

MAUI COUNTY CHARTER COMMISSION

Wailuku, Maui, Hawaii

PUBLIC HEARING

DATE: September 16, 1966

PLACE: Molokai Community Center  
Kaunakakai, Molokai

CALL TO ORDER: 7:30 P. M.

PRESIDING: Douglas Sodetani, Chairman

MEMBERS PRESENT: Douglas Sodetani, Chairman  
Edward L. Cluney  
William F. Crockett, Vice-Chairman  
Shiro Hokama  
Harry Kobayashi  
Paul Pladera  
Keith Tester  
James Ushijima  
Charles C. Young, Research Assistant

MEMBERS EXCUSED: Emil Balthazar  
Nadao Honda  
George Kondo

OTHERS PRESENT: Ernest Uu  
Eligio O'Campo  
Robert C. Brown  
Julius Borsella  
A. M. Russell  
Raymond Von Tempsky  
George Harada  
Benjamin Hussey  
James Lindo  
Mrs. Zellie Sherwood  
Mrs. Lydia Ornellas  
Mrs. Judith Napoleon  
(34 other people from Molokai)

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The hearing was opened by Edward Cluney who called upon Mitchell Pauole, Honorary Mayor of Molokai, to deliver the invocation, followed by a minute of silence in respect to the late Cornwell Friel, former Commissioner from Molokai. Mr. Cluney then extended the welcoming remarks and introduced the members of the Commission in attendance. The meeting was then turned over to Chairman Sodetani who expressed his thanks to the people of Molokai for the overwhelming vote in favor of the Charter in 1964. Mr. Sodetani elaborated on the purpose of drafting a Charter, the accomplishments of the previous Charter Commission, and the plans of the present Commission. He stressed the importance of public participation and education in formulating a draft which will be acceptable



to the people and at the same time insuring efficiency and responsiveness in government. Mr. Sodetani further explained that upon completion of the final draft of the Charter, public hearings will be held throughout the County. He encouraged participation in tonight's discussion by questions, comments or criticisms. The floor was then opened for discussion.

Mr. Uu: Since the creation of this commission you have held several meetings. We don't have any copies of your proposal.

Mr. Sodetani: We have not drafted any proposal except the initiative, referendum and recall provision. As I stated earlier, we are using the original draft and are going over the different provisions to see if improvements need to be made. On the Initiative, Referendum and Recall provision, we mailed copies to all the organizations on the island of Molokai. (The Chairman then read the list of organizations on Molokai). If we have missed any organization, please notify our Research Assistant, Charles Young, and he will see that you get on our mailing list.

Mr. O'Campo: My name is Eligio O'Campo and I am President of the Molokai Filipino Council of Molokai and Kapaakea Homesteaders Association. Is there any copies so we can follow your plan.

Mr. Sodetani: We don't have any documents as such but we will be using the final draft which was submitted to the electorate in 1964. We have already mailed copies of the 1964 draft to all the organizations here and will mail them copies of each provision as we work on it. We feel that considerable time, money and energy has been spent in the drafting of the original charter and it has been determined by experts in government that this document was better than many others. It was also the feeling of the University of Hawaii professors that the Maui Charter was the best document ever drawn up, even over the one governing the City and County of Honolulu. This is indeed a credit to the members of the previous commission and it is the opinion of this commission that we improve on this document as it becomes necessary.

Mr. O'Campo: Now can I go on about election of the councilmen?

Mr. Sodetani: Yes, you may.

Mr. O'Campo: As we read in the papers, on Lanai they were in favor of the councilmen elected at large. It's the feeling of my people that the councilmen elected at large is not a very good idea for Molokai. Molokai should elect its own councilman by its own people. If the councilman is going to be elected at large on Maui, those people don't know what we need and we don't have good representation. If our councilman be elected by the people of Molokai, they would know he would represent the island of Molokai.

Mr. Sodetani: Any other comments?



Mr. Brown: My name is Bob Brown. I'm manager of California Packing here. I strongly support the previous gentleman's statement. I would like to hear someone on the commission comment on that.

Mr. Sodehani: Before a member of the commission is called upon to present the views of the commission, are there any other comments along the same line?

Mr. Borsella: I agree with Mr. O'Campo. I would like to hear the Chairman's opinion on that.

