

MINUTES OF THE
MAUI COUNTY CHARTER COMMISSION

DATE: April 23, 1964
PLACE: Board Chambers, Wailuku, Maui, Hawaii
CALL TO ORDER: 7:45 P.M.
PRESIDING: Masaru Yokouchi, Chairman
MEMBERS PRESENT: Masaru Yokouchi, Chairman
Emil Balthazar
Richard Caldito
William F. Crockett
Shiro Hokama
Nadao Honda
Harry Kobayashi
Thomas Yagi
Charles C. Young, Research Assistant
MEMBERS EXCUSED: C. H. Burnett, Jr.
Cornwell Friel
Keith Tester
OTHERS PRESENT: Kase Higa, County Attorney

Liquor Commission:

Winston Miyahira, Executive Secretary
George Kondo

Board of Trustees - Maui Community Hospitals:

Tomic Romson, Hospital Administrator
Wallace Yanagi, Assistant Hospital Administrator
A. F. Anderson, Chairman
Dr. William Iaconetti, Member
Rev. Edward Todd, Member
Supervisor Goro Hokama, Member
Dr. Fook Hing Tong, Member

Kula Sanatorium Managing Committee:

J. Walter Cameron, Chairman
Mrs. Ayako Tofukuji, Member
Masaichi Ono, Member
Dr. E. A. Tompkins, Superintendent
Rikio Tanji, Business Manager

Soon Oak Lee, Supervisor
Mrs. Jay Van Zwalenburg
Jack Stephens, Maui News Reporter

ROLL CALL:

There were 8 members present and 3 excused at the regular meeting of the Maui County Charter Commission on Thursday, April 23, 1964.

LITERATURE:

The following were circulated to the members of the Charter Commission:

1. Copies of memorandum dated March 19, 1964, from Mr. Hiroki to Mr. Bill Wong, re the proposed charter of the County of Maui;
2. Copies of letter dated April 14, 1964, from Mr. Richard S. Takasaki to Kase Higa with comments re proposed charter;
3. Copies of presentations from the Liquor Commission and the Board of Trustees of the Maui Community Hospitals.

LIQUOR COMMISSION:

Mr. Miyahira: We are concerned with the system of appointment which your body has tentatively proposed. We would like to see the compensation continued as it is today because this pay feature will provide the appointor with a greater cross section of people available. In other words, we accept the fact that the pay provision will enable those who normally may not be able to serve, to be available, thereby giving broader cross section of the people who will be part of our select group.

Mr. Yagi: In other words, if the people are paid, they will have a better or broader cause to serve on the commission?

Mr. Miyahira: That will be the result because of the bigger group to select from. Purely as a mere token of appreciation, it lends toward enabling those who normally cannot make themselves available.

Mr. Yagi: What happens in the event that I would like to serve without pay?

Mr. Miyahira: There will be exceptions whereby you may find people who will be willing to serve without pay, but from my experience, they may start off by willing not to be paid, but they may feel "why should I be punished?" It is not a happy state of affairs. Human nature is not made such.

I would like to add that there is a general practice, even throughout the continent of the United States, to give to the Liquor Commission especially broad powers because they find that not only action but speed in the action has been found necessary.

Toward the end of my report it states that the large majority generally are not cognizant of the explosive nature of the Liquor Commission problems. In other words, the generation of today are not aware of what happened in the past. This does not mean that it cannot happen today, if we do away with the rules and regulations.

Mr. Caldito: I certainly like the value of this comprehensive report; however, do you mean to tell us that the charter we have proposed will destroy the Liquor Commission?

Mr. Miyahira: The appointor will not make himself available to a wider community selection. The field will be narrow.

Mr. Caldito: The members of the Board of Trustees and the Police Commission do not get paid.

Mr. Kondo: The Board of Trustees and the Police Commission are advisory boards.

Mr. Miyahira: The Liquor Commission is partly a judicial body and partly a policing agency. Normally these areas are assigned to single departments.

Mr. Balthazar: What is the average number of times the commission met in 1963.

Mr. Miyahira: Average of 6 or 7 meetings a month. As far as compensation goes, they cannot be paid more than seven meetings a month, but they may meet more than that if necessary.

