currently supporting
 24 through grants through Department of Water Supply,
 25 through Office of Economic Development, and other ways

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1 that we support environmental and conservation efforts.
 2 And we are recognized as a leader.
 3 Invasive species efforts: Tomorrow, I will be
 4 attending the Hawaii Invasive Species Council meeting to
 5 try to bring additional State support to the
 6 ever-growing axis deer situation, which is impacting our
 7 ranchers and our Upcountry farmers and adding expenses
 8 and safety concerns to -- what's, you know, important to
 9 all of us is the ability to grow our own food here on
 10 Maui.
 11 So that's just one example of something that's
 12 taking place that could be addressed if we structure
 13 this department, which is currently just looking after
 14 two things, solid waste and wastewater reclamation. And
 15 add some additional responsibilities so that they more
 16 broadly encompass environmental protection and
 17 sustainability.
 18 So I won't -- I mean, you know, I've spoken to
 19 you in the past. I think you understand where the
 20 Mayor's at and that I support him in this proposal. I
 21 think it will have a lot of benefit for the people of
 22 Maui. I told you at my last -- my last meeting that --
 23 that we were at, in the Planning Conference Room, that
 24 there are nationwide studies that indicate that the
 25 greatest benefit of having dedicated positions

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1 addressing sustainability is reduced Cost of Government.
 2 I think there's great benefit to this.
 3 And thank you very much for the chance to
 4 share with you this evening. Thank you for all your
 5 good work.
 6 CHAIR STONE: Thank you, Mr. Parsons.
 7 Commissioners, clarification? Commissioner
 8 DeLeon, thank you.
 9 COMMISSIONER DELEON: Rob, could you help me
 10 clarify a point that was made earlier? To your
 11 knowledge, did Maui County have anything to do with the
 12 wind farm over at Maalaea?
 13 MR. PARSONS: Well, it's on State property,
 14 it's on State conservation land. Let me think what
 15 State permits would have been -- what County permits
 16 would have been necessary.
 17 COMMISSIONER DELEON: No. I mean in terms of
 18 money in or manpower in or functionality in?
 19 MR. PARSONS: State and private is my
 20 understanding.
 21 COMMISSIONER DELEON: Thank you.
 22 CHAIR STONE: Thank you. Commissioners, any
 23 further clarification for Mr. Parsons? No. Rob, thank
 24 you very much for being here.
 25 COMMISSIONER DE REGO: One.

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1 CHAIR STONE: Oh, Commissioner De Rego.
 2 COMMISSIONER DE REGO: On these added
 3 functions, would you see any of these things happening
 4 outside of legislative authority to fund any initiatives
 5 that come from these functions?
 6 MR. PARSONS: Well, I think if they wouldn't
 7 have legislative authority, there would be some measure
 8 of public oversight, whether be through the permit
 9 process --
 10 MEMBER DE REGO: I'm saying especially in
 11 terms of funding. I mean, any initiatives that come
 12 out --
 13 MR. PARSONS: I think --
 14 MEMBER DE REGO: -- of this?
 15 MR. PARSONS: I think the real sense in
 16 putting this forward is you would be asking our voting
 17 population, our community, for a mandate, thumbs up or
 18 thumbs down, is this something they want to support.
 19 And, hopefully, in the process of going through all the
 20 Charter Amendments, there are talking points, pros and
 21 cons. I've always seen these in the paper in the past.
 22 You know, it's not your intention or anyone's intention
 23 that people walk into the voting booth without any idea
 24 of what they're voting on.
 25 So I hope that this -- you know, this

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1 conversation will continue through the next several
 2 months, you know, leading up to voting in November. And
 3 I hope this, you know, winds up on the ballot. Because
 4 I strongly believe that people will support the idea of
 5 a little more environmental protection, a little more
 6 sustainability.
 7 And, you know, we don't take these giant
 8 steps; we take baby steps and gradual steps. And I'm
 9 okay with that. I understand that that's the way it
 10 works in government and bureaucracy. So --
 11 CHAIR STONE: Thank you.
 12 Commissioners, any further clarification?
 13 Vice-Chair.
 14 VICE-CHAIR HEDANI: Rob, can you clarify for
 15 me tonight your testimony? Are you speaking as
 16 Executive Assistant to the Mayor or as Rob Parsons, the
 17 individual?
 18 MR. PARSONS: I hadn't thought about that
 19 before I came before you. Truly, I'm both. And I hope
 20 that what I'm expressing is very congruent with the
 21 Mayor's previous comments to you. So, you know, if you
 22 need to record that I'm here as Executive Assistant -- I
 23 was here because I live in the community, because I'm a
 24 Haiku resident, and, when something happens in Paia,
 25 that's something that, you know, is of interest to me.