Mr. Russell: How many people do you propose to represent the island of Molokai, Lanai and Maui, and what is the percentage of people these three islands would represent?

Mr. Sodehani: There seems to be some misunderstanding of my opening remarks. Your commission here tonight has not drafted a charter as yet. In other words, we have not yet concluded our work. We are still working on the draft and will come back here again later and will present the final draft to you. We're here tonight to listen to your comments or your criticisms and from your discussion we hope to get some reaction as to your sentiments. Before we proceed with the final draft, we will take these suggestions you propose and will try to come up with the best possible solution. Even at that, we don't say that we will have the answers to all the problems you may raise, but we will certainly do the best we possibly can. We do, however, welcome any comments you may have that will help us in drafting this document. Any other comments? If not, I would like to call on Commissioner Crockett to answer your question in regards to district representation.

Mr. Crockett: I am not going to enter into any arguments over this question of representation for Molokai by the people of Molokai. I will try to present the problem in perspective.

Mr. Uu: How effective will our councilman be at the meetings when he is representing only one-eighth of the people at the meetings? How much taxes are we getting from the County of Maui? I don't quite agree that Molokai elect their own councilman since the majority of the taxes are paid by the people of Maui. We cannot match that. If we're going to limit ourselves to electing our own councilman, he cannot be too effective on the council because he is actually only one-eighth of the total council. The way it is now, although he is our representative, he has to run at large and is part of the over-all total.

Mr. Von Tempsky: I would say that that one-eighth has a lot of politics to play. This island is going to grow and I agree that Molokai should elect its own councilman. I go along with O'Campo.

Mr. O'Campo: In order to support my request, it is not a matter of taxes; it is not a matter of running as councilman. We ask for true representation where Molokai people vote for their own councilman. These people know who is a good man who will represent them.



Mr. Harada: I take it this is what you are trying to get, that is the feeling of the people. The majority of the people so far have been speaking about Molokai electing its own representative. I think these people should be a little more careful about this matter. At least right now we have a representative. I'm afraid if they insist on changing what we now have we might find that they would shove something else down your throat. What's to prevent the people from Hana to say they want a representative, too. I personally feel we should leave the thing alone as it is. If changes need to be made, we change it later on because there are other communities who want representation, too. This way we are having representation. So my opinion is leave it alone.

Mr. Hussey: Hussey is my name and I would like to say that I agree with Mr. O'Campo and the rest of the gentlemen speaking this evening on district representation. We hope consideration can be given to district voting - Molokai one, Lanai one and Central Maui so many. In the last election, if you will check the records it shows, a member might have gotten votes on Molokai, but a large area on Maui would wipe it out. Actually, the representative was elected by Maui. We should try to elect our own representative for Molokai.

Mr. Crockett: As I said earlier, we're here tonight to hear what you have to say and we certainly don't want to argue with you. We have not registered any reaction on any points, but I think you must realize there are certain alternatives imposed on us by the reapportionment decisions by the Supreme Court. One: we can elect anybody at large; Two: we can divide the County of Maui by districts and each district must have representation by the number of people in their districts; Three: we can keep the system that we have right now. The alternative you propose is not in accordance with these ideas and it seems to be void on two grounds. Molokai and Lanai, for one, is not equal in population so under the second alternative, each would not be entitled to its own district representation as present. What you propose, if you are going to have an arrangement like that, it looks like you are not going to have people at large. We cannot make Molokai one district and not have to worry about the other districts on Maui. I'm just telling you what we are faced with.

Mr. Sodehani: On the basis of the number of registered voters in the last election, the island of Lanai had approximately 900 voters. Maui had about 18,000. Using the population as a criteria, that makes the council, the computation of the council may be about 20 for the island of Maui. You also will have the problem of dividing the districts. You can very easily be accused of gerrymandering, so how are we going to solve this problem. The rule is that no one district can be separated by a difference of 1,000. These are some of the problems we face. Some of the people in the various districts would have the vote watered down to practically nothing.

