

Approved 7/11/11  
COUNTY OF MAUI, STATE OF HAWAII

CHARTER COMMISSION  
PUBLIC HEARING

Held at the Kahului Community Center, 275 Uhu  
Street, Kahului, Maui, Hawaii, commencing at 6:30 p.m.,  
on Monday, June 13, 2011.

Reported by: Tonya McDade, CSR, CRR  
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(Monday, June 13, 2011, 6:30 p.m.)

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CHAIR STONE: Aloha, everyone, for attending  
this 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 tonight's agenda available  
with Lisa Kahuhu over there. And, also, we have copies  
of the Maui County Charter available for review. So if  
you would like copies, it's over there with Lisa.

So, I was hoping to have a little bit bigger  
turnout this evening, but it's great. Thank you very  
much for everybody coming tonight.

I'd like to call this meeting to order. And  
first off, I'd like to have the Commissioners introduce  
themselves quickly, and where they're from, to our  
public. So we'll start with Yuki -- or, actually, Susan  
down at that side of the table. Thank you.

MEMBER MOIKEHA: Good evening. Is this on?  
Okay. There we go. Hi. My name is Susan Moikeha.  
And, actually, I lived in Kihei for 33 years and just  
recently moved to Kula about a year ago. So I guess I'm  
from the Kula region now. And it's nice to have the  
public here.

MEMBER SUGIMURA: My name Yuki Lei Sugimura  
and I'm from Kula.

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ATTENDANCE  
BOARD MEMBERS PRESENT:

Joshua A. Stone, Chair  
Wayne N. Hedani, Vice-Chair  
Artemio C. Baxa, Member  
Stephanie S. Crivello, Member  
Frank R. DeRego, Jr., Member  
Clifford P. Hashimoto, Member  
Susan A. Moikeha, Member  
Linda Kay Okamoto, Member  
Yuki Lei Sugimura, Member

STAFF PRESENT:

Edward S. Kushi, Jr., First Deputy Corporation Counsel  
Lisa Kahuhu, Executive Secretary

ADMINISTRATION PRESENT:

Randy Piltz, Executive Assistant to the Mayor

OTHERS PRESENT:

Sally Raisbeck  
Greg Olson  
Rick Medina  
John Tomoso  
Lance Collins

MEMBER DELEON: Dave DeLeon from Haiku,  
formally of this neighborhood.

MEMBER DEREGO: Frank DeRego from Kahului.

MEMBER CRIVELLO: Stacy Crivello from Molokai.

CHAIR STONE: I'm Josh Stone from Paia.

VICE-CHAIR HEDANI: Wayne Hedani from Wailuku.

MEMBER HASHIMOTO: Clifford Hashimoto from  
Hana.

MEMBER BAXA: Artemio Baxa from Makawao, but  
formerly from this place.

MEMBER OKAMOTO: Kay Okamoto from Lanai for  
over 40 years.

CHAIR STONE: Very good. Lisa, I believe we  
do have some excused Commissioners this evening?

MS. KAHUHU: Flo.

CHAIR STONE: Oh, Flo Wiger is excused. Okay.

Also, I'd to present our staff. Down here on  
the far side, we have Edward Kushi, Jr., who is Deputy  
Corporation Counsel; we have Lisa Kahuhu, Supervising  
Law Technician; Tonya McDade, our court reporter. And  
from the Mayor's Office, Executive Assistant to the  
Mayor, Randy Piltz. So thank you for all of you being  
here as well.

The first thing I'd like to say, the Maui  
County Charter is the blueprint for how our government

1 (Pages 1 to 4)

1 functions here in Maui. It has been referred to as the  
2 Maui County Constitution. It is the document that  
3 governs our government, and, among other things,  
4 determines its structures, powers, efficiency and  
5 accountability. It is, therefore, very important that  
6 the citizens of Maui County have the opportunity to  
7 address concerns and rectify problems with the Charter  
8 as perceived today. This Charter Commission is a unique  
9 opportunity to achieve those changes. And the public's  
10 input is a vital part of the amendment proposal process.

11 As a matter of understanding, the Charter  
12 Commission may propose amendments to the Charter, but  
13 these amendments must be approved by a majority of Maui  
14 County voters during election.

15 I'd like to begin with oral testimony, but,  
16 before we go into it, I'd like to go over our testimony  
17 rules. We'll call up each public testifier in the order  
18 that they register to testify. Each person will have  
19 three minutes to testify on items concerning our Maui  
20 County Charter. If the testifier requires more time, I  
21 will grant them an additional minute to complete their  
22 testimony. At the end of this additional minute, the  
23 testifier will be asked to stop their testimony. And if  
24 more time is required on an item, the testifier will be  
25 allowed an additional three minutes to complete their

1 testimony following the testimony of all registered  
2 testifiers. Following a testifier's testimony, I will  
3 ask Commissioners if they need clarification of the  
4 presented testimony.

5 With that, Lisa, I'd like to introduce our  
6 first testifier, please.

7 MS. KAHUHU: Sally Raisbeck.

8 CHAIR STONE: Ms. Raisbeck, thanks for coming.

9 MS. RAISBECK: Good evening. I wanted to  
10 mention that there's a possible inconsistency in the  
11 Charter.

12 MEMBER BAXA: Excuse me.

13 MS. RAISBECK: It seems to me like an  
14 inconsistency, that Section 3-8, it says restrictions on  
15 council and councilmembers. Section 3.3-8, neither the  
16 council nor any of its members shall in any manner  
17 dictate the appointment --

18 MEMBER BAXA: Excuse me.

19 MS. RAISBECK: -- of an officer or employee --

20 MEMBER BAXA: Excuse me.

21 CHAIR STONE: I don't know if your microphone  
22 is on.

23 MR. PILTZ: Yeah, it is. Let me turn the  
24 volume up.

25 MS. RAISBECK: Hello. Hello.

1 CHAIR STONE: It's very, very quiet. Sorry, I  
2 apologize. Start that over.

3 MS. RAISBECK: Okay. Can I start over my  
4 three minutes?

5 CHAIR STONE: Yes. Give it a test.

6 MS. RAISBECK: Okay. Testing one, two, three,  
7 four.

8 CHAIR STONE: There you go. Please continue.

9 MS. RAISBECK: Section 3.3-8 of the Charter  
10 says, restrictions on council and councilmembers.

11 "Neither the council nor any of its members shall, in  
12 any manner, dictate the appointment or removal of any  
13 officer or employee appointed by the mayor or by the  
14 mayor's subordinates."

15 And then there's a second paragraph which  
16 says, "Neither the council nor its members shall give  
17 orders to any county employees or county officers other  
18 than," and it names the Office of Council Services and  
19 the County Clerk.

20 So I realize this is not probably intended to  
21 mean what it seems to mean, because, all the time, the  
22 council votes on approving the appointments made by the  
23 mayor. But if that's what you want, then we ought to  
24 take this section out.

25 The other thing I wanted to say is that the --

1 I did give Chairman Stone a copy of a link to the  
2 Honolulu Charter Commission Final Report and appendix,  
3 which is from 2005-2006. And the appendix, especially,  
4 has a great deal of detailed information about how they  
5 organized their rules, their calendar, the timing of  
6 everything they did, their budget. Which, can you  
7 believe, it was \$500,000? Anyway, there's an awful lot  
8 of interesting stuff in that final report.

9 So I hope you'll take a look at that because  
10 it might give you a template for how you wanted to  
11 organize what you're doing, which is first take, I  
12 think, testimony in and then mull it over and then come  
13 up with conclusions and go on another round.

14 And I don't know if I'll have time, and I'd  
15 like to come back afterwards, because probably I am  
16 going to tell you that you don't have to be bound by  
17 Chapter 50 of the Hawaii Revised Statutes. The Honolulu  
18 commission didn't consider they had to be bound by it.  
19 And it takes a clear two months off of your time to  
20 accomplish something if you have to go through this back  
21 and forth business with the County Council.

22 And my reading of Chapter 50 is that it was  
23 written for the very first Charter back when there were  
24 no counties. Well, there were counties, but there  
25 weren't any charter commissions. And that there's a