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1 Executive Assistants to the Mayor also have regional
 2 assignments, so -- I'm dancing around your question, but
 3 I'm going to say both.
 4 CHAIR STONE: Thank you. Commissioners?
 5 (No Response.)
 6 CHAIR STONE: No further questions.
 7 Mr. Parsons, thank you very much for your testimony.
 8 MR. PARSONS: Thank you.
 9 CHAIR STONE: Lisa, any other testifiers this
 10 evening?
 11 MS. KAHUHU: Councilmember Mike White.
 12 CHAIR STONE: Very good. Councilmember White,
 13 thank you very much for being here.
 14 COUNCILMEMBER WHITE: Well, like Rob, I didn't
 15 have an intention of testifying this evening, but since
 16 all of you have come a long distance to get here, and I
 17 know the commitment of time is a considerable one, thank
 18 you for that.
 19 You've got some great proposals and some not
 20 so great proposals.
 21 (Laughter.)
 22 COUNCILMEMBER WHITE: And I've spoken to the
 23 Kula Community Association regarding the question of the
 24 change of councilmembers' terms from two to four years.
 25 I think that's a really good proposal. It's gone down

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1 to defeat in previous Charter recommendations. And that
 2 may be because there's no ease with which we can recall
 3 a councilperson. So I would suggest that you might want
 4 to balance that proposal.

5 And I know, at some point, you're going to
 6 have to add some clarification as to what happens to
 7 people like myself who have been in for two years. Will
 8 we be eligible for two four-year terms or three? If
 9 somebody's been in for four, how are they dealt with?
 10 Which districts are going to be the ones that are the
 11 first ones to go for a four-year and which are held off
 12 and can only go for two, so you establish a staggering?

13 The other question that comes to mind is that
 14 when -- well, one of the benefits I see in going to four
 15 years is that I feel that too often decisions at the
 16 Council level are sometimes more difficult because we're
 17 in another election season. And by going to four years,
 18 there's a lot more comfort that our elected officials
 19 will always have a little more strength to make the call
 20 that is a tough one, but the right one.

21 So I think this is a really good proposal, but
 22 I would just suggest that you might want to add
 23 something to make recall easier in case one of us goes
 24 absolutely nuts and is doing cocoo stuff.

25 And I have to say, I just love Jim Smith's

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1 testimony because he can be so passionate and he does
 2 his research. I agree with him on just about every
 3 point that he brought up.

4 I think the Civil Service Commission, or
 5 changing the Charter in Number 2, probably not a good
 6 idea. There's enough -- there's enough civil service
 7 protections now that we have both civil service and
 8 union contracts on top of each other.

9 With respect to nonpartisan elections, I think
 10 those serve the County very well. And if you want a
 11 good example of what happens in partisan surroundings,
 12 just look at our Congress. And if that's what you want
 13 to come to Maui, then maybe that's a good idea, but I
 14 disagree. I think that we are well served by having
 15 nonpartisan elections.

16 And there's no lines drawn on issues in the
 17 Council. We have many votes that are five and four, you
 18 know, five to four. And it's not always the same five.
 19 It's not always the same four. I think that's really,
 20 really healthy and a sign that this move to
 21 nonpartisanship has really helped us look at issues, not
 22 parties. So I would be against that provision.

