

MINUTES OF THE
MAUI COUNTY CHARTER COMMISSION

DATE: August 8, 1963

PLACE: Beard Chambers, Wailuku, Maui

CALL TO ORDER: 1:30 p.m.

PRESIDING: Masaru Yokouchi, Chairman

MEMBERS PRESENT: Masaru Yokouchi, Chairman
Emil Balthazar
C. H. Burnett, Jr.
Richard Caldito
Cornwell Friel (Molokai)
Shiro Hokama (Lanai)
Nadao Honda
Harry Kobayashi
Keith Tester

MEMBERS EXCUSED: William F. Creckett, Vice-Chairman
Thomas Yagi

OTHERS PRESENT: Police Commission:
Jean R. Lane, Chief of Police
Andrew S. Freitas, Deputy Chief of Police
Robert Ohigashi, Chairman
Edward K. Tam, Executive Secretary

Fire Department:
Thomas Noda, Deputy Fire Chief

Liquor Commission:
Winston S. Miyahira, Executive Secretary
Seichi Yatsushiro, Chairman
Manuel Asue, Member
George Y. Kondo, Member

Charles C. Young, Star-Bulletin Reporter
Robert Johnson, Advertiser Reporter

ROLL CALL:

There were 9 members present and 2 excused at the regular meeting of the Maui County Charter Commission on August 8, 1963.

MINUTES:

The minutes of the previous meeting held on August 1, 1963 were distributed to the members and approval of said minutes was deferred until the next meeting. Minutes of the meeting of July 25, 1963 were approved as circulated.

LITERATURE:

Copies of "Local Government Law for the State of Hawaii", "Recommendations of the Charter Study Committee" of the County of Los Angeles (1962), Information for Charter Commission and Organizational Charts of the Police Commission, Fire Department, and Liquor Commission, and 1962 Annual Reports of the Police and Liquor Commissions were circulated to the members.

A copy of the "Recommendations of the Charter Study Committee" of the County of Los Angeles (1958) is on file in our temporary quarters at the County Attorney's Office for interested members to read.

COMMUNICATIONS:

Copies of a letter, together with a list of faculty and administration members participating in the Charter Commission Assistance Project, from President Thomas H. Hamilton of the University of Hawaii were circulated to the members.

GENERAL DISCUSSION:

In behalf of the members of the Charter Commission, the Chairman thanked the members of the various departments for sparing us their time and for helping us orient our way in learning the functions and duties of these departments.

Police Commission:

Chief of Police Jean R. Lane; Deputy Chief of Police Andrew S. Freitas; and Messrs. Robert Ohigashi and Edward K. Tam, Chairman and Executive Secretary, respectively, of the Police Commission were introduced to the members of the Charter Commission. The Chairman suggested "question and answer" discussion in order to expedite matters more easily.

Chief Lane explained that under the Uniform Police Commission Act and because of the interpretation of the Attorney General, the Police Commission is definitely a policy-making body. The rules and regulations are made by the Police Commission, as recommended by the Chief, who normally has to deal with the operations where the laws simply set up normal procedures and outline the scope of work. The commissioners operate as a body, not as individuals. The Commission could set up policies.

Each commissioner is appointed for a period of five years by the Governor. One commissioner is appointed each year; therefore, there is a continuity of service. The Chairman and Executive Officer will take over the appointment of the Police Commission effective January 1965. The Police Commission under

our present law, has the authority to appoint and remove a Police Chief. According to the law, it takes three members to remove a Police Chief. The Police Commission establishes rules and regulations of the Police Department.

The Chief of Police of all the counties holds an unusual position and actually should save the counties considerable amount of money in that the Chief of Police is the coroner. Under this present system where the Police Chief is the coroner, it would be impossible for any police officer to cover up any crime. Also, under this system, any County physician could handle the coroner's physician work. As far as police work is concerned, it does not have an investigation staff.

The Police Department is responsible for the administration of the Motor Vehicle Safety Responsibility Law; weights and measures checking, which is done twice a year; fire arms registration; health regulations. Normally, the Police Department enforces health regulations only to the point of reporting to the Board of Health, who in turn follows through.

There is a total of 107 men employed in the Police Department, of which 12 are on Molokai, 5 on Lanai, and 3 in Hana. In these smaller districts, they operate on a staggered and split shift.