Mr. Balthazar: During the last year how many applications for licenses for new liquor establishments did you have?

Mr. Miyahira: Approximately one in two months or two in three months. While the applications may not be as many, inquiries are more than that.

Mr. Balthazar: Did you grant any new licenses last year? I am trying to think of the workload of this commission.

Mr. Miyahira: Licensing is just one phase. We have requests for various types of permits which the commission acts upon.

Mr. Balthazar: Did you have any significant number of cases?

Mr. Miyahira: We had probably 40 to 50 cases.

Mr. Balthazar: My idea is that licensing could be done by the Police Commission.

Mr. Miyahira: This is more a regulatory body. We go for prevention and we go for assistance of the welfare of the people.

Mr. Yagi: Regarding uniformity of the Liquor Commissions throughout the State, is there any uniformity in the rules and regulations?

Mr. Miyahira: Yes, by and large, the rules and regulations are the same with minor exceptions.

Mr. Crockett: There is a provision in this charter which I think should be of more concern to the people on the Liquor Commission, and that is all the rules and regulations of the commission must be approved by the Board. In other words, you are not going to have a free hand in adopting rules and regulations. The rules and regulations proposed by the Liquor Commission will be subject to approval by the council. It will take the burden from the Liquor Commission. The commission will enforce what is adopted by the council.

- Mr. Yagi: The last legislature changed the law so that the State turns the Liquor Commission over to the County and the County will legislate.
- Mr. Miyahira: We thought it was purely a matter of county control and that we would be under the Board of Supervisors.
- Mr. Kobayashi: The most important part is that it creates a situation whereby more people will be available to serve on this commission. Whether it is a judicial responsibility or not, I feel that practically every commission has a responsibility.
- Mr. Miyahira: When we talk about semi-judicial responsibility, the commissioners really arrive at decisions.
- Mr. Kobayashi: If you think that the members of the Liquor Commission should be paid, don't you think that other commissions should be paid, too?
- Mr. Miyahira: I think many of the other commissions should be considered, too, but we are talking about the semi-judicial responsibility.
- Mr. Kobayashi: It is difficult to take out just one or two and not pay the others.
- Mr. Miyahira: The legislature found it necessary to give the Liquor Commission broader powers. The commission did not ask for these powers; they were just handed down.
- Mr. Yagi: Don't you think you went beyond the powers which the legislature gave you?
- Mr. Miyahira: The broad statement is in the laws.
- Mr. Crockett: Shouldn't the regulatory powers be in the hands of the Police Commission?
- Mr. Miyahira: When the time comes that such a specific responsibility can be given to a specific body, I am sure that it can be taken away from the commission.
- When it comes to the Liquor Commission, it is a thankless job. It is an unpleasant type of work.
- Mr. Yokouchi: We can understand your position, but the question is "where do we draw the line?" We feel that no one should be paid.
- Mr. Miyahira: These commissioners' terms will expire at the end of this year, and they feel that for this kind of work some incentive should be attached.

A recess was called by the Chair at 8:50 P.M. The meeting was resumed at 9:00 P.M.

BOARD OF TRUSTEES AND MANAGING COMMITTEE:

- Mr. Anderson: (Copies of his presentation were circulated to the members of the Charter Commission.)

The other recommendation not written in this statement is that to try to set up a single body of trustees actually imposes a burden to the people serving as trustees. It is right now difficult for the trustees of Central Maui to

actively supervise Hana Medical Center. It is difficult to get the whole group together and physically inspect the hospitals. The same thing would be true when there are two groups. It becomes burdensome for the Board of Trustees. There isn't a shortage of capable trustees.