23 The issue of the biennial budget: That sounds
 24 like a really good idea, but, in reality, if you change
 25 it to a biennial budget, without changing the Council's

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1 ability to amend, then all you're doing is creating a
 2 situation where we will likely, because we -- we have
 3 our revenue certified once a year -- maybe that can
 4 change -- but if we are going to stay on a schedule of
 5 certifying revenues just once a year, then you're asking
 6 the Council to make a budget for two years with one year
 7 of knowledge. And if you don't give them the ability to
 8 go back and amend the budget with the new projections
 9 for the second year, then you're going to force the
 10 Council to send a very conservative budget to the Mayor.
 11 And that will likely result in the Mayor having to send
 12 budget amendment after budget amendment after budget
 13 amendment back to the Council during the second year.
 14 And I can tell you that will completely bring the
 15 Council to a halt. So if you're going to a biennial
 16 budget, you need to provide the Council the ability to
 17 amend.

18 And as most of you know, the State has a
 19 biennial budget, and that's great, but they amend it
 20 every year. They have to because they get projections
 21 of the Council on revenues. Once just before budget --
 22 or just before session, once two-thirds of the way
 23 through. And so a biennial budget only works if the
 24 legislative body has the ability to amend.

25 Currently, and rightfully, with the one-year

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1 budget, once we make the budget, we can't amend it. And
 2 I think that's appropriate. It's not appropriate if
 3 you're asking us to do a budget that's two years long
 4 with only one year's knowledge.

5 Even two years, I don't do that for the hotel.
 6 I do a one-year budget. And that's hard enough to
 7 project.

8 And Number 8, with regards to the County
 9 Auditor, if you look at the -- at the Constitutional
 10 Convention of 1978, that document details how -- you
 11 know, who should be responsible for preaudit and who
 12 should be responsible for post-audit. And there's quite
 13 a long dissertation on why each one goes through. And I
 14 can provide that for you. But it points out that the
 15 auditing function should be with the legislative branch.

16 And I understand the direction that you're
 17 going with the Cost -- with assigning the responsibility
 18 to the Cost of Government Commission; however, from a
 19 technical standpoint, the Cost of Government Commission
 20 is appointed by the Mayor and is, basically, answerable
 21 to the Mayor. The responsibility of an auditor is to
 22 audit the Administration. So if it's going to go to the
 23 Cost of Government Commission, then my belief is that
 24 either the Cost of Government Commission should be
 25 working side by side with the auditor, or the Cost of --

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1 if it's going to remain under the Mayor, or maybe what
 2 should happen is the Cost of Government Commission
 3 answers to the legislative body.
 4 And as Mr. Smith mentioned, we are the ones
 5 that are accountable. The Cost of Government Commission
 6 is not accountable.
 7 And I think they're doing a good job. They've
 8 come to us with a couple of things that we have taken
 9 and applied. One really crisp and clear one is the
 10 audit of the automobile fleet for the County.
 11 When we all learned that there was one vehicle
 12 for every two County employees, I think we were all
 13 shocked. And I've asked for a report on that from the
 14 Administration because I think that's one of the things
 15 that they did that was -- that provided us some really
 16 good insight and a direction to move in.
 17 I think I'll stop there. If you have any
 18 questions, I would be happy to answer them.
 19 CHAIR STONE: Councilman White, thank you very
 20 much for your testimony.
 21 Commissioners, any clarification?
 22 Commissioner De Rego.
 23 COMMISSIONER DE REGO: Thank you, Councilman
 24 White. Very, very good testimony.
 25 Let me ask you a question about -- I had a

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1 question here -- where did I put it -- about the audit
 2 function. This is something that actually came out of a
 3 suggestion from the Charter Commission itself. And we
 4 went back to the Cost of Government Commission to see
 5 what they thought about it.
 6 The original proposal was a legislative
 7 auditor that would do performance audits. In fact, we
 8 used your resolution as a model, actually, off of which
 9 that would happen. But then there was a concern that,
 10 like Fire, like Police, like, you know, other issues,
 11 which tend to be very important in the County, that it
 12 might be wise to take the politics -- which can never
 13 always happen -- out of the auditing function and
 14 putting it through a commission that would actually be
 15 pulled out of the Mayor's function. So we're in the
 16 process of this.
 17 I just want some reaction to that, that if the
 18 separate article was created outside of the departments
 19 for an auditing function like this, what would you think
 20 about that idea?
 21 COUNCILMEMBER WHITE: If you could explain to
 22 me a little more what you mean by creating it outside
 23 of --
 24 COMMISSIONER DE REGO: Well, the article right
 25 now for the Cost of Government Commission would be