Mr. Pladera: The Supreme Court ruling does not necessarily force us into going into districting because there was no court ruling that we do that. So we can pick up any one of the three alternatives now. The thought is now that



if you rock the boat, you might be in dangerous waters so to speak. The thought is now that we accept what we now have, the other is what Honolulu is going through by basing it on the ruling of the Reynolds & Simms case. The question is which is the best of the alternatives to vote on. Some of the arguments are that if you elect your official, you will have only one. And if you buy what you have at present, you have more than one because you have eight others. These are some of the roads that prowl through our minds, so we do have something that is relatively good.

Mr. Von Tempsky: It seems to me that one of the things you can start with is combining some of the districts and then check your man out of that.

Mr. Crockett: Then you propose that Molokai be combined with some other district?

Mr. Tester: Even at that, Molokai and Lanai would not give you enough to form one district. You would probably have to take in West Maui.

Mr. Sodeani: I might say that you people here on Molokai are in a very, very enviable position right now. If the people on Maui can knock you off, they would like to. You see, there are districts on Maui that would like to be represented from their own district as you are.

Mr. Russell: If we are going to have a government of the people and by the people, I don't see why we can't have our own representation. Most of the time Maui seems to have all the say. This island is not getting very much from the total island of Maui. You got to figure out some way to divorce us from the County of Maui. We're not getting our fair share from the County. We never get anything over here.

Mr. Cluney: We welcome ideas and suggestions as to how these things can be done. Mr. Russell, do you have any suggestions as to how this can be done?

Mr. Russell: You have eleven men on the Commission to figure that out. I would like to see Molokai separated entirely from Maui.

Mr. Harada: Mr. Chairman, may I answer him? Russell, I think you missed the boat. Who the hell you think is paying for all the services we're getting here on Molokai, the Police Department, the Fire Department, road maintenance, and so forth? It certainly is not only Molokai money.

Mr. Hussey: I think he's not trying to say that we divorce ourselves from Maui County completely. I think he wants to say that we elect our own councilman. No matter what Molokai elects, it will be the choice of the people.

Mr. Sodeani: And would you also like to elect the rest of the members of the Board of Supervisors?



Mr. Hussey: To me it makes very little difference. We don't elect the other members of the House of Representatives. I would like to be able to approach a person that I feel I put in office, not someone who was elected by the people of Maui.

Mr. O'Campo: I know that you folks come here and we appreciate you people coming to Molokai. If you help us so Molokai can get true representation so we can elect our own councilman, we are thankful.

Mr. Lindo: Listening to all these arguments, I wonder if the people realize what they are asking and I wonder if they realize how much money is involved. Suppose we divorce from Maui, will we get enough jobs, can we have a voice on Maui? The island of Molokai is so small, we won't be able to support ourselves. I think the proposal we have now is good and should be kept. I think we should stay with Maui.

Mrs. Sherwood: We have been told many times that we are allowed to have one supervisor from Molokai. We can have many supervisors running but the highest number from Molokai is elected. At least we have the opportunity to choose who we want for our man. We now have that privilege of having one man at least to serve us on Maui. I think we're taking too much time on this and we should go on to the next item. There's much more to cover.

Mr. Sodehani: Any other comments?

Mr. Tester: I might add that the commissioners are very cognizant of district representation, not only in this session of the commission but also in the previous commission. I know very well that if there's some way of solving this problem which would be satisfactory to Molokai and Lanai and the other districts, the Commissioners would be very happy to do it. But it certainly would be unwise to do something that would be declared unconstitutional.

Mr. Uu: How many years do you propose that the councilmen serve; two years or four years?

Mr. Sodehani: How long would you think they should serve?

Mr. Uu: Four years.

Mr. O'Campo: I think four years is too long. If they are not doing good, what are the people going to do, wait another four years to throw him out?

Mr. Sodehani: Any other comments?

Mr. Uu: How long would the Mayor serve?

Mr. Sodehani: That's a good question. How long do you think the Mayor should serve?

Mr. Uu: Four years.

Mr. Von Tempsky: How do you feel about it?



Mr. Sodehani: Me, personally? I don't know. There have been some good arguments for two years and good arguments for four years. I haven't made up my own mind as yet.

Mr. Tester: The term under the previous Charter provided for four-year terms. I would like to pose a question. One of the reasons the Charter failed to pass in the last election might have been that the Charter provided for a four-year term instead of a two-year term. Another reason might have been that there was too much power in the hands of the Mayor. Another might be that perhaps handling the election at the same time detracted from the Charter. I say that in analyzing this over-all, I would like to see a four-year term. However, I do feel that the four-year term was one of the reasons the Charter failed to go through.