- Dr. Tompkins: (See attached copy of his presentation.)
- Mr. Yagi: I have no objection to having two separate boards, realizing the insurmountable work.
- Mr. Anderson: I think there is something to be said from the standpoint of the people who work for the hospital. If you are going to change the management, you are going to disturb these people. These people are really dedicated people. We don't think we should disturb them really fast.
- Mr. Crockett: Government employees in general have the protection of civil service. I don't see why they should be disturbed.
- Mr. Cameron: We have been operating on staggered terms for thirty years. When a new group came in, some of the old men--trained people--kept the thing going. I think it is a very healthy thing.
- Mr. Yagi: Am I to understand that you want staggered terms?
- Dr. Tompkins: In the budget we have to keep a five-year project ahead of time. I think with an entirely new board, the administrator would be lost.
- Mr. Romson: As an administrator, I really shed to think what might happen if the mayor changes and a completely new board comes in. It takes about a year to understand county operation of the hospitals.
- Mr. Yagi: The strong mayor concept is that the responsibility lies with the mayor and the council. With staggered terms, the responsibility will not lie with the mayor. The whole concept is thrown out of the window if we go on staggered terms. On the basis of the strong mayor type of government, will it not be best to have straight terms, running concurrently with the mayor's term of office?
- Mr. Romson: Besides the general public, we have to deal with a very specialized group of people. The hospital is a thankless job. The Charter Commission should look at the hospitals from a different point of view--not as any other department.
- Mr. Anderson: I don't say we should have three or four-year terms but they should be certainly beyond one-year terms. Maybe some modification should be made so that the terms are shorter, but they shouldn't be changed at one time. There should be some continuity of administration and policies.
- Mr. Crockett: It is my understanding that, according to your recommendation, there should be a person from another association in West Maui representing that district.
- Mr. Anderson: At the present time there is no person from West Maui.

- Mr. Crockett: Under our proposed charter, any person from the community can be appointed.
- Mr. Anderson: I think there should be some representation. I think the various groups represented on the Board of Trustees deserves some consideration.
- Mr. Yokouchi: What about the rest of us? Today the way the makeup of the board is spelled out, the public at large is not concerned.
- Mr. Balthazar: I am in favor of our present draft where we do not specify any representation. If West Maui has a representative, what about a representative for the up-country area? When you pick a group, without intending to, you automatically exclude another group. We should deal with principle and not so much with people. I think seven members would make a better group. There is no rule that says eleven members would be better than seven.
- Mr. Yagi: It is ten years since the consolidation of the hospitals. Within ten years we forgot the moral obligation. In practical politics any man who wants to be mayor should recognize management and labor.
- Dr. Iaconetti: What happens if each of these groups says "this is the man whom we want to represent us" and the mayor appoints him? Don't we lose the strong mayor concept?
- Mr. Yagi: There must be a list of three names submitted and the mayor will choose one of the three names.
- Mr. Crockett: If this is such a good idea, why not extend it to the other hospitals?
- Mr. Cameron: Our problem is very different from Central Maui's. Central Maui Memorial Hospital is completely dependent on its own income. Remember, it is State money we are spending. We spend it under the rules and regulations of the State. Our budget has to be checked by the State. Our problems are completely different.
- Mr. Balthazar: I come to the conclusion that both boards should be separate. Do you feel that the members of the boards should be paid?
- Dr. Tompkins: No.
- Mr. Anderson: No.
- Mr. Cameron: No.
- Mr. Crockett: After listening to you, I also feel we should keep these boards separate. But I am not in favor of appointing people from separate groups.
- Mr. Anderson: There is something that should be looked into. As far as Hana Medical Center is concerned, it is a burden to try to run it.
- Mr. Yokouchi: Couldn't you operate as a subcommittee in Hana to represent you? What about an advisory committee? Can the hospital Board of Trustees have a Hana citizens advisory committee?

- Mr. Higa: I don't see any reason why they cannot. An advisory committee has no power.
- Mr. Crockett: How would the people in Hana think as being separated? This would actually involve creating another administrator's position.
- Mr. Anderson: I am thinking of having the Hana doctor serve as the administrator at Hana.
- Mr. Yokouchi: (Referring to the consolidation of the Board of Trustees and the Managing Committee) Central Maui Memorial Hospital may feel they should take over the chronic patients. Isn't it sound to have one body to decide questions such as these instead of two separate boards?
- Mr. Cameron: I think the function we are doing we can do best and as long as that exists, we should continue to do it. We do feel a very great responsibility. We have demonstrated; we have proven that. We are asking that you don't change that.

ADJOURNMENT:

After thanking the members of the Liquor Commission, Board of Trustees and Managing Committee for their comments and suggestions, the Chair adjourned the meeting at 10:15 P.M.

Respectfully submitted,

Harriette E. Miyamoto

HARRIETTE E. MIYAMOTO
Secretary