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1 repealed, the auditor's function would be -- not a
 2 department, but it would actually show up somewhere in
 3 Article 3, within sort of the powers of the Executive
 4 and the Legislative Branch. And the Cost of Government
 5 would be sort of the -- appointed by the Mayor, but
 6 approved by the Council. So it doesn't mean the Council
 7 wouldn't have its say. But the Cost of Government
 8 Commission would then act like the Police or Fire, that
 9 would hire and fire the auditor, would, you know, keep
 10 tabs on the department, et cetera. So it would actually
 11 be pulled out from the departments per se and added as a
 12 separate article for -- included in the different
 13 article within the County Charter.
 14 I know it's a long question, it's kind of
 15 complicated, but --
 16 COUNCILMEMBER WHITE: As long as the effect is
 17 that the auditor acts independently, I think that's
 18 great. The reality, though, is that we are elected
 19 officials.
 20 COMMISSIONER DE REGO: Uh-huh.
 21 COUNCILMEMBER WHITE: And we are responsible
 22 and accountable for the budget, for the investigative
 23 responsibilities on behalf of the people. We have the
 24 audit function now because we're accountable to the
 25 people to make sure that the Administration is spending

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1 the money the right way.
 2 I love Jim's explanation of the original
 3 intent of the Cost of Government Commission. And I
 4 think it would be wonderful if they could work alongside
 5 with the auditor. And I'm not sure that it's
 6 appropriate to have them answering to the Cost of
 7 Government Commission that's appointed by the Mayor.
 8 COMMISSIONER DE REGO: Uh-huh.
 9 COUNCILMEMBER WHITE: If it's appointed by the
 10 Council, maybe that makes it a little bit --
 11 COMMISSIONER DE REGO: More sense.
 12 COUNCILMEMBER WHITE: A little bit more
 13 appropriate.
 14 COMMISSIONER DE REGO: Okay.
 15 COUNCILMEMBER WHITE: But, again, the way that
 16 we crafted the auditor's position was that the
 17 legislative body can't tell them what to audit because
 18 the independence of the auditor is critical to me
 19 because of the political influence that you mentioned.
 20 And I think the thing that we all need to
 21 realize, when we're looking at creating new departments,
 22 when we're looking at creating new positions, if those
 23 are created in a way that the Council, in the end, feels
 24 is effective and appropriate, then they'll be funded.
 25 You know, when you talk about the

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1 environmental -- or the Department of Sustainability or
 2 the sustainability position, if that can be presented in
 3 a way that's crisp and clear and effective, it's going
 4 to get funded.
 5 I would say the same thing about the auditor's
 6 position. If we feel that it's going to be valuable to
 7 have an auditor operating that way, it will get funded.
 8 We all want -- we all want an auditor. I
 9 think everybody in the County wants the feel that the
 10 auditing function is happening, not just by adding up
 11 the dollars and cents at the end of the year by a
 12 financial audit, but, also, doing performance audits
 13 that help us understand the levels of efficiency that
 14 we're -- that we're -- that we're enjoying or not
 15 enjoying.
 16 And as I said, the Cost of Government
 17 Commission has done some good work. Do they need to be
 18 in charge of the auditor or should the Legislative
 19 Branch be in charge?
 20 And so there's several ways that you can do
 21 it. And I'm okay with anything that gives us an
 22 effective auditing function.
 23 COMMISSIONER DE REGO: Thank you. Can I
 24 follow up on something else?
 25 CHAIR STONE: Please, go ahead.

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1 COMMISSIONER DE REGO: On the biennial budget,
 2 I think the intent was to give the Council the
 3 flexibility to amend and do supplementals in the second
 4 year. I guess it doesn't come out clearly in sort of
 5 the -- what's here.
 6 COUNCILMEMBER WHITE: Well, actually -- I'm
 7 sorry.
 8 COMMISSIONER DE REGO: No. Go ahead. That's
 9 the intent or at least that's what I would like to -- so
 10 I'm glad you brought that up.
 11 COUNCILMEMBER WHITE: But it clearly says no
 12 budgeting in election years. And I realize the --
 13 COMMISSIONER DE REGO: Oh.
 14 COUNCILMEMBER WHITE: -- process --
 15 COMMISSIONER DE REGO: I see what you're --
 16 COUNCILMEMBER WHITE: The purpose is probably
 17 to keep the politics out of the budget. But the reality
 18 is that's kind of hard to do under any circumstances
 19 when you -- if you --
 20 COMMISSIONER DE REGO: Well, thanks for
 21 pointing that out, because I don't think that was the
 22 intent of what we were trying to do. What we were
 23 trying to get away from, I think -- not we. What I
 24 think we should be getting away from is sort of this dog
 25 and pony show that happens every year during the budget