<p style="text-align: right;">Page 9</p> <p>1 section in that -- in that chapter that deals with</p> <p>2 amendments to charters and it doesn't say anything</p> <p>3 about --</p> <p>4 MS. KAHUHU: Time.</p> <p>5 MS. RAISBECK: So I'll talk about that later.</p> <p>6 CHAIR STONE: Thank you, Ms. Raisbeck. So</p> <p>7 we'll bring you back after the other testifiers. Thank</p> <p>8 you for your time.</p> <p>9 MS. RAISBECK: Thank you, Mr. Chair.</p> <p>10 CHAIR STONE: Commissioners -- one second.</p> <p>11 Commissioners, any clarification on that testimony,</p> <p>12 please? Commissioner Baxa.</p> <p>13 MEMBER BAXA: Ms. Raisbeck, I don't have the</p> <p>14 exact provision in front of me, but if I recall</p> <p>15 correctly from what you said, once the mayor appoints</p> <p>16 the director, the council will not interfere with the</p> <p>17 performance of the duties of the subordinates of the</p> <p>18 director.</p> <p>19 MS. RAISBECK: Uh-huh.</p> <p>20 MEMBER BAXA: But they are still called the</p> <p>21 director?</p> <p>22 MS. RAISBECK: You're speaking of department</p> <p>23 directors?</p> <p>24 MEMBER BAXA: Yes, the department heads. So</p> <p>25 if I understand correctly from what you said, if the</p>	<p style="text-align: right;">Page 11</p> <p>1 The way I understand that section is that because our</p> <p>2 Charter grew out of a board of supervisors process,</p> <p>3 where the board of supervisors actually were the</p> <p>4 department heads, and that's who oversaw departments,</p> <p>5 and it was a clear prohibition for them to think about</p> <p>6 the process that way, they could no longer order the</p> <p>7 employees to do anything. And I think there's a</p> <p>8 provision, I think it's 3.7, where they -- where they</p> <p>9 tried. The councilmember can be removed for -- for</p> <p>10 being overly aggressive with -- with the staff.</p> <p>11 MS. RAISBECK: Right.</p> <p>12 MEMBER DELEON: But I think -- but I've always</p> <p>13 earlier been told that grew out of the board of</p> <p>14 supervisors history, from where the government grew</p> <p>15 from.</p> <p>16 MS. RAISBECK: Yeah. I can understand that</p> <p>17 because of the history, but maybe it's time it was</p> <p>18 deleted or changed, possibly, so that it doesn't, on</p> <p>19 first reading over, seem like a conflict.</p> <p>20 CHAIR STONE: Thank you. Any further</p> <p>21 questions from the Commissioners?</p> <p>22 (Silence.)</p> <p>23 CHAIR STONE: No. Thank you very much,</p> <p>24 Ms. Raisbeck, for your time.</p> <p>25 MS. RAISBECK: Thank you.</p>
<p style="text-align: right;">Page 10</p> <p>1 council will have to confirm the director, then there</p> <p>2 would be necessity for that, we would have to remove</p> <p>3 that provision.</p> <p>4 MS. RAISBECK: It seems to me -- you know,</p> <p>5 reading it for common sense or for straightforward</p> <p>6 meaning, it seems to me that Section 3.3-8 is in</p> <p>7 conflict with the power of the mayor to appoint and the</p> <p>8 council and to confirm. It just seems to be a conflict.</p> <p>9 And you could easily take Section 3-8 out.</p> <p>10 MEMBER BAXA: So I understand you correctly,</p> <p>11 if the council can still call the director, what is the</p> <p>12 sense of confirming the director?</p> <p>13 MS. RAISBECK: I'm not sure I follow.</p> <p>14 MEMBER BAXA: No. My -- my sense is that once</p> <p>15 the director is confirmed, then the council should be</p> <p>16 entirely out of that.</p> <p>17 MS. RAISBECK: Right. But the wording of 3-8</p> <p>18 says "in no manner" or something like that.</p> <p>19 MEMBER BAXA: Yes. Okay, I understand. Thank</p> <p>20 you.</p> <p>21 MS. RAISBECK: Thank you.</p> <p>22 CHAIR STONE: Any further questions for</p> <p>23 Ms. Raisbeck? Chairman DeLeon. I'm sorry.</p> <p>24 Commissioner DeLeon.</p> <p>25 MEMBER DELEON: Thank you for the promotion.</p>	<p style="text-align: right;">Page 12</p> <p>1 CHAIR STONE: Lisa, next testifier, please.</p> <p>2 MS. KAHUHU: Eric Olson.</p> <p>3 CHAIR STONE: Was that Olson?</p> <p>4 I don't think it will reach. Sorry,</p> <p>5 Mr. Olson. You're going to have to come up to the hot</p> <p>6 seat. Thank you for being here.</p> <p>7 MR. OLSON: Thank you very much for the</p> <p>8 opportunity to testify before you and suggest changes to</p> <p>9 the Maui County Charter. I would like to add my voice</p> <p>10 to many who have and will express a preference to have</p> <p>11 the County Charter amended to change the requirement for</p> <p>12 amendments to the County Charter.</p> <p>13 In order that the petition be placed on the</p> <p>14 ballot, currently it needs to be signed by not less than</p> <p>15 20 percent of the voters registered in the last general</p> <p>16 election. And I would suggest that that be changed to a</p> <p>17 figure not less than 10 percent of the total number of</p> <p>18 voters who passed ballots in the last mayoral election.</p> <p>19 That's about 5,000 voters. And that would also entail</p> <p>20 repealing a then redundant department, which would be</p> <p>21 your department, where 10 percent of registered voters</p> <p>22 sign a petition to place an amendment before the</p> <p>23 Council.</p> <p>24 I'd also suggest changing the requirement for</p> <p>25 initiative petitions from 20 percent of the total number</p>

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1 of voters who passed ballots in the last mayoral general  
2 election to 10 percent to place it in line with the  
3 requirements, the new requirements, for amendments to  
4 the County Charter.

5 And change the requirements for recall  
6 petitions from 20 percent of the voters registered in  
7 the last general election to 10 percent of the total  
8 number of voters who passed ballots in the last mayoral  
9 general election.

10 Those three will be the same.

11 In addition, the requirement for the recall  
12 petition filing is currently 30 days after the filing of  
13 the affidavit. And I would suggest changing that to 180  
14 days, which would be the same as the initiative  
15 requirement. It's my understanding that the recall  
16 petition has never been successful.

17 In addition, the Charter currently requires  
18 that the recall election turnout be 50 percent of the  
19 voters registered in the last general election, which  
20 seems unrealistic. And I would suggest that be changed  
21 to 50 percent of the voters who cast ballots in the last  
22 mayoral general election.

23 I'd also like for you guys to amend the  
24 Charter to grant power to appoint the chief of police  
25 directly to the mayor and have the chief of police serve

1 any ballot for which the answers are yes or no and/or I  
2 favor or I am against the removal of, name of the person  
3 in the recall.

4 CHAIR STONE: Commissioners, any further  
5 questions?

6 VICE-CHAIR HEDANI: Because you covered so  
7 many items so quickly, can you provide your comments in  
8 writing to us?

9 MR. OLSON: I can.

10 VICE-CHAIR HEDANI: Thank you.

11 CHAIR STONE: Great idea. Thank you very  
12 much. Commissioners, any further clarification?  
13 Commissioner DeLeon.

14 MEMBER DELEON: Yeah. I'd like to hear the  
15 rationale for putting the police chief under the mayor?

16 MR. OLSON: Well, at the moment, it doesn't  
17 seem like we have anyone to blame if we're not happy  
18 with the performance of the police department. We can  
19 blame the Police Commission, but they're -- there is no  
20 one to appeal to.

21 CHAIR STONE: Commissioners, any further  
22 clarification?

23 MEMBER BAXA: Mr. Chair?

24 CHAIR STONE: Commissioner Baxa.

25 MEMBER BAXA: With your suggestion, would you

1 at the pleasure of the mayor in order that we can have  
2 better accountability.

3 And, finally, something you might not have  
4 heard before, when I voted in the last general election,  
5 I asked the clerk of courts -- not clerk of the  
6 courts -- I did walk-in voting. And I asked what the  
7 consequence of leaving a blank vote on the Charter  
8 amendment, which was on the ballot. And --

9 MS. KAHUHU: Time.

10 CHAIR STONE: Thank you very much, Mr. Olson.  
11 If you would like, you can come back after all the other  
12 testifiers for three minutes. One second.  
13 Commissioners, do we have any need for clarification on  
14 the testimony?

15 MEMBER DELEON: Mr. Olson, would you finish  
16 your thought that you were just giving, the story you  
17 were talking about, or the election clerk?

18 MR. OLSON: Sure. They refused to tell me. I  
19 think they were afraid of telling me the wrong thing.  
20 And so -- and I had previously tried to research and  
21 find out what the consequences of a blank vote was on  
22 the Charter amendment. And I was unsuccessful.

23 So I would suggest that we have something in  
24 the Charter that says that the ballot must include a  
25 description of the consequence of a blank vote on any --

1 entirely do away with the Police Commission?

2 MR. OLSON: I don't think so because the  
3 Police Commission also reports -- or investigates  
4 misconduct and other things.

5 MEMBER BAXA: Thank you.

6 CHAIR STONE: Very good. Commissioners, any  
7 further questions?

8 (Silence.)

9 CHAIR STONE: So, Mr. Olson, would you like to  
10 come back after the other testifiers?

11 MR. OLSON: Okay.

12 CHAIR STONE: Well, thank you for your  
13 testimony. Thanks for your time and thanks for coming.  
14 Lisa, next testifier, please.

15 MS. KAHUHU: Rick Medina.

16 CHAIR STONE: Welcome, Mr. Medina. Thank you  
17 very much for coming.

18 MR. MEDINA: Thank you. Thank you very much  
19 for having this -- this Commission hearing in Kahului,  
20 Wailuku. I'm a resident of Wailuku. And my name is  
21 Rick Medina. And I'm here to offer some suggestions as  
22 to what amendments I would support.