Mr. Cluney: Mr. Uu, would you kindly give us your reasons back of your thinking for a four-year term?

Mr. Uu: Well, I would like to see a four-year term but have the term staggered. Maybe you could have one-third of the councilmen remain in office and two-thirds would probably campaign for election so that there would not be a cold board that sits in office every four years.

Mr. Crockett: I don't think it can work out like that. May I ask you what would happen to the man from Molokai?

Mr. Uu: He would have to serve his term.

Mrs. Sherwood: I feel that the Mayor should be elected for four years and the Supervisors or Councilmen should be elected for two years.

Mr. Uu: Who sets the salary?

Mr. Sodehani: At the present time?

Mr. Uu: Under the Charter.

Mr. Sodehani: We have not really gone into this area. This probably would have to be taken by ordinance. We have to prepare the Charter so that we would be able to recognize any problems that would come up. I think under the Charter.....

Mr. Young: At the present time, the Legislature sets the salaries for certain County officials, then the County sets their own salaries by County Ordinance and the Mayor and certain officials are set by the Board of Supervisors by Ordinance.

Mr. Kobayashi: I would like to ask the audience what about the cabinet members. Should they be appointed or elected?

Mr. Russell: I would say elected.

Mr. Crockett: Why?



Mr. Russell: Because I would say they are elected by the people and should represent the people. If we elect the wrong people, it's our hard luck.

Mr. Kobayashi: What about the County Engineer? Should he be elected by the people?

Mr. Russell: No.

Mr. Kobayashi: Why not?

(No answer)

Mr. Tester: I feel very strongly that certain of these officers should be appointed and not elected. I believe that the day is long past when you run a popularity contest. I think that such jobs as the Attorney, Clerk, Auditor, Treasurer, are specialists jobs. The day of IBM and computing machines, automation, is here. If you want an efficient government, let's appoint the best people we can get, and you certainly are not going to get the best by election. It's a matter of putting the best people into these positions.

Mr. Russell: How are they in now?

Mr. Tester: At present these people are elected into office. I believe that the Treasurer and Auditor should be combined so you have a Department of Finance. The time has come where we must progress with business.

Mr. Brown: On this point, would you believe that the Charter should specify the qualifications of these people and the requirements and experience be spelled out in the Charter?

Mr. Tester: Yes, I believe it should be spelled out but it should not be so tight that you can't find the people to fill those positions. There should be some lee-way. The question of whether these people should be appointed by the Mayor without confirmation, I certainly think you should have the qualifications set down, but they should not be so rigid that you have difficulty getting a man.

Mr. Kobayashi: On the State and National level, the cabinet members are all appointed. You don't elect the Treasurer of the State or the Federal Government, but they do have qualifications. They must have. If they didn't have the qualifications, the government suffers.

Mr. Russell: You mentioned that an election is like a popularity contest. That's what we have now. The Mayor is by a popularity contest.

Mr. Tester: Right now the Mayor does not have the sole responsibility over the other people who run for office, the Attorney, the Clerk, and the other offices. We are trying to pin that responsibility down.

Mr. Crockett: May I comment? It is not correct to say at the present time that there are qualifications



for the elected officials, except for the County Attorney, which requires that he must be an attorney. Anyone can run for the other offices. You can run. No qualifications are stated now.

Mr. Sodetani: Also, to make government more responsive, and at the same time try to make government more efficient, it is our responsibility to draft the Charter in such a manner that the municipal government can be responsive and efficient.

Mr. Crockett: I think one point we tried to get across in the last charter was that we should divide the executive responsibilities from the legislative responsibilities. At the present time within the County government, these two branches are inter-operated. The executive responsibility is mixed up with the legislative responsibility and all nine men are actually operating the County. If you are going to have an operator, or manager, I think it is understood in business that you are going to have one man and that one man is responsible. I believe in making one man responsible to the people.

Mr. Tester: I think a good example of this, election or appointment to some of these jobs, is the County Clerk who is responsible to the Board of Supervisors. They are the people he's got to satisfy in his job. Why in the dickens we want to elect him when he's doing work for somebody else, I can't figure out. This is one glaring example why I feel he should be appointed. And if he can't cut the mustard, he should be fired and get somebody else for the job.