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1 which I think takes up a lot of time. The length of
 2 time that the budget occurs every year, you know, from
 3 the time the Mayor's Office does it until the time that
 4 it's actually looked at, it almost seems like government
 5 comes to a dead halt for any other kind of business that
 6 occurs. So --
 7 COUNCILMEMBER WHITE: I don't disagree with
 8 you.
 9 COMMISSIONER DE REGO: If you have any other
 10 suggestions --
 11 COUNCILMEMBER WHITE: I think the process is
 12 something that should be looked at, but not the -- it
 13 should -- we shouldn't feel like we're going to fix the
 14 problem by going to a two-year budget.
 15 COMMISSIONER DE REGO: Okay.
 16 COUNCILMEMBER WHITE: Because I think it's
 17 going to create just as many problems.
 18 I don't know that there's a way that you can,
 19 through a Charter amendment, trim down or back the
 20 budgeting process. And I'm not sure we should because
 21 it is an inclusive process.
 22 COMMISSIONER DE REGO: Uh-huh.
 23 COUNCILMEMBER WHITE: When the Mayor takes it
 24 out on the road for hearings, that's one level of
 25 exposure. When we go out again to do our hearings,

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1 that's another level of education and exposure.
 2 And, you know, as you can see with the
 3 attendance tonight, it's tough to get people excited
 4 about what is going on in the public arena. So the more
 5 we can do to share and get people involved is to our
 6 benefit. And if the process becomes long, maybe that's
 7 okay.
 8 COMMISSIONER DE REGO: Do you have any
 9 suggestions, then, on how public business can continue
 10 to be done during the time of the budget while it's --
 11 while that's occurring? I think that's the main
 12 observation of a lot of people, that the departments,
 13 basically, shut down, they say, you know, we can't do
 14 this, we can't do that, we're in budget, or the Council,
 15 basically, you know. Do you have any suggestions in
 16 terms of process that would improve so the County
 17 government isn't, basically, shut down for four to five
 18 months that -- just focusing on the budget?
 19 COUNCILMEMBER WHITE: There again, I'm not
 20 sure there's an easy way to accomplish that because, you
 21 know, unless you were to do different budgets every
 22 other year and just supplementals in the -- the off
 23 year. But, again, it's a matter of participation. And
 24 I think the participation is good. There are some
 25 people who say having government shut down for a little

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1 while is okay because they're not causing any more
 2 problems for people. So there's no -- there's no
 3 perfect as far as I can see.
 4 CHAIR STONE: Thank you.
 5 Commissioners, any further clarification?
 6 Commissioner DeLeon.
 7 COMMISSIONER DELEON: So let's cut to the
 8 chase. Are you for or against the biennial budget?
 9 COUNCILMEMBER WHITE: I'm for it as long as --
 10 as long as the Council has the ability to amend.
 11 COMMISSIONER DELEON: All right. The other --
 12 the second question I would like to ask is in reference
 13 to the auditing authority, I think the concern, and what
 14 we were reaching -- this is my translation of what we
 15 were reaching for, but I think what we're trying to do
 16 is insulate the auditor's position from politics. And
 17 not this Council, but in previous councils, some have
 18 experienced a highly political atmosphere where the
 19 County's -- Council's authority was used for political
 20 motivations, take out the other guy or whatever. And
 21 it's less likely to happen in a nonpartisan situation,
 22 but, in the partisan days, that happened all the time.
 23 How do you do that with -- within the Legislative Branch
 24 appointing the auditor, how do you make sure that we get
 25 the right person, not a political person, and that we