Chief Lane expressed that the Police Department and the Board of Supervisors have worked very well together with political pressure at a minimum.

Deputy Chief of Police explained briefly that the Governor appoints the Police Commission, who in turn appoints the Police Chief; and that the Board of Supervisors provides the funds to the Police Commission. He felt that the appointment of the Police Commission by the Governor is a very important thing in that it helps the Chief of Police and takes the pressure out of the Board of Supervisors.

Under the Organic Act the office of the High Sheriff was created. He was under the Governor and in charge of the Police Departments of the Territory. When this office of the High Sheriff was eliminated, the duties of the High Sheriff were transferred to the Chief of Police.

The total appropriation for 1962 was \$916,749 as compared with \$764,867 in 1959. The distribution of expenditures for 1962 was as follows: Salaries - 74.8%; Patrol Service - 13.7%; County Jail - 6.2%; and Miscellaneous Overhead - 5.3%.

After thanking the members of the Police Commission, the Chair called for a short recess of 5 minutes at 2:40 p.m. Meeting was reconvened at 2:45 p.m.

Fire Department:

Mr. Thomas Noda, Deputy Fire Chief was introduced to the members of the Charter Commission. Mr. Noda explained that the Fire Chief and the Deputy Fire Chief are appointed by the Chairman and the Board of Supervisors. The Fire Chief has complete responsibility for the administration of the Fire Department. Mr. Noda stated that in order to have a more efficient fire department they would need more men and more stations on Maui and Molokai, proper equipment, and a training program whereby someone could go to Honolulu to learn or someone from Honolulu could come to Maui to train the Fire Department personnel.

Property damages caused by fires in 1962 amounted to \$219,574.50 in comparison to \$41,815.00 for 1961, the difference amounting to \$177,759.50. This difference was due to the fire at the Paia School and the contractor's warehouse at Sheraton Hotel.

There are no duplicating duties in the Police and Fire Departments as far as daily duties are concerned. In case of rescue work (as in drowning) the Police are sometimes notified first; they in turn notify the Fire Department as the rescue truck is at the fire station.

The Fire Department provides ambulance service to residents in Lahaina with their rescue truck. As far as first aid is concerned, the firemen know only the fundamentals.

Liquor Commission:

Messrs. Seichi Yatsushiro, Chairman; Winston Miyahira, Executive Secretary; George Y. Kondo and Manuel Asue, Members; were introduced to the members of the Charter Commission. The members of the Liquor Commission are appointed by the Governor on staggered terms. The Chairman of the Commission is designated by the Governor unlike the other commissions where the Chairman is appointed by members of the commission. Effective January 1, 1965, this commission will be under the County setup with 5 members on the commission. The Liquor Commission has an Executive Secretary, a Chief Inspector, 4 Liquor Law Inspectors, and a Clerk-Reporter on its staff.

The Liquor Commission is vested with authority which is divided into 4 categories: (1) Licensing, (2) Enforcement, (3) Adjudication, and (4) Rule-making. Under licensing, the Commission has the authority to grant, refuse, suspend and revoke any license for the manufacture, importation, and sale of liquors. Under enforcement, the Commission has inspectors who police the licensed areas and who control, supervise and regulate the manufacture, importation and sale of liquors through the enforcement of liquor laws and rules and regulations of the Commission. Under adjudication, the inspectors investigate complaints, sub-poena records and examine the same to hear testimonies and to take appropriate adjudicative actions. Under rule-making, the Commission has the authority to make, amend, and repeal rules and regulations for the enforcement of the liquor laws.

An inspector goes to Molokai every other week and once in three months to Lanai. However, should there be need for an inspector to go to Lanai at any other time, they are so informed by the Lanai Police Department.

The Liquor Commission inspectors are responsible for arresting violators of the liquor laws of the State since the Police Department does not have enough men to do this. They also enforce rules and regulations as well as inspect and investigate licensed premises.

ADJOURNMENT:

After thanking the members of the various departments for their time and information, the Chairman adjourned the meeting at 3:55 p.m.

NEXT MEETING:

August 15, 1963, commencing at 7:30 p.m. in the Board
Chambers.

Respectfully submitted,

Harriette E. Miyamoto
HARRIETTE E. MIYAMOTO
Secretary