Mr. O'Campo: I think the Mayor should have the right to appoint but they should have confirmation by the Board. All the heads of the department should be appointed with the confirmation of the Board. We can recall the trouble they had on Kauai with the Chief of Police and the County Chairman. It is not a very good idea. I think they should be confirmed.

Mr. Tester: (To Chairman) Can we be a little more specific? (Chairman consents). The next thing which is even more important perhaps is how should the Chief of Police be selected? Who should do it? The Mayor, the Commission, or whom? To go with that goes the Planning Director. I would like to hear some comments on how you feel the Chief of Police should be appointed.

Mr. Von Tempsky: I feel you have a Police Commission.

Mr. Tester: Then you feel that the Commission should appoint? And have the Mayor, with the approval of the Council, select the Commission?

Mr. Von Tempsky: Yes.

Mr. Crockett: I would like to know how you feel about the various commissions we do have, the Planning Commission, Police, Liquor, Board of Water Supply. Do you think the responsibility ought to be taken back by the Board in considering the Board of Water Supply? Should these appointments be by the Mayor and confirmed by the Board. What about qualifications? Should we think about limiting the appointments to



different groups? I think these are very important because as you look at our County government today, you will find that a lot of the work in the County has been farmed out or delegated to commissions. These commissions exercise a lot of responsibilities.

Mr. Pladera: In looking at our present system under which our government functions, I might say that per se, the more you dilute the power or spread the power around, the less you can pin anybody for the faulty decisions. The 1964 Charter does maintain certain functions and yet strengthens this out by giving the Mayor the responsibility. The function of the council would then be legislative. If you decide to have our government in such a way that we demand confirmations on all appointments by the Mayor, then you are agreeing in diluting such an organization. These are some of the problems we have to hassle over. It is also highly possible to have a few of them confirmed, have everything confirmed, or have nothing confirmed.

Mr. Tester: The gentlemen a few minutes ago was talking about the pilikias they had on Kauai. One of the criticisms of the last Charter was that it gave too much power to the Mayor. I don't know if that was a valid criticism. To me, if the public feels the administration is not doing the right thing, they can get rid of him.

Mr. Sodetani: May I hear some comments about the Water Board. Should it remain as it is, or should the Water Board be placed back into the County Public Works Department. At the present time, the Board of Water Supply is a separate, autonomous body. They make their own rules and regulations by a separate commission. You may recall that the Water Board, at one time, was directly under the Board of Supervisors. It was later taken out and a separate body established, and again brought back under the Board. Now it's under a separate commission, the Board of Water Supply. How do you feel about it? Should it continue as it is now, or should it be put back under the Board of Supervisors?

Mr. Uu: They're doing a good job now, but we should have representation for Molokai.

Mr. Sodetani: As I understand it, you do have representation now. You have one man on that Board.

Mr. Crockett: On these commissions, generally, do they appoint a man from Molokai?

Mr. Uu: Generally, we have been ignored.

Mr. Von Tempsky: I think the Water Board is the only one.

Mr. Uu: We don't get our fair shake.

Mr. Pladera: Do you know why that is so?

Mr. Uu: Politics.

Mr. Crockett: Everytime I hear that the answer is politics, I wonder what the person is referring to. I wonder what he means by "politics."



Mr. Tester: What about qualifications? What are your feelings on this? At present the qualifications for the Manager of the Board of Water Supply and the Manager of the Department of Public Works state that he must be a licensed engineer. Both are relatively legislative departments, why should the head be a licensed engineer?

Mr. Von Tempsky: I don't feel he should be licensed so long as we have a representative from Molokai on the Commissions. I go along on this.

Mr. Sodehani: Any other comments?

Mr. Uu: Mr. Tester just told us that he is not in favor of having a professional man.

Mr. Tester: No, I'm sorry, I did not say that. I say it is not necessary that the head of the Public Works or Water Department need be a licensed engineer. He certainly can be a professional man and may have specialized in some other field, say, perhaps business administration, but he does not have to be a licensed engineer to head his department. That is what I mean.

Mr. Kobayashi: Let's