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1 get -- we get a positive effect in the end as opposed to
 2 a political effect?
 3 COUNCILMEMBER WHITE: I think the reality is
 4 you're never going to take -- you're never going to be
 5 able to hire somebody who is going to be completely
 6 independent, because they're funded by the Legislative
 7 Branch. So there's a certain level that you're not
 8 going to be able to remove. To me, it's -- it is in the
 9 hiring. And if I were you -- you know, I guess one of
 10 the things that is a little bit troubling to me is that
 11 in some of these proposals, I sense somewhat of a
 12 distrust of the Council. And I think, in some cases
 13 maybe that's -- that's been appropriate; in some cases,
 14 I think it's not correct. But that bothers me, because
 15 I would like to think that the elected officials will do
 16 the right thing, especially with respect to coming up
 17 with an auditor. At the same time, I can see some
 18 reasons from the past when -- that would give you pause
 19 to leave it in the -- in the Council's hands.
 20 But, again, the auditors in other counties
 21 answer directly to the Legislative Branch. And I think
 22 -- I don't think anyone can question Marion Higa's
 23 dogged determination. I would love it if we could find
 24 somebody like Marion Higa, you know, to look over the
 25 County's books and performance audits.

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1 CHAIR STONE: Thank you.
 2 Commissioners, any further clarification?
 3 Commissioner Moikeha.
 4 COMMISSIONER MOIKEHA: Thank you for your
 5 testimony and things you've shared. I think that's the
 6 same thing that we've been struggling with, is who is
 7 the person to, or entity to hire the auditor so that you
 8 preserve the integrity of the independence of that
 9 office. And, again, the Cost of Government came up as a
 10 solution, as I recall, because, yes, the Mayor does
 11 appoint those commissioners, like any board or
 12 commission, but the Legislative Branch, your department,
 13 would approve that. So it's almost a dual thing. They
 14 don't get -- Commissioners don't get -- if they don't
 15 get approved, they go back and try to find somebody
 16 else. So it's almost two -- both branches'
 17 participation in allowing the Cost of Government members
 18 to be that independent person or entity that hires this
 19 auditor. So I guess that's what I'm struggling with,
 20 too. And you've brought a different perspective of the
 21 legislative.
 22 Is there any other way to do it, other than --
 23 I mean, because the Cost of Government Commission
 24 sounded like a -- kind of almost like a, you know,
 25 compromise. You have the Executive Branch participating

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1 and you have the Legislative on who would sit on that
 2 commission. So I don't know.
 3 COUNCILMEMBER WHITE: There's no -- no easy
 4 solution. And you may have come up with a good way to
 5 do it. I'm just uncomfortable with the Cost of
 6 Government Commission remaining on the Executive side
 7 because we have -- the Council is responsible for
 8 investigations, audits, and being the check and balance
 9 on the Administration. So as long as we were
 10 comfortable with the choices of the Cost of Government
 11 Commission that the Mayor makes, maybe that's just fine.
 12 Maybe we should be the ones that -- that make the
 13 initial appointments and the Mayor is the one that
 14 provides his approval. I don't know that --
 15 COMMISSIONER MOIKEHA: Yeah.
 16 COUNCILMEMBER WHITE: I don't know if that's a
 17 solution.
 18 CHAIR STONE: Commissioner Okamoto.
 19 COMMISSIONER OKAMOTO: Mine is a completely
 20 different subject.
 21 Back on the terms, the four-year terms, what
 22 is your feeling on the staggered terms? I know we have
 23 it written they be staggered, but we heard that that
 24 could create some problems in the -- I mean, still,
 25 every two years, change is going on in the Council. So

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1 what is your feeling on doing staggered or not having
 2 staggered terms?
 3 COUNCILMEMBER WHITE: I'm comfortable with
 4 staggered terms because I think there is a -- there is a
 5 benefit to having old hands around. And that doesn't
 6 mean that that won't happen with four-year terms that
 7 are not staggered. So that's a good question. I hadn't
 8 thought of it because I was so comfortable with
 9 staggered.
 10 CHAIR STONE: Very good.
 11 Commissioner De Rego.
 12 COMMISSIONER DE REGO: It's a very simple
 13 question. Who audits the Legislative Branch?
 14 COUNCILMEMBER WHITE: Well, in our proposal,
 15 the auditor can audit the Legislative Branch as well.
 16 And they should be able to, because the last thing we
 17 want is a legislative body that feels they're
 18 impenetrable.
 19 CHAIR STONE: Commissioner DeLeon.
 20 COMMISSIONER DELEON: I mean, I got to follow
 21 on that. So the guy's -- the auditor's going to audit
 22 the folks that hire him?
 23 COUNCILMEMBER WHITE: If you hire the right
 24 person, he'll be -- you know, he'll be able to do that.
 25 COMMISSIONER DELEON: Okay.

