

MAUI COUNTY CHARTER COMMISSION

Wailuku, Maui, Hawaii

PUBLIC HEARING

DATE: July 28, 1966

PLACE: Paia Gymnasium, Paia, Maui

CALLED TO ORDER: 7:45 P. M.

PRESIDING: Douglas Sodetani, Chairman

MEMBERS PRESENT: Douglas Sodetani, Chairman
Emil Balthazar
William F. Crockett, Vice Chairman
Shiro Hokama
Nadao Honda
Harry Kobayashi
James Ushijima
Charles C. Young, Research Assistant

MEMBERS EXCUSED: George Kondo
Paul Pladera
Keith Tester

OTHERS PRESENT: John Fernandez
Mary B. Moodie
Vaughn M. Kinoshita
Mrs. Hoyette H. Sanderlin
Tom T. Mizoguchi
Aaron Brown, Sr.
A. F. Cravalho
Mr. and Mrs. Francis E. Pomroy
Robert Johnson, Advertiser Reporter
Jack Stephens, Maui News Reporter

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The Chair opened the hearing by introducing the Commissioners and staff of the Maui County Charter Commission to the audience. The Chair then called on Commissioner Harry Kobayashi to give the opening remarks. The floor was then opened for discussion.

Mr. Fernandez: I think in the papers you stated that you are disappointed in the crowd attending these meetings. I think the people are satisfied with the present government we have today. The last election, the charter was defeated. I don't see why you should say you are going to push it down our throats. I think it's unfair to the people. Now, you are going to write a charter again. Is it going to be effective or not? I don't think so. That would go to Honolulu and they will change it. I don't think we have any power to draw up any charter without the consent of Honolulu.

Mr. Sodetani: For your information, Mr. Fernandez, the Charter Commission was formed on this basis

here. In 1963, there was an Enabling Act. The Enabling Act of the Legislature of the State of Hawaii authorized the various counties to appoint a Charter Commission to investigate the kind of government that we are now living under. After that, the counties are to decide whether a charter is necessary or not.

In 1964³, a charter commission was appointed to all the various counties. They went ahead with their investigations and found out that a charter was necessary. The City and County of Honolulu already has a charter. So, they went ahead and formed this charter after making a complete study, having had hearings, and all that. Many hours were spent. Much money was spent. Then in 1964, it was put up for a plebiscite. Unfortunately, it was defeated.

The 1965 Legislature again asked the counties to form a charter. We're not here because we want to be here. We are here because of the will of the people. All of us feel that we have an obligation since we were appointed. We have to go to these various places instead of they coming to us. We want to see how the people feel. I'm glad you brought up this point. It's a very interesting point.

Mr. Fernandez: You know the people are against this. Anything you create for the county, it costs the taxpayer more money.

Mr. Sodeani: I don't know if we're going to be saving money for anybody, but I believe and all of us believe that the dollar you pay for your tax, we'd like to get a dollar in return.

Mr. Fernandez: Another thing. You said four years. I think two years is too long. One year is enough.

Mrs. Moodie: In the original charter two years ago that was defeated, was there a code of ethics?

Mr. Sodeani: Yes, there was.

Mrs. Moodie: I really feel strongly that there should be a code of ethics, because I think we've all read what's happening in Honolulu, and we don't like it.

Mr. Sodeani: Furthermore, there was a provision also that some body would somehow enforce it. The code of ethics or any law or any legislation is nothing without anyone to enforce it.

Mrs. Moodie: There are two things which primarily brought me here. The other is the strong mayor business. Actually, it's probably a good thing. Right now, when the Board of Supervisors take a vote, it's like Mr. Balthazar or someone said in the paper that the mayor can hide behind the Board. He doesn't have to expose himself. Where if you had a strong mayor, he has decisions to make. What would stop the people, the Board of Supervisors, or any Board of Supervisors, from going to the mayor's office by two's or three's in high pressuring him into doing or making the appointments that these people want. To me, I can't see where you're going to be a head if you have a strong mayor and if you don't have one, you're going to have pressure

from the people. If somebody could explain that, I'd appreciate that.

Mr. Sodehani: In other words, you prefer a mayor not as strong as the previous one in the charter?

Mrs. Moodie: I don't really know. If people are going to pressure him into making these decisions, what difference does it make?

Mr. Crockett: We talked to Mr. Herman Lemke, who is the Chairman of the Council of the City and County of Honolulu, and who was a member of the Board of Supervisors for a number of years before the charter went into effect in 1959. He said with respect to the appointments of the department heads by the mayor, it just doesn't happen like that.

Mrs. Moodie: In that case, if we have a strong mayor that can make his appointments without coercion or pressure from the rest of the Board, I would be for it--definitely.

Mr. Kinoshita: In reference to the mayor's appointments and giving him a great deal of power, maybe it will be a good idea to have the people in the various communities or organizations to recommend several names from the various parts of the island. Then the mayor, having a list of such men, can pick up whomever he wishes. In the first place, when the names are picked by the people in different parts of the island, they will be representatives of the various sections of the island.

Mr. Sodehani: By the same token, I think some of the boards and commissions, the mayor arbitrarily does that at the present time. This is pure political reasons.

Mr. Sodehani: How about the appointments without confirmation?

Mrs. Moodie: If it's a good strong mayor, I think it's perfectly all right. What about appointing, for instance, the Liquor Commission? There's a new agency coming up I read in the papers. A committee on geriatrics. Who makes those appointments? Does that come under the mayor or Board of Supervisors?