23 The first one would be Section 10-3 pertaining  
24 to financial disclosures. I don't know if anyone is  
25 familiar, but we had some sort of misunderstanding, I

<p style="text-align: right;">Page 17</p> <p>1 think, with the Ethics Commission when a certain  2 candidate failed to file his financial disclosure on  3 time. But as you read the Charter, it seems like the  4 Ethics Commission should involve themselves to change  5 the date of filing by not -- by telling him you can file  6 as soon as you can. Now once you do that, I think you  7 change the law. But the law should not be superseded by  8 a commission.  9 So I feel that you have to make that a little  10 bit more specific as to when you file your financial  11 disclosure statement. I would think that 15 days after  12 you file your nomination papers, it should be the  13 deadline when you should file your financial disclosure.  14 And if you don't file it, then the County Clerk can rule  15 you as being disqualified to run for County office. I  16 think that would be the strongest statement to make in  17 the Charter.  18 I would like to go back to partisan elections  19 in Section 3-2. It was a lot more fun to have a closed  20 primary and a general. I mean, Randy Piltz, sitting  21 over here, could have been the mayor if he ran on the  22 democratic side and Charmaine and Alan ran on the  23 republican side. Then we would have a democratic  24 candidate in the general election. And all the votes  25 that Chris Hart got might have gone to him and so on and</p>	<p style="text-align: right;">Page 19</p> <p>1 council.  2 I wasn't expecting to talk today because I  3 thought that the meeting was on Wednesday. So I was in  4 the shower when my wife told me, you got it on the  5 calendar, today is Charter Commission. So I put  6 together some notes real quickly and came down here.  7 The other thing I might mention is my  8 opposition to single-member districts. Did I mention  9 that yet? No, okay. Single-member districts will take  10 away the checks and balances of the community. If  11 somebody did something in Kihei, we wouldn't be able to  12 punish that guy because he would not in my district, if  13 I understand the definition of a single-member district,  14 which is you have a district and all the voters in that  15 district can vote for that councilmember and nobody  16 else. Is that correct? Is that the definition for a  17 single-member district? Linda, you seem okay. Okay.  18 So then if I live in Kahului, I could care less about  19 the people opposing the definition -- I mean, my vote to  20 build something huge in Makena, the voters would not be  21 able to show me the wrath, you know. If I live in Kihei  22 and vote for something like that, and try to get them to  23 vote for me, they would probably say no. So then the  24 guy in Kihei, who represents Kihei, would vote no on the  25 project, but the other guys would vote on the district</p>
<p style="text-align: right;">Page 18</p> <p>1 so forth. So I think the fun of the election and the  2 possibility of opening it up more, it would be better.  3 As you remember, it was Linda Lingle who ran  4 on this system, but, still yet, ran and became the mayor  5 and ran again and became the governor, because of this  6 closed primary system that we have.  7 So the other thing would be the mandatory  8 review of the Charter. I think you give the council the  9 ability to make changes whenever they see fit. If the  10 community determines that some changes to the Charter  11 should be done immediately, the council can do that. So  12 if the council has this power, then the mandatory review  13 should be left up to the council to decide, should we  14 have a review of the Charter after 10 years. If the  15 answer is no, then no Charter review would be necessary.  16 But, then again, if those of you felt that the Charter  17 was failing the community in some areas, then you could  18 suggest an amendment to the council, and the council  19 could introduce it and have six votes and they could put  20 it on the ballot. So it will be much faster and it will  21 save us a lot of time and will save a lot of money  22 because it's pretty costly to fund you folks on  23 commissions. The more commissions we have, the more we  24 have to spend. Okay. So I think that the mandatory 10  25 years can be optional. It can be decided by the</p>	<p style="text-align: right;">Page 20</p> <p>1 that they --  2 MS. KAHUHU: Time.  3 MR. MEDINA: Ran out of time. Thank you.  4 CHAIR STONE: Thank you very much, Mr. Medina.  5 If you like -- we have questions, I'm sure. If you  6 like, you can come back after all the testifiers and  7 have another three minutes.  8 Commissioners, do we have any clarification  9 needed from the testimony? Commissioner DeLeon, please.  10 MEMBER DELEON: Rick, I don't know whether you  11 missed it in the last election, but we did correct --  12 the 10.3 was corrected in the last election. The voters  13 passed an amendment that requires the financial  14 disclosure to be filed at nomination time.  15 MR. MEDINA: What's the penalty? Because --  16 MEMBER DELEON: You don't get on the ballot.  17 The State law has also changed to allow that. So that  18 in the last legislature, the State Legislature changed  19 State law so that the law does not prohibit the County  20 from opposing its -- its requirements in the council  21 election.  22 MR. MEDINA: Yeah. This was only public  23 office for County offices now; we're not talking about  24 state positions.  25 MEMBER DELEON: Yeah, but the State law</p>

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1 originally had been an impediment. And that was  
 2 corrected in the last legislature.  
 3 MR. MEDINA: So if I don't file a financial  
 4 disclosure form --  
 5 MEMBER DELEON: On your nomination date,  
 6 you're not on the ballot.  
 7 MR. MEDINA: Okay. Good. Okay. I missed  
 8 that.  
 9 CHAIR STONE: Commissioners, further  
 10 clarification?  
 11 MEMBER BAXA: Mr. Chair?  
 12 CHAIR STONE: Commissioner Baxa.  
 13 MEMBER BAXA: Concerning your comments about  
 14 trying to bring primary and general election, are you  
 15 referring to bringing up the Democratic Party and  
 16 Republican Party?  
 17 MR. MEDINA: Both parties. Both parties.  
 18 MEMBER BAXA: Instead of the nonpartisan  
 19 system?  
 20 MR. MEDINA: I would junk that nonpartisan  
 21 system. I would go back to party affiliation simply  
 22 because both parties are losing members, I think. No  
 23 interest. But, of course, when you go for the federal  
 24 offices and the state offices, it's there, but on the  
 25 council level, it's not. I think it should be because

1 this is such a beautiful island, we don't want to, you  
 2 know, overdevelop it. And I think we have better  
 3 control if we had a two-party system and everybody  
 4 following the platform of that party. You would know  
 5 where that person was coming from. In this state,  
 6 people run for office, we don't know where they're  
 7 coming from.  
 8 MEMBER BAXA: I see.  
 9 MR. MEDINA: That would be the -- for me, that  
 10 would be an important difference to make.  
 11 MEMBER BAXA: Okay. You are saying that an  
 12 individual candidate, he may have his own platform, but  
 13 not necessarily a platform that you can call a platform,  
 14 while, if there is a democrat party, you have the  
 15 democratic platform, or you have the republican  
 16 platform. And, normally, they would -- the candidates  
 17 under this practice would more or less go and support  
 18 their platform.  
 19 MR. MEDINA: I think, in general terms, you  
 20 could tell the difference between one person and the  
 21 other. The person who is inclined to be a republican  
 22 type of voter and makes his decisions based on his  
 23 party's platform, you can tell where he was coming from.  
 24 Democrats, same way. Of course, the Democratic Party  
 25 has controlled the State and the County for a long time,

1 but it still gives an opportunity for both sides to  
 2 field good candidates. Because there's always gonna be  
 3 a good two-party system if you have good members  
 4 representing the party.  
 5 MEMBER BAXA: Thank you. My next question I  
 6 have is I understand you will not be favoring the  
 7 district voting?  
 8 MR. MEDINA: Yes. I think it takes away the  
 9 checks and balances of voting for the people, because  
 10 this is such a small island, we have only 150,000 people  
 11 living in the County. And, you know, everybody should  
 12 have a say as to what government does. And everybody  
 13 should be responsible to each district because there are  
 14 going to be decisions that affect those districts. And  
 15 they don't even have to live there and vote there, they  
 16 get votes from that district. So they can do what the  
 17 heck they please. So this way, I think the only checks  
 18 and balances that people have is to be able to vote for  
 19 somebody who didn't vote for something I didn't agree  
 20 with. Like, for example, a development in West Maui or  
 21 in Makena, you know. How can I punish the guy voting  
 22 for something that the people didn't want? So why would  
 23 you want to take away the checks and balances that the  
 24 voter has by going with single-member districts? I  
 25 don't think it makes it any better to the County. It

1 doesn't improve, I don't think, the single-member  
 2 district. But when you do that, then I would say bring  
 3 back the partisan election.  
 4 MEMBER BAXA: Let me pose this question to  
 5 you: Are you afraid that, when we go by district  
 6 voting, a particular candidate who wins the election  
 7 will particularly devote his attachment to the interest  
 8 of his particular district?  
 9 MR. MEDINA: Exactly.  
 10 MEMBER BAXA: And in general, just  
 11 county-wide, they will be thinking not only about the  
 12 district, but for the interest of the whole county?  
 13 MR. MEDINA: I think that's what's going to  
 14 happen.  
 15 MEMBER BAXA: Is that your rationale?  
 16 MR. MEDINA: I think so.  
 17 MEMBER BAXA: Thank you.  
 18 CHAIR STONE: Thank you. Commissioner DeLeon.  
 19 MEMBER DELEON: So, Rick, on that logic, then  
 20 the State Legislature only operates on a district basis,  
 21 and nobody thinks about the whole --  
 22 MR. MEDINA: No, because you have a State  
 23 Senate. State Senate overlaps some of the  
 24 representative districts.  
 25 MEMBER DELEON: Yeah, but they're still voted

1 in by district.  
 2 MR. MEDINA: But there's a checks and  
 3 balances. With bi-candidate system, we have checks and  
 4 balances.  
 5 MEMBER DELEON: Okay.  
 6 MR. MEDINA: But who is going to check the  
 7 council?  
 8 MEMBER DELEON: Rick, I'd also like to ask  
 9 you, do you think it's appropriate that, election after  
 10 election, certain people are elected to office without  
 11 competition?  
 12 MR. MEDINA: Well, maybe that's what happened  
 13 when we went to the district -- single-district --  
 14 single candidate for the district. I don't know what  
 15 caused that. But, for me, I think, overall, just  
 16 looking at it anecdotally, I think that what happened is  
 17 that people have lost interest in the elections. They  
 18 don't have that ability to cover all the issues.  
 19 For example, the council running --  
 20 councilmember running from all districts is wanting to  
 21 know more about the County. So if they want to run for  
 22 mayor, they're going to be better -- they're going to  
 23 know better what the county people need and how they are  
 24 going to govern over the county. Most of our -- so far,  
 25 most of the mayoral candidates have came up from the