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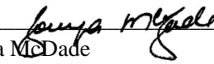
1 COUNCILMEMBER WHITE: I know it's a stretch,
 2 but --
 3 CHAIR STONE: Commissioners, any further
 4 clarification? Commissioner Moikeha.
 5 COMMISSIONER MOIKEHA: I guess that supports
 6 even more the reason why, maybe, the Cost of Government
 7 should do it.
 8 But I would like to go back to the terms, the
 9 two to four, that you spoke of, and the importance of,
 10 if we are going to go to a four, increasing -- having
 11 balance there through recall. Do you think -- and I
 12 don't recall in the past why this may have failed or
 13 what other parts were to it. Don't you think it's more
 14 of an issue of -- I think people could go either two or
 15 four as long as they knew there was a maximum term and
 16 that these people could not come back to -- whether
 17 it's, you know, the way it is now or going to a
 18 four-year term with maximum of 12. Don't you think
 19 that's really the issue, is the maximum term never to be
 20 able to come back again?
 21 COUNCILMEMBER WHITE: Well, I can speak very
 22 freely on this because I don't intend to be around 12
 23 years from now, but, in any term limit discussion, you
 24 always have that question of, okay, what if you get
 25 somebody that's really good at what he does.

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1 And, you know, this applies for me, most
 2 easily, at the State level, where you're dealing with
 3 health insurance, auto insurance, some really complex
 4 issues that are very tough for laymen to get their arms
 5 around. And, yet, as a layperson, chairing the Commerce
 6 and Consumer Affairs Committee, you are going up against
 7 these guys that are in the insurance business, they're
 8 in -- or, you know, in our case, in the development
 9 business, they know what they're doing. You know,
 10 they've been at it a long time. So the challenge that I
 11 see with term limits in that situation is that there is
 12 a great benefit to having historical perspectives,
 13 having recall of why certain things were done, so that
 14 you can sit there and go toe to toe with these guys in
 15 the industry that you're impacting with your
 16 legislation. It's not as easy to come up with those
 17 kinds of comparables when you're looking at the County
 18 issues, but the same thing applies to a significant
 19 degree.
 20 You know, I'm okay with term limits, but when
 21 I looked at the average length of time anyone served in
 22 the House -- this is not currently, this is going
 23 back -- I looked at it when I was -- I think just after
 24 I left -- the average length of time that anyone spent
 25 there was eight years. So you've got the Joe Soukis,

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1 the Calvin Says and the others that have been there a
 2 long time, but you've also got a lot of people that come
 3 in and out because they don't cut the mustard.
 4 In a perfect world, term limits ought to be
 5 dealt with by the vote; not by dictating. That's the
 6 way it should be. You should be voting people out that
 7 aren't doing a good job and leaving people in that are
 8 doing a good one. But people don't follow what is going
 9 on closely enough to make those determinations without
 10 being influenced by the media or by special interest
 11 groups.
 12 So I'm not sure if that fully answers your
 13 question.
 14 CHAIR STONE: Thank you.
 15 Commissioner Hedani.
 16 VICE-CHAIR HEDANI: The more I listen to
 17 testimony, the more confused I get.
 18 (Laughter.)
 19 VICE-CHAIR HEDANI: Jim brought up a bunch of
 20 good items for consideration tonight.
 21 In regards to the County Auditor's position,
 22 when I was researching some of the past Charter changes
 23 that were made, I noticed that, at one time, the County
 24 Auditor was an elected position. They were actually
 25 elected by the voting public. It seems to me that it's