Mr. Sodehani: You mean the commissions or the staff?

Mrs. Moodie: Maybe this would be considered staff member? Who appoints people like that?

Mr. Sodehani: Usually on the staff level, there's a civil service qualification. From there on, the department head or the commission that is responsible for the particular board makes the initial appointment of the director.

Mrs. Moodie: I think part of the reason the charter was turned down the last time was because people were afraid of one man appointing, say, like the Chief of Police, etc.; that they would appoint people that interested them and

would not be probably what the general public want. I really don't know how I feel about that. I would be unhappy if he was someone I didn't consider good. I think I'd be more comfortable if those important positions, like the Chief of Police have confirmation.

Mr. Sodehani: In the previous charter, the Chief of Police was appointed by the Police Commission. The Police Commission was appointed by the mayor without confirmation. In other words, you would feel more comfortable if all boards and commissions were appointed by the mayor with confirmation by the council?

Mrs. Moodie: I think I would. I really think a lot of people besides myself would feel comfortable if these heads were with confirmation. I know this is a difficult thing and you can't please everybody. Of course, we hope the cost of government would be cut down along the line, too, as time goes on.

Mr. Kinoshita: In reference to the opinion whether the people feel taxes are too high depends upon one's experience and understanding of what some of the services are for the people. In order to contact a feeling that the government costs are too high, probably more publications should be issued by the government stating some of the different functions performed by the government people for the benefit of the people. If the people begin to understand the great number of services that are being provided for the benefit of the people, I think the people would be willing to pay more taxes, rather than complain about taxes.

Mr. Balthazar: What do you think about paying commissioners?

Mrs. Moodie: Can you enumerate some of these commissions?

Mr. Balthazar: The Liquor Commission is paid.

Mrs. Moodie: They should.

Mr. Balthazar: The Civil Service Commission is paid. These two are the only commissions being paid.

Mr. Young: Up to seven meetings a month.

Mrs. Moodie: I think those who go to seven meetings a month ought to be paid.

Mr. Crockett: Most of the meetings we've had so far, we talked about the responsiveness of government in respect to the charter. In 1962, there was a Public Administration Service Report put out by the State of Hawaii. In going through it last night, I came across an interesting information on the efficiency of local government and what these people thought we should do with respect to formulating a charter for the counties of Hawaii, Maui and Kauai.

They have a number of tables here and one of the tables is called "Per Capita Operating Costs and Comparisons, Neighbor Island Counties and Mainland Cities, State of Hawaii, 1960." They list six different categories of government expenses for local governments, and then they compare Kauai, Maui and

Hawaii, and cities from 25,000 to 50,000, and cities from 50,000 to 100,000. One of the functions they're talking about is general government. Under general government comes your overhead costs that we have in the county. Now, for the County of Kauai, the cost per capita is \$16.24. For Maui, and this was in 1960, the cost for Maui is \$17.68, and the cost for Hawaii is \$13.64. The cost for cities on the mainland from 25,000 to 50,000 is \$4.33, and the cost for cities on the mainland from 50,000 to 100,000 is \$4.60.

This is the conclusion these people came to. "One of the most striking items of these comparisons is the significantly large neighbor island county expenditures for 'general government.' This category includes the costs of supervision and staff services and is in the nature of 'overhead.'" There seems little question but that these comparatively large costs in the neighbor island county are directly related to the statutory provision that disperses general government functions among several elected officials, each of whom is required by his prerogatives and political necessity to have a respectable size of staff." Then they go on and talk about the desirability of passing an enabling act by legislation of the Legislature, that is, to have a charter commission in the hope that we have a charter.

So, I would disagree with the gentleman who spoke before that we don't necessarily have to have a charter. As Mr. Sodehani indicated, we cannot control the cost of government. This is something that is going to be controlled by the people. I do think in the revision we are talking about, we're trying to simplify government and as a result, government would be less expensive, particularly to the general overhead costs.

Mrs. Moodie: I think it's imperative that we have a charter. We have to have something to go by. I think we had better get on with it and get it going, but just so it operates efficiently when we have it.

Mr. Kinoshita: In reference to the two year term or four year term, there is always that question. Now, as far as our State Legislature is concerned, the Senators are for four years and the Representatives are for two years. Personally, I feel the four year term is superior because that gives an elected official more opportunity to study and to have a broader extensive idea and purposes to serve the government. It saves the electioneer money also. One would have more opportunity to put into effect what he really thinks is good for the people by a longer term.

Mrs. Moodie: How have the other people in the other communities felt about this four year and two year terms?

Mr. Sodehani: It seems to be divided. Some felt for the four years. Others felt two years would make the legislative body more responsive.

Mr. Crockett: Why do you favor a four year term for the elected official?

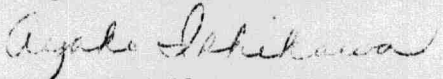
Mr. Kinoshita: He has greater opportunity to study and weigh things, rather than leave it. He'll have more opportunity to see things and do things in a four year term than a two year term.

Mrs. Moodie: Well, if he has a project, he can see it through.

Mr. Kinoshita: After all, two years is rather short for any government officer or elected official.

There being no further questions from the audience, the Chair adjourned the hearing at 8:30 P.M.

Respectfully submitted,


Ayako Ishikawa, Secretary