1 council level. You very seldom see someone come from  
 2 the outside and to be mayor without any experience,  
 3 which Chris Hart proved it's hard to do that, you know.  
 4 So I think it's a good learning route to -- to run the  
 5 entire county -- run from the entire county and have a  
 6 system the way we have it, except bring back the closed  
 7 primary system so that we democrats can know we're  
 8 voting for a democrat or republican voting for a  
 9 republican. When you get into the general -- well, Bob  
 10 Nakasone lost, who was a republican. You know that  
 11 election? Bob was very popular in the general -- in the  
 12 primary, but he lost in the general. So at that point  
 13 in time is when the independents came out and voted.  
 14 They didn't bother to vote in the primary, because there  
 15 was a party thing. See?  
 16 CHAIR STONE: Mr. Medina, thank you.  
 17 Commissioners, any further questions?  
 18 MEMBER OKAMOTO: Yes, Mr. Chairman.  
 19 CHAIR STONE: Commissioner Okamoto.  
 20 MEMBER OKAMOTO: Back on the financial  
 21 disclosures, I am a little confused notice. I believe  
 22 Commissioner DeLeon said that if you didn't file on  
 23 time, you wouldn't be on the ballot, but you -- you  
 24 don't understand it that way, is that correct?  
 25 MR. MEDINA: I didn't -- that must have

1 slipped by in my view of that. I didn't see that. I  
 2 knew that you guys were talking about it -- the council  
 3 was talking about something, but I didn't know they  
 4 passed it. If -- you might remember if they had to file  
 5 15 days after or they -- if they don't do that, they're  
 6 not qualified to run.  
 7 MEMBER OKAMOTO: Well -- so is the problem  
 8 what happens to the filing? Has that been the problem?  
 9 Because we know there was a problem in the past.  
 10 CHAIR STONE: Any response, Mr. Medina?  
 11 MR. MEDINA: I don't know.  
 12 CHAIR STONE: Commissioner Okamoto, would you  
 13 like to clarify that question?  
 14 MEMBER OKAMOTO: Could possibly I ask that to  
 15 Commissioner DeLeon? Because I'm -- I didn't realize  
 16 that was the case, either.  
 17 MEMBER DELEON: We could continue this  
 18 afterwards, but, basically, what happened in the last  
 19 election, there was a proposed Charter amendment that  
 20 changed -- took out that 15-day window and eliminated  
 21 it, so that the filing was required to be done on  
 22 nomination. That, in itself, did not kick somebody off  
 23 the ballot, but the -- but the State law that governs --  
 24 and I can't give you the citation, but the State law  
 25 that governs how elections operate prohibited the County

1 from putting a provision in there saying that if you  
 2 don't meet the deadline, then you're out. State law  
 3 was changed in the last -- in the last State Legislative  
 4 Session so that if you do not file now, you're not on  
 5 the ballot.  
 6 CHAIR STONE: Okay. Commissioners, any  
 7 further clarification?  
 8 MEMBER OKAMOTO: Yes, I have just one more.  
 9 CHAIR STONE: Please, go ahead.  
 10 MEMBER OKAMOTO: I understand that you're not  
 11 for the district voting, you want to keep the voting as  
 12 is now. And one of the last questions to you had to do  
 13 with, you know, we keep electing the same people over  
 14 and over. Do you understand that to be pretty much true  
 15 statewide? Are we electing the same legislators and  
 16 senators and so forth pretty much?  
 17 MR. MEDINA: You know, I don't know what to  
 18 make of this. It's six of one, half a dozen of the  
 19 other. But some people seem to think that democrats  
 20 control the elections, the state's controlled by  
 21 democrats, the legislature by democrats, the council  
 22 maybe. I don't know who the mayors are, where they come  
 23 from. I don't know who the council people are. I don't  
 24 know if they're democrats or republicans.  
 25 What this does -- and maybe you'll recall

1 this -- because I've been here all my life almost -- is  
 2 that a single-member district destroys the power of the  
 3 unions, it also destroys the power of me trying to vote  
 4 for a cousin or relative who lives outside my district,  
 5 when you take away my ability to vote for all  
 6 councilmembers because of the single-member district.  
 7 We like a lot of people in different areas, so we like  
 8 to vote for them, we know where they coming from. So  
 9 for us who have been here for many years, I kind of feel  
 10 comfortable with that system.  
 11 CHAIR STONE: Thank you.  
 12 MEMBER OKAMOTO: Thank you.  
 13 CHAIR STONE: Commissioner, any further  
 14 questions?  
 15 MEMBER OKAMOTO: No.  
 16 CHAIR STONE: Mr. Medina, thank you very much.  
 17 Did you want to come back and speak after the other  
 18 testifiers?  
 19 MR. MEDINA: I think I covered everything  
 20 except thanking you folks.  
 21 CHAIR STONE: Thank you. Lisa, next  
 22 testifier, please.  
 23 MS. KAHUHU: John Tomoso.  
 24 CHAIR STONE: Mr. Tomoso, thank you very much  
 25 for coming.

1 MR. TOMOSO: Aloha.  
 2 CHAIR STONE: Aloha.  
 3 MR. TOMOSO: (Inaudible.) I guess as a social  
 4 worker and as a participant, as a very fervent  
 5 participant in government, I really don't have anything  
 6 specific, but I came here with a purpose, to give you a  
 7 couple of points, I think, that a charter such as this  
 8 serves as -- as the foundation, actually, for good  
 9 government. So, basically, I'm interested in good  
 10 government. These are the points I want to say. And I  
 11 know that this is a process and this is a conversation  
 12 that will go on through the life of the Commission, so I  
 13 don't suppose this is my first time before you. But I  
 14 did want to have my first time before you kind of go  
 15 with a bang type.  
 16 I don't know if any of you are a student, like  
 17 I am, of appreciative inquiry, or AI. And all of --  
 18 everything I say comes from appreciative inquiry. I'm  
 19 sure if you Googled it, you would figure it out.  
 20 First of all, I believe the government and the  
 21 Charter should be siloing of government or -- you know,  
 22 so I would like you to take a look at the Charter as how  
 23 it either preserves the siloing of government or -- or  
 24 nurtures the un-siloing of government between  
 25 departments, between levels, between its constituents.

1 The second thing is that when you look at  
 2 Article 2 in -- under powers of the County -- now I know  
 3 that there's something very organic about this Article  
 4 2, but I'm also a student of intergovernmental  
 5 relationship. I know that government at the federal,  
 6 state and county level has to be kind of a -- an  
 7 efficient relationship. And that's the segue to my  
 8 third thing, the relationship of government. But I  
 9 think there is some language changes that are needed in  
 10 Article 2 to -- to make intergovernmental relationships,  
 11 in other words -- allowing us as -- as -- as  
 12 constituents and government as officials in relationship  
 13 to understand that the County never stands alone.  
 14 Number three is that, you know, government is  
 15 a relationship. And I know that day-in and day-out -- I  
 16 used to work for government, I used to have to call  
 17 those -- by the way, when I worked for government, I  
 18 called even at 10:00 at night. I like to call everybody  
 19 back. People, "Oh, you know what, they no call." I  
 20 said, "Well, they not like me, oh, 4:30, pau, nobody  
 21 works." But, you know, the idea here is that there has  
 22 to be a relationship. And I think, previously, I've  
 23 talked about maybe there's a disinterest in government  
 24 because there is no relationship. I mean, it's like  
 25 (inaudible). And I don't think (inaudible) has any

1 place in government. Government is very relational. I  
 2 want to know who I'm talking to, when I'm talking to.  
 3 So especially in Articles 7 and 8, where the rubber hits  
 4 the road in terms of the executive (inaudible) of  
 5 government, you know, sometimes it -- it breeds -- the  
 6 way we -- we relate intergovernmentally breeds  
 7 disinterest in government there in the public.  
 8 And I know that Articles 7 and 8 has some --  
 9 MS. KAHUHU: Time.  
 10 MR. TOMOSO: Okay, pau. Thank you.  
 11 CHAIR STONE: Mr. Tomoso, hang on one sec.  
 12 I'm sure we're going to have questions from the  
 13 Commissioners.  
 14 MR. TOMOSO: Really? Oh.  
 15 CHAIR STONE: Also, you're welcome to come  
 16 back and have another three minutes --  
 17 MR. TOMOSO: Oh.  
 18 CHAIR STONE: -- after the other testifiers.  
 19 First of all, Commissioners, do you have any  
 20 clarification on the testimony? Oh, we do have a  
 21 commissioner down there. Yuki Lei.  
 22 MEMBER SUGIMURA: I don't really have a  
 23 question; I just want to thank you for participating as  
 24 I know you expressed in your philosophies. And since we  
 25 all know you, John Tomoso, we know it's heartfelt,



1 coming from your practice and your sincere aloha for the  
2 community. So thank you.

3 MR. TOMOSO: Oh, okay. Mahalo.

4 CHAIR STONE: Thank you, Mr. Tomoso. Would  
5 you like to come back for another three minutes after --

6 MR. TOMOSO: If anybody -- I wasn't expecting  
7 anybody to say anything. It's like, Oh, "what are you  
8 talking about."

9 CHAIR STONE: Well, your testimony is much  
10 appreciated. Thank you very much.

11 MEMBER BAXA: Mr. Chair, I just would like  
12 to --

13 CHAIR STONE: Yes, Judge. Sorry.

14 MEMBER BAXA: Your suggestion is very general.  
15 Could you at some point, if you have some specific  
16 proposals in this area that you have mentioned, so that  
17 we will be able to deal with it.

18 MR. TOMOSO: That's why I took this paper,  
19 because I was going to finish it.

20 MEMBER BAXA: Thank you.

21 MR. TOMOSO: The summary. I just pau work,  
22 yeah, so I'm not even ready.

23 CHAIR STONE: Commissioners, any further  
24 clarification or questions?

25 (Silence.)

1 CHAIR STONE: No. Thank you very much.

2 MR. TOMOSO: Mahalo.

3 CHAIR STONE: Mr. Tomoso, again, thank you for  
4 your time. Aloha.

5 Lisa, next testifier, please.

6 MS. KAHUHU: Lance Collins. Chair, Lance  
7 brought this.

8 CHAIR STONE: Mr. Collins, welcome.

9 MR. COLLINS: Thank you. We had copies made  
10 as you requested at the last meeting. So I'm actually  
11 not part of the West Maui Charter Working Group, but I  
12 had originally emailed, I think, the link to this, but  
13 here's a hard copy of it. And if you have any  
14 questions, I would be happy to answer them. I wasn't a  
15 member, but I was -- I did give them technical  
16 assistance. Anyway -- so if you have any questions, I  
17 would be more than happy to answer what I can. Probably  
18 the questions would be best directed towards them, but I  
19 can answer generally if there's questions.

20 So, anyway, my name is Lance Collins, I'm an  
21 attorney and a scientist in Wailuku. I actually -- I  
22 have two parts of my testimony. So the first three  
23 minutes, I will do the most important and I'll come back  
24 when others have had a second chance to talk about the  
25 other part of it.

1 I had submitted a viewpoint to "The Maui News"  
2 in regards to the editorial that's attacking this  
3 Commission. I did do some research over the last 20  
4 years about Charter amendment proposals that come from  
5 the council versus the Charter Commission. And I'm  
6 happy to report to you that the success rate for  
7 proposals that you folks will be proposing is four out  
8 of five. So for every five proposals you make, four  
9 will be adopted. The council has approval rate of five  
10 out of five. Every proposal that they have presented to  
11 the voters, it's been approved over the last 40 years.  
12 When voters do approve proposals by the Charter  
13 Commission, it's general, on average, about 52 percent  
14 pass rate, whereas, with the council, it's 60 percent.  
15 And so I think that those two statistics tells something  
16 very important.

17 If you look at the actual proposals, the  
18 council proposes very narrow changes to the Charter,  
19 they're very specific, and they're guaranteed to pass.  
20 If there's any doubt that amendment won't pass, the  
21 council generally won't submit them, with maybe one or  
22 two exceptions to that. But that's what the council  
23 does, the council -- and why would the council do that?  
24 There's a motivation to do that, right? They have to  
25 get reelected, that's one possibility. But everybody --

1 sort of there's different intentions and situations for  
2 the council. And their primary duty is to legislate,  
3 create laws, and to help the operation of the County  
4 through the legislative process. Your role, however, as  
5 a commission, is to -- you folks are not running for  
6 office, you are removed from that part of the political  
7 process, you know, you come from a diverse range of  
8 areas from the county, with different perspectives,  
9 you're in the real world, you don't live in the County  
10 building. You all have real world perspectives and they  
11 all vary. And generally with proposals of the Charter  
12 commissions, as compared to the County Council, the  
13 proposals have been much broader, they -- they have been  
14 much more systematic, and they've been sort of a whole  
15 government approach, whereas, when the council goes in,  
16 it's lasered in and people don't -- there's generally no  
17 disagreement or contention.

18 And so I don't think that what you folks do is  
19 redundant. I don't think that -- I don't think what you  
20 do overlaps with what council does. And, frankly, I  
21 think that if you look at how council operates right  
22 now, there's tremendous inefficiency. Little gets done  
23 in a timely manner. The budget only gets through  
24 because, by law, it has to get through. And that's  
25 about it. That's the only thing that is done on time.

1 So even if they -- you know, even if we abolish the  
 2 Charter Commission and left it to the council, they  
 3 wouldn't have time to ever do what you folks do on  
 4 the --  
 5 MS. KAHUHU: Time.  
 6 MR. COLLINS: -- Charter Commission. I wrote  
 7 a viewpoint. I don't know if it's going to get  
 8 published.  
 9 CHAIR STONE: Thank you, Mr. Collins, very  
 10 much. Again, you'll be coming back after the other  
 11 testifiers?  
 12 MR. COLLINS: Sure.  
 13 CHAIR STONE: Okay, great. Commissioners, do  
 14 we need any clarification?  
 15 MEMBER DELEON: Brief comment. I feel  
 16 validated. Thank you.  
 17 CHAIR STONE: Thank you, Commissioner DeLeon.  
 18 Yes, Commissioner.  
 19 MEMBER OKAMOTO: Could you give us a date of  
 20 this report, when it was written?  
 21 MR. COLLINS: Oh, yeah. I think it went to at  
 22 least -- this came out either in October, November  
 23 December, sometime in the fall. And the working group  
 24 sort of disbanded. Once the report came out, that was  
 25 the end of their purpose.

1 MEMBER DELEON: 2010?  
 2 MR. COLLINS: Yeah, last year. I'm sorry.  
 3 2010, last year.  
 4 MEMBER OKAMOTO: One other question on this.  
 5 How did this group get together, do you know?  
 6 MR. COLLINS: Yeah. They came together and --  
 7 you know, I think -- was it -- Nell Woods had seen the  
 8 Maui Charter archive, from the previous -- retrieved  
 9 some of the documents from the previous Charter  
 10 commissions, with the help of Lisa and Corp Counsel's  
 11 Office, and, also, the County Clerk's Office. Anyway,  
 12 so she had gone through it, and I guess that she had  
 13 talked to some people. Originally, there were more  
 14 people and then "I don't want to be named" and all this  
 15 kind of stuff, so it ended up being a group of four.  
 16 And they met and they asked me if I would help them  
 17 because I'm a scientist and lawyer. And I said, yes.  
 18 So they met over about a year and-a-half period and came  
 19 out with this.  
 20 I have to tell you, it's been a long time  
 21 since I've seen very compassionate people sitting down  
 22 together and not beating each other up. Because this  
 23 group, as I'm sure you know all these people, some are  
 24 on the right and some are on the left and some are  
 25 somewhere in the middle. And it was -- some of this

1 stuff was -- that didn't get in here was pretty  
 2 contentious. And I thought they were going to, you  
 3 know, go out in the parking lot for blows. But that  
 4 didn't happen. But, anyway, this is what they came up  
 5 with.  
 6 MEMBER OKAMOTO: So it started back in 2008 or  
 7 '9?  
 8 MR. COLLINS: It started in, I think, 2009.  
 9 It was after the Charter -- the Charter archive was put  
 10 out. I believe that was in 2009.  
 11 MEMBER OKAMOTO: Thank you.  
 12 MR. COLLINS: Or maybe in 2008. I can't  
 13 remember.  
 14 CHAIR STONE: Mr. Collins, just for  
 15 clarification, this group wants -- this is meant to be  
 16 proposals for the Charter Commission, correct?  
 17 MR. COLLINS: That's correct.  
 18 CHAIR STONE: Okay. Thank you.  
 19 Clarifications for any of the Commissioners?  
 20 MEMBER BAXA: Mr. Chair?  
 21 CHAIR STONE: Yes, please, Commissioner Baxa.  
 22 MEMBER BAXA: If we are going to have  
 23 questions concerning this, who will be the best person  
 24 to answer? Will you be the one?  
 25 MR. COLLINS: I can, if it's sort of general

1 in nature. I think -- well, of course, Dr. Wiger is on  
 2 the Commission, but the others probably will be coming  
 3 to Lahaina, or at least some of them. If Dr. Lavenson's  
 4 off island, he, obviously, won't come. I don't know if  
 5 you talked with them in the last six months. But, yeah,  
 6 my understanding is they're all very much interested in  
 7 this process and they all said we're going to go to  
 8 Lahaina public meeting. But I can also answer  
 9 questions. And I probably will be coming to the Paia  
 10 meeting again next week. So if you have any questions,  
 11 I'm happy to show up early or stay late if necessary.  
 12 MEMBER BAXA: Thank you.  
 13 CHAIR STONE: Thank you, Mr. Collins.  
 14 Commissioners, any further questions? I'm sure after we  
 15 review this, there will be some. So thank you,  
 16 Mr. Collins. We'll be back and --  
 17 MR. COLLINS: Yeah. My email -- I emailed it  
 18 to everybody, maybe it went in the spam folder -- it's  
 19 lawyer@maui.net. So if you want to ask me questions,  
 20 please feel free to ask me.  
 21 CHAIR STONE: Thank you very much for your  
 22 testimony. Lisa, any more testifiers?  
 23 MS. KAHUHU: None.  
 24 CHAIR STONE: If there's any new testifiers,  
 25 that would like to testify?

<p style="text-align: right;">Page 41</p> <p>1 (Silence.)</p> <p>2 CHAIR STONE: No. Okay. Then we will go into</p> <p>3 round two of our oral testimony. I will call back up</p> <p>4 Ms. Raisbeck for three minutes, please. Go ahead.</p> <p>5 MS. RAISBECK: Okay. Okay. Rick brought up</p> <p>6 partisan elections. My experience, because when I first</p> <p>7 came to Maui, they did have partisan elections in the</p> <p>8 democratic primary for council and for mayor. And what</p> <p>9 seemed to me was the partisan elections, you have a very</p> <p>10 narrow gate on the democratic side, a very narrow gate</p> <p>11 on the republican side so that very good people would</p> <p>12 never advance to the general election where they could</p> <p>13 be elected by the general population. So I much prefer</p> <p>14 the nonpartisan elections.</p> <p>15 I just wanted to say to you that I think if</p> <p>16 you looked at that Honolulu report, Honolulu -- report</p> <p>17 of the Honolulu Charter Commission, their numbers</p> <p>18 started very, very low of people coming out to testify</p> <p>19 and then, naturally, it increased almost exponentially.</p> <p>20 So that you can expect, for the end of this period, to</p> <p>21 have large numbers of people coming out. I don't think</p> <p>22 this is going to be typical.</p> <p>23 And, again, when people vote in a mayoral</p> <p>24 election, or a presidential election, it will be this</p> <p>25 next time, many people don't bother even with County</p>	<p style="text-align: right;">Page 43</p> <p>1 structure that will be accountable to the people and</p> <p>2 that --</p> <p>3 MS. KAHUHU: Time.</p> <p>4 MS. RAISBECK: Thank you.</p> <p>5 CHAIR STONE: Thank you, Ms. Raisbeck.</p> <p>6 MS. RAISBECK: This is very important.</p> <p>7 CHAIR STONE: Thank you very much.</p> <p>8 Clarification from any of the Commissioners?</p> <p>9 (Silence.)</p> <p>10 CHAIR STONE: No. Thank you very much for</p> <p>11 your time and your testimony. It's very appreciated.</p> <p>12 Mr. Medina, would you like another three</p> <p>13 minutes?</p> <p>14 MR. MEDINA: Not really. Thank you.</p> <p>15 CHAIR STONE: Okay. Thank you. Mr. Tomoso?</p> <p>16 MR. TOMOSO: Only to complete my thought.</p> <p>17 CHAIR STONE: Great. Thank you.</p> <p>18 MR. TOMOSO: Well, the last time I talked</p> <p>19 about relationship. The next thing I wanted to talk</p> <p>20 about is how a charter like this not only un-silos</p> <p>21 government, it makes government -- it should make it</p> <p>22 more efficient, there should be an efficiency and flow</p> <p>23 assured in -- in the language between the levels of</p> <p>24 government. Because I think the most important thing</p> <p>25 here is that I'm looking at how government is</p>
<p style="text-align: right;">Page 42</p> <p>1 elections. They don't bother with the council and</p> <p>2 mayor, they don't bother -- well, they probably bother</p> <p>3 with the mayor, but they don't bother with voting on all</p> <p>4 the council positions. And certainly many people just</p> <p>5 brush off the Charter amendments. That's why it's easy</p> <p>6 to pass them, because the only people who vote on it are</p> <p>7 people who care very much about that particular</p> <p>8 amendment, and so they're easy to pass. So then it</p> <p>9 becomes very important how they get on to the ballot.</p> <p>10 And it's my feeling that it should not happen</p> <p>11 every two years. Every little thing gets put as a</p> <p>12 Charter amendment put on by the -- by the council, that</p> <p>13 it would be better to have it happen once in 10 years.</p> <p>14 And people would realize, "Oh, this is really important,</p> <p>15 I've got to do something about this." I think it would</p> <p>16 be better.</p> <p>17 And when Eric talked about the different</p> <p>18 percentages that are required to qualify for</p> <p>19 people-based Charter amendments or initiative or recall,</p> <p>20 those are critical because, if they're too high,</p> <p>21 naturally, who is going to go and get 17,000 signatures.</p> <p>22 It's sort of ridiculous.</p> <p>23 I guess that's what I wanted to say. But it</p> <p>24 is important. Your work is very important because</p> <p>25 you're trying to create a structure or to refresh a</p>	<p style="text-align: right;">Page 44</p> <p>1 accountable to its constituents, but, also, government</p> <p>2 accountable at intra level. Government has to be</p> <p>3 accountable to itself first.</p> <p>4 And sometimes -- I used to work for</p> <p>5 government, at both -- at all three levels. And</p> <p>6 sometimes my accountability factor was compromised</p> <p>7 because, you know, of certain things internally that</p> <p>8 happened, either by administrative rule or somebody no</p> <p>9 like nobody, you know, you know how it is with people.</p> <p>10 And sometimes it's like -- I try to get along, yeah.</p> <p>11 Yeah, I try to get along because you never know when the</p> <p>12 bridge you have needs to be crossed. You don't want to</p> <p>13 do it.</p> <p>14 So, again, un-siloing of government, the idea</p> <p>15 of relationship of government -- oh, yeah, the idea of</p> <p>16 checks and balances are very important because you --</p> <p>17 like a nonprofit board, no one member of the board has</p> <p>18 authority over that board; that authority is shared by</p> <p>19 the entire board. And without making it more</p> <p>20 bureaucratic, you know, I don't think that any one</p> <p>21 person in government should be more important than</p> <p>22 another because we need to be accountable to each other</p> <p>23 and we have to have a relationship with government.</p> <p>24 But if you want to go more to my thought, just</p> <p>25 go to appreciative inquiry. Thank you.</p>

11 (Pages 41 to 44)

1 CHAIR STONE: Thank you very much, Mr. Tomoso.  
2 Commissioners, any clarification on that testimony?  
3 (Silence.)

4 CHAIR STONE: No. Thank you very much for  
5 your time. Mr. Collins.

6 MR. COLLINS: Thank you again for allowing me  
7 three additional minutes.

8 I strongly believe that how our County Council  
9 operates is tremendously inefficient. And I think that  
10 there needs to be some kind of change. And I think that  
11 it's sort of a negative reinforcement loop which causes  
12 the inefficiencies. And I think that it ends up -- a  
13 lot of the problems that I heard coming from testifiers  
14 up in Pukalani and tonight, and in general, through  
15 letters to the editor and just listening to people, I  
16 think most of them come from the fact that we have a  
17 very poorly structured setup for County Council.

18 I think one of the reasons why we don't have  
19 competitive races is because everybody -- everybody who  
20 votes or could vote feels tremendously disempowered  
21 because our present setup dilutes everybody's vote. I  
22 know that Mr. Molina feels like he wants to be able --

23 MR. MEDINA: Medina.

24 MR. COLLINS: Medina. Sorry. Sorry, it's  
25 late. It's late. I'm sorry.

1 And, you know, I know he wants to punish  
2 somebody in Kihei, but that's not actually how it works  
3 anymore. Because when you're one of 150,000 people, you  
4 don't have any say over anything. And you just have to  
5 rely that the irrational exuberance of the electorate  
6 will punish somebody or not punish someone.

7 And I want to use the election of Ron Vaught  
8 and Michelle Anderson as a great example. Ron Vaught  
9 had all of the endorsements that you could possibly want  
10 to get elected, he had tons and tons more money than  
11 Michelle Anderson, and lost. He lost to Michelle  
12 Anderson. And that didn't signify, oh, there's some  
13 part of the electorate that's gaining strength or some  
14 block that's gaining strength; all it signified was that  
15 getting elected becomes much more unpredictable when  
16 there's an open seat and that it's harder and harder to  
17 predict. And it's not based on money necessarily, it's  
18 not based on endorsements; it's just based on how  
19 everybody was feeling when they filled out their  
20 absentee ballot or went in on general election. And  
21 that is not that -- that should not be the way that  
22 people run for office. It should be based on the  
23 person's something or voter's feeling like a person  
24 should be in office. And I don't think that -- because  
25 of the incumbency problem that's happening with the

1 County Council, and that affects the entire process of  
2 how the County Council operates.

3 I definitely feel that if this Charter  
4 Commission can do one thing, and that is to change how  
5 the council is composed and how it operates. And how  
6 you do that, there's a number of different ways you can  
7 do it. But I really hope that if the Charter Commission  
8 does nothing else, you folks really have come up with a  
9 better way of picking councilmembers and how the council  
10 can operate. Because I think, until that's done,  
11 anything else that you folks do is going to be secondary  
12 to what the main issue is. And that --

13 MS. KAHUHU: Time.

14 MR. COLLINS: That was my main issue. Thank  
15 you.

16 CHAIR STONE: Thank you, Mr. Collins. That's  
17 appreciated. I appreciate your points about council's  
18 inefficiencies and changes must be made. Do you have  
19 any specifics, specific proposals that could help the  
20 Charter Commission focus in on making a more efficient  
21 council?

22 MR. COLLINS: Well, I think there's a couple  
23 of ways. One possibility is to lengthen terms. I'll  
24 tell you, in the 50 years that we've had Charter and  
25 Charter amendment proposals, people of Maui do not like

1 four-year terms. So the likelihood of that changing --  
2 you know, you never know, but that's one possibility.

3 I do think that there's a serious problem with  
4 our present at-large system. I know that some people  
5 feel like it's the only way to empower certain rural  
6 areas in this county, but I don't think that that's the  
7 case. I actually think if you look at voter dilution,  
8 nobody wins. And -- and the people who are most  
9 oppressed are the rural areas. That -- that is one of  
10 the reasons why, in Reynolds v. Sims, the U.S. Supreme  
11 Court said to go to one person, one vote. Because what  
12 was happening is, in some states, a few rural counties  
13 were getting like more than half of the -- all of the  
14 State Senate seats and then everybody else was getting  
15 whatever was left over. And in some areas, the big city  
16 would have 99 percent of the senate seats, and then all  
17 the rural areas would have one. And the problem with  
18 that is that in both of those instances, it doesn't --  
19 the representatives don't reflect in a proportionate way  
20 the electorate.

21 And in our system, for example, consistently,  
22 if you don't get a majority of the votes in the  
23 Kahului-Wailuku area, you do not get elected to office.  
24 And Michelle Anderson, having her election in '04,  
25 happens to be an exception to that statement, but she's

<p style="text-align: right;">Page 49</p> <p>1 the only exception to that statement ever. And on</p> <p>2 Molokai and on Lanai, the people that they pick, unless</p> <p>3 there's only one person running for that seat, the</p> <p>4 people that they by majority vote for do not get elected</p> <p>5 to office. And so those are just examples. In Hana, I</p> <p>6 think it's been a fairly close call. Although, I think,</p> <p>7 in one election, Hana picked one person and someone else</p> <p>8 got elected. They were the incumbent, and I don't know</p> <p>9 that really counts. But --</p> <p>10 CHAIR STONE: Thank you. Commissioners, any</p> <p>11 further questions or clarification for Mr. Collins?</p> <p>12 MEMBER OKAMOTO: Yes, I have one question.</p> <p>13 CHAIR STONE: Commissioner.</p> <p>14 MEMBER OKAMOTO: I hear over and over about</p> <p>15 you know, the same people getting elected over and over.</p> <p>16 Again, do you see that any different in the State</p> <p>17 Legislature? I've been here for 40 years. In our</p> <p>18 district, I've never seen anyone but an incumbent win,</p> <p>19 unless there was no incumbent.</p> <p>20 MR. COLLINS: Sure. Actually, Sol</p> <p>21 Kahoohalahala lost to Ron Davis in 2000.</p> <p>22 MEMBER OKAMOTO: Yeah, that's right. There</p> <p>23 was one.</p> <p>24 MR. COLLINS: Then Joe Bertram was voted out</p> <p>25 of office. And, typically, what actually happens -- and</p>	<p style="text-align: right;">Page 51</p> <p>1 single-member district voting and they are highly</p> <p>2 competitive. And Kauai, which they have no residency</p> <p>3 requirement whatsoever, just top seven out of the list</p> <p>4 of 14 get to go. They generally have the turnover, but</p> <p>5 somebody usually has to do something inappropriate or</p> <p>6 offensive to get off the -- to get off the list.</p> <p>7 CHAIR STONE: Yes, Commissioner Crivello.</p> <p>8 MEMBER CRIVELLO: Geographically, Maui Nui is</p> <p>9 -- we're separated by water, Molokai, Lanai, Kahoolawe,</p> <p>10 with Maui. So when you say there is inefficiency with</p> <p>11 our present council setup, can you elaborate or clarify</p> <p>12 a little bit more? And to add to that, if I'm</p> <p>13 understanding you right, you were looking at some --</p> <p>14 some sort of different approach than -- than the present</p> <p>15 way of electing our council. What about the</p> <p>16 constituents having direct accessibility? Also, if you</p> <p>17 can clarify that for us.</p> <p>18 MR. COLLINS: Sure. Well, you know, there's</p> <p>19 several different models that Maui's been subjected to</p> <p>20 at the State level. The State uses single-member</p> <p>21 districts. And just using Molokai, just as an example,</p> <p>22 off the top of my mind, for right now, a 102,000 person</p> <p>23 county, a district would run about 16,000 something.</p> <p>24 And so that would be essentially about half -- as a</p> <p>25 community would be about half of one district,</p>
<p style="text-align: right;">Page 50</p> <p>1 this happens across the whole U.S. -- because every 10</p> <p>2 years census data changes and there has to be a</p> <p>3 reapportionment, that is generally where there is the</p> <p>4 highest turnover. But that isn't always the case. In</p> <p>5 the mid-nineties, like half of the senate got thrown out</p> <p>6 almost in the same election, same -- in the same</p> <p>7 democratic primary.</p> <p>8 MEMBER OKAMOTO: But not in Hawaii.</p> <p>9 MR. COLLINS: No. In Hawaii, in the mid</p> <p>10 nineties, yeah. Because there were --</p> <p>11 MEMBER OKAMOTO: Oh, because that -- the year</p> <p>12 there was reapportionment, yes.</p> <p>13 MR. COLLINS: No. No, that wasn't</p> <p>14 reapportionment. In the '96 election, quite a number of</p> <p>15 state senators -- they were mostly in Honolulu -- were</p> <p>16 all thrown out of office. And, actually, it was</p> <p>17 interesting because the reasons that they were thrown</p> <p>18 out, all the neighbor island senators that voted the</p> <p>19 same way, they actually got protected and didn't get</p> <p>20 thrown out. Although, like Avery Chumbley (inaudible)</p> <p>21 reapportionment and so forth. So it does happen.</p> <p>22 Reapportionment, that has helped, but that is one of the</p> <p>23 things to help this sort of incumbency problem.</p> <p>24 But, on the Big Island, they do actually run</p> <p>25 fairly competitive elections. They do have</p>	<p style="text-align: right;">Page 52</p> <p>1 single-member district. And so in that instance, let's</p> <p>2 say I were running for the Molokai, Waihee seat -- I</p> <p>3 don't know, whatever -- but I was running for that seat,</p> <p>4 if -- if my constituents or my -- hopefully, my</p> <p>5 constituents were not -- did not feel like I was</p> <p>6 responsive to them, I would have to rely on getting 100</p> <p>7 percent of the other half of that district in order to</p> <p>8 get into office. And I can tell you just from the data</p> <p>9 I've looked at in terms of elections around the state,</p> <p>10 and, more generally, on the West Coast and so forth,</p> <p>11 that never happens. Nobody can ever win -- nobody ever</p> <p>12 wins elections by only getting half of -- 100 percent</p> <p>13 half -- geographically half of one district. It's</p> <p>14 statistically highly improbably. And I haven't seen any</p> <p>15 evidence of it ever happening.</p> <p>16 And so whereas in this instance, although</p> <p>17 there's somebody who is from Molokai, he is -- he's</p> <p>18 really -- his -- where he gets his base is Central Maui.</p> <p>19 And he's most responsive to that, or he should be, if</p> <p>20 he, of course, wants to keep getting reelected unless</p> <p>21 there's things that go against the election.</p> <p>22 Now, multi-member districts, you know, it's --</p> <p>23 you get to pick three people. And Ben Cayetano, for</p> <p>24 example -- I don't know if you know how he originally</p> <p>25 got into the House of Representatives, but he was in a</p>

13 (Pages 49 to 52)

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1 multi-member district, solid AJA district, always had  
 2 two Japanese representatives, and he ran. And as it  
 3 turned out, he got in because -- I don't know if you  
 4 guys are familiar with historical AJA voting patterns,  
 5 but they always vote one that's not the same race.  
 6 That's what they always say. I don't know if it's true,  
 7 but that's what they say. That's what political  
 8 scientists like Herbert Kimura used to say. So Ben got  
 9 in. And the same is true for Neil Abercrombie and quite  
 10 a number of other politicians in the seventies that  
 11 became senators in the eighties was because of that.  
 12 And they didn't -- they didn't -- weren't the highest  
 13 vote getters, but they represented a different opinion.  
 14 And so in a multi-member district model, it's  
 15 quite possible that, for example, Molokai is half of one  
 16 district and with -- and then Waihee, Kaupo or -- I  
 17 think that was somebody's proposal -- it's quite  
 18 possible that there be two people in a three --  
 19 three-person multi-member district coming from Molokai.  
 20 It's quite possible. It's also quite possible that  
 21 there would be one or -- or none. But the people of  
 22 Molokai would definitely have three people that they  
 23 could -- that they could absolutely have a strong  
 24 connection to.  
 25 I don't know about Molokai, I don't know how

1 connected you folks feel to like Kalani English or Mele  
 2 Carroll. But, you know, that's one reason why we have a  
 3 reapportionment every 10 years, because that -- that's  
 4 one of the efficiencies that's created by the system is  
 5 to help move things around.  
 6 CHAIR STONE: Thank you, Mr. Collins. Further  
 7 clarification for any of the Commissioners?  
 8 Commissioner DeLeon.  
 9 MEMBER DELEON: Lance, are you or members of  
 10 this group available to give a presentation to this  
 11 board?  
 12 MR. COLLINS: You know, they disbanded, but I  
 13 can -- and Flo is actually on the Commission, but I --  
 14 if you folks would be able to -- I'm sorry -- they said  
 15 that if people have questions regarding the final report  
 16 that I could answer them. So I don't think that would  
 17 be a problem.  
 18 MEMBER DELEON: Because, you know, they spent  
 19 an enormous amount of time going through this. And we  
 20 would like to -- you know, we're not necessarily going  
 21 to follow you chapter and verse, but just to give us the  
 22 thought process.  
 23 MR. COLLINS: I personally don't agree with  
 24 some of the proposals. I definitely think you folks  
 25 should abolish the Liquor Adjudication Board, definitely

1 hear that proposal. I agree with the hearings officer  
 2 proposal that they have. But some of the other ones  
 3 start getting a little bit complex and -- but I can  
 4 answer the questions. I know the sentiments of the  
 5 group because I was the reporter for it. So I'm happy  
 6 to do that if you folks would like that.  
 7 CHAIR STONE: Mr. Collins, we have another  
 8 Commissioner with a question.  
 9 MEMBER BAXA: Mr. Chair, I wanted to ask  
 10 something about your mentioning about the inefficiency  
 11 of the council. You know, I know you have a doctorate  
 12 in political science, but you know the importance of the  
 13 principle of checks and balances.  
 14 MR. COLLINS: Absolutely.  
 15 MEMBER BAXA: Don't you think the council is,  
 16 in a way, exercising its duty, it's a check to  
 17 executive?  
 18 MR. COLLINS: I definitely think that the  
 19 council did a very good job of that in the 2005-2007  
 20 term, but I don't know if it was -- you could -- it was  
 21 the most efficient way of checking. It was more of a  
 22 open hostility with the mayor. And there's been periods  
 23 in the past where there's been a contentious  
 24 relationship. But I think -- generally I think the  
 25 council has been very efficient in being a checker of

1 balance over the mayor in the long run in this system.  
 2 And, you know, their job is primarily to legislate laws  
 3 and pass the budget. And they only pass the budget on  
 4 time because they have to by law.  
 5 Just by analogy, the Philippine Senate has 25  
 6 at-large senators that happen to always get elected from  
 7 the metro Manila area. And they generally are either --  
 8 there's, actually, a brother and sister in the senate,  
 9 but they generally are either aimed towards becoming  
 10 president, or they just want to do it on their way to  
 11 retirement. And I think that's one of the problems of  
 12 having at-large districts, because on the council,  
 13 sometimes you feel like this is either the end of  
 14 someone's career or that this is the stepping stone to  
 15 the mayor because they have the same base as the mayor,  
 16 there's no incentive to sort of act like a mayor. So in  
 17 a broad sense it could be called a check, but I don't  
 18 necessarily think that the council efficiently does act  
 19 as a check and balance to the mayor in the longer term.  
 20 CHAIR STONE: Thank you, Mr. Collins.  
 21 Commissioner Hedani.  
 22 VICE-CHAIR HEDANI: I have a couple questions.  
 23 The final report of the West Maui Charter working group,  
 24 what is your relationship with the group?  
 25 MR. COLLINS: Oh, I was its secretary and I

<p style="text-align: right;">Page 57</p> <p>1 gave technical assistance, you know, when they had  2 questions about, you know, statistics and city manager  3 versus --  4 VICE-CHAIR HEDANI: Like a support?  5 MR. COLLINS: Yeah, support. And I know all  6 the people that were on it. I said, "Sure, that's fine.  7 What do you want me to do? Take me out to lunch."  8 VICE-CHAIR HEDANI: The second question that I  9 had was that you said if this Commission could  10 accomplish anything within any changes that we might  11 propose would be to change the method by which the  12 council operates. Is that contained within the final  13 report?  14 MR. COLLINS: Well, I submitted this because I  15 was asked at the end of last week -- the original  16 proposal, it wasn't my original idea -- but this --  17 these are not my proposals because I'm not -- I wasn't a  18 voting member.  19 VICE-CHAIR HEDANI: I understand. My only  20 question was whether or not you thought that the report  21 contained changes or recommendations that would  22 address --  23 MR. COLLINS: It has -- it has major, major  24 changes, yeah. I think it addresses that and quite a  25 number of other issues.</p>	<p style="text-align: right;">Page 59</p> <p>1 would come back and have that back and forth. And, of  2 course, they had strong feelings about things. And it  3 went on for about a year and-a-half. So, no, there were  4 no organized or publicized community meetings. But part  5 of it is because that's -- they didn't want to operate  6 that way, they weren't a commission or anything like  7 that. They felt like for their purpose it would be  8 sufficient to just --  9 CHAIR STONE: Thank you. Commissioner -- I'm  10 sorry. We're going to go to Commissioner Crivello --  11 oh, DeRego. Excuse me.  12 MEMBER DEREGO: Lance, on reading here on Page  13 2, because I've been glancing through this, it says that  14 the working group conducted a scientific telephone poll  15 at the same time that proposal number one on district  16 voting was submitted by Councilwoman Jo Anne Johnson in  17 April. What I don't see in here, in this report, are  18 any exhibits or supporting documentation with that kind  19 of detail. It would be helpful for the Commission, you  20 know, if they had meetings with people, that they have  21 meeting notes, those kinds of things. And it's the same  22 thing a board and commission for the County would have  23 to do, and submits a report to the -- the council.  24 MR. COLLINS: It's, actually, on the website.  25 See, I think part of the problem is that -- I guess my</p>
<p style="text-align: right;">Page 58</p> <p>1 VICE-CHAIR HEDANI: Okay. Thank you.  2 CHAIR STONE: Commissioners, any further  3 clarification? Oh, yeah, Commissioner Sugimura.  4 MEMBER SUGIMURA: So, Lance, I was just  5 wondering, for this kind of report, who it was prepared  6 with, did it go through the whole West Maui, through,  7 you know, community meetings, or did it just have these  8 three or four people, plus yourself, and you came up  9 with these recommendations? I mean, I'm just curious to  10 see how strong it is in terms of --  11 MR. COLLINS: Well, you know, what -- what  12 they decided or agreed on in either the first or second  13 meeting was that they would meet once a month and then  14 they would go and talk to their various groups.  15 Actually, I think Flo cheated and talked to people  16 outside of West Maui and added input. But that was  17 never -- anyways, that was their thing, is that they  18 sort of all came from different social groups within  19 West Maui. They -- they had very little bravado, but a  20 majority of the board put something together.  21 Otherwise, they really have -- they all come from  22 different groups on the west side. And so they  23 essentially, at parties and birthdays and that sort of  24 thing, talked to people. And I guess some of them are  25 senior clubs and stuff. And they would talk and they</p>	<p style="text-align: right;">Page 60</p> <p>1 email must have gone to a spam folder or something  2 because I -- I was able to get from Lisa, or someone at  3 Corp Counsel, everybody's email. Maybe it was Mike  4 Molina. And I emailed a link with this and, also, the  5 link -- it's also on their website, the  6 westmauicharter.org, but has the three-page thing that  7 QMark Research in Honolulu -- the sort of the quick  8 executive summary of that poll. But it is there and  9 there's some other supporting documentation on the  10 website.  11 MEMBER DEREGO: Because if we are or do follow  12 up on Commissioner DeLeon's suggestion of having someone  13 from this group speak to us, it would be good if there  14 was some sort of summary with supporting documentation  15 with any irrelevant statistics that sort of buttress  16 this particular report.  17 MR. COLLINS: I think that's the only  18 statistic. The rest of it really is the proposed  19 language in the back. The last sort of 45 pages, or 40,  20 is the supporting document.  21 MEMBER DEREGO: So there's no record of  22 "people" that they went and talked to and --  23 MR. COLLINS: No, absolutely not. This was  24 much more informal. It wasn't intended to be a mini  25 charter commission or anything like that. It was just a</p>

15 (Pages 57 to 60)

1 group of people who all felt like changes need to be  
2 made. And they actually, among themselves, came up with  
3 dozens and dozens of proposals. But they agreed at the  
4 beginning that they would have a census where everybody  
5 had to agree. So they were only able to agree on six,  
6 half a dozen of one, six of another.

7 CHAIR STONE: Thank you very much,  
8 Mr. Collins. Any further questions?

9 MEMBER DEREGO: I just have one comment. I'm  
10 very uncomfortable about psychologizing about Maui  
11 voters, the reason why they don't vote, those kinds of  
12 things, without any kind of empirical evidence to  
13 buttress those kinds of claims, especially when we're  
14 talking about voter dilution. Any kind of comments like  
15 that are, basically, conjecture. As a sociologist, I am  
16 very much interested in social behavior. And I would --  
17 I would welcome at some point in the future some study  
18 why Maui voters' behavior is the way it is at this  
19 point. In terms of our process, it would be very  
20 difficult for me to start psychologizing about Maui  
21 voters in terms of the kind of decisions that we're  
22 expected to make. So it's just a comment.

23 MR. COLLINS: Yeah. My -- actually, I -- I  
24 should clarify. When I said voter dilution, I'm  
25 actually referring to the legal term that's in the

1 your time.

2 MR. COLLINS: Thanks.

3 CHAIR STONE: Mr. Collins, thank you.

4 So that finishes up our oral testimony. If  
5 there are no objections, the Chair will accept public  
6 communications into the record. And we shall be  
7 adjourning for the evening.

8 Yes, Commissioner.

9 Without objections. I don't think I have a  
10 Commissioner objection.

11 VICE-CHAIR HEDANI: Mr. Medina had testified  
12 earlier before the Commission, has a wealth of  
13 information and experience about the function of County  
14 government. And I know it's difficult within a  
15 three-minute or a six-minute period of time to explain  
16 the things that you want to have said relative to the  
17 Charter, so I'd be very much interested, if you do have  
18 the time, to receive copies in writing.

19 MR. MEDINA: Thank you.

20 CHAIR STONE: Thank you very much. So if  
21 there are no further objections, I will close public  
22 testimony and we'll accept public communications into  
23 the record. And we'll be adjourning this meeting as  
24 of -- time, Lisa? Sorry.

25 MS. KAHUHU: 7:50.

1 Voting Rights Act. And it's a very specific thing where  
2 you essentially use one voter and you put it over the  
3 voting base. So one over 16,000, versus one over  
4 150,000 is voter dilution. And the reason that Voting  
5 Rights Act was put in was because -- and it could be  
6 disagreed with -- voter dilution does cause voter  
7 disempowerment. Yeah, it's not something that I could  
8 -- I could go back and get literature to support it, but  
9 whether or not specific Maui voters feel disempowered  
10 specifically over this. I don't know that there's any  
11 specific data. But just based on that and other  
12 contexts, I agree. That's all it was. I wasn't trying  
13 to speculate or psychologize.

14 CHAIR STONE: Thank you. Commissioner DeLeon.

15 MEMBER DELEON: Lance, would it be helpful if  
16 we got this survey information?

17 MR. COLLINS: Sure.

18 MEMBER DELEON: If you could get it to us, it  
19 would be helpful.

20 MR. COLLINS: Sure. The printer is going to  
21 run out of ink, but it's okay.

22 CHAIR STONE: Any further clarification for  
23 the Commissioners?

24 (Silence.)

25 CHAIR STONE: No. Thank you very much for

1 CHAIR STONE: At 7:50. Thank you very much  
2 for everybody being here. Your testimony and input is  
3 extremely valuable and much appreciated. Thank you.  
4 (Meeting adjourned at 7:50 p.m.)

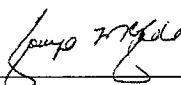


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