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<p>1 in the Office of the Mayor now, in the Department of</p> <p>2 Finance. Where exactly is the -- or is there a County</p> <p>3 Auditor in place?</p> <p>4 COUNCILMEMBER WHITE: I can't really answer</p> <p>5 that question for you, but it's an internal auditor.</p> <p>6 And not -- and I don't believe they do any performance</p> <p>7 auditing. To me, the performance audit is way more --</p> <p>8 well, not way more. It's just as important or way more</p> <p>9 important than the financial audit.</p> <p>10 CHAIR STONE: Thank you.</p> <p>11 We're going to take a 10-minute -- five-minute</p> <p>12 recess. We have to reload the tape and stretch here, so</p> <p>13 we will resume our meeting at 7:35.</p> <p>14 (Recess, 7:30 p.m. to 7:35 p.m.)</p> <p>15 CHAIR STONE: We're on the record. I would</p> <p>16 like to call this meeting back to order as of 7:35. And</p> <p>17 we will continue with Commissioners' clarifications of</p> <p>18 Councilman White's testimony. Is there any further</p> <p>19 clarification for Councilman White?</p> <p>20 (No Response.)</p> <p>21 CHAIR STONE: No. Thank you very much.</p> <p>22 COUNCILMEMBER WHITE: If I may just clarify</p> <p>23 one -- a couple of things?</p> <p>24 One of the reasons why there is some</p> <p>25 independence in the proposal is that you're appointing</p>	<p>1 Commissioners, are there any discussion on the</p> <p>2 testimony this evening?</p> <p>3 (No Response.)</p> <p>4 CHAIR STONE: No. Very good. Without</p> <p>5 objection, I will adjourn this meeting as of 7:38 p.m.</p> <p>6 Thank you very much, everybody, for being here. Aloha.</p> <p>7 (Meeting adjourned, 7:38 p.m.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 the auditor for a term of six years. So they're going</p> <p>2 to bridge a good part of the Mayor's and -- well,</p> <p>3 depending on what you do with the -- with the terms of</p> <p>4 the Council people, you'll be bridging at least a couple</p> <p>5 of elections. The more of a term you provide, the</p> <p>6 greater the independence. So that's another</p> <p>7 consideration.</p> <p>8 The other thing with respect to the question</p> <p>9 of auditing the Council, my provision allows it. At the</p> <p>10 same time, do you want to spend auditor time auditing</p> <p>11 one percent of the budget -- actually, I think it's a</p> <p>12 little less than one percent of the budget -- or do you</p> <p>13 want to go for the -- go where the bigger fish swim?</p> <p>14 So those are just a couple of other</p> <p>15 perspectives.</p> <p>16 CHAIR STONE: Very good. Well, your input has</p> <p>17 been very useful for us tonight. Thanks so much for</p> <p>18 coming down and helping us out.</p> <p>19 COUNCILMEMBER WHITE: Thank you.</p> <p>20 CHAIR STONE: Lisa, did anybody else sign up</p> <p>21 to testify?</p> <p>22 MS. KAHUHU: No, Chair.</p> <p>23 CHAIR STONE: Very good. At this time I would</p> <p>24 like to close public testimony. And without objection,</p> <p>25 I'll accept communications into the record.</p>	<p>1 CERTIFICATE</p> <p>2</p> <p>3</p> <p>4 I, TONYA MCDADE, Certified Court Reporter of</p> <p>5 the State of Hawaii, do hereby certify that the</p> <p>6 proceedings contained herein were taken by me in machine</p> <p>7 shorthand and thereafter was reduced to print by means</p> <p>8 of computer-aided transcription; and that the foregoing</p> <p>9 represents, to the best of my ability, a true and</p> <p>10 accurate transcript of the proceedings had in the</p> <p>11 foregoing matter.</p> <p>12 I further certify that I am not an attorney</p> <p>13 nor an employee of any of the parties hereto, nor in any</p> <p>14 way concerned with the cause.</p> <p>15 DATED this 3rd day of February, 2012.</p> <p>16</p> <p>17</p> <p>18 </p> <p>19 Tonya McDade</p> <p>20 Certified Shorthand Reporter #447</p> <p>21 Registered Professional Reporter</p> <p>22 Certified Realtime Reporter</p> <p>23 Certified Broadcast Reporter</p> <p>24</p> <p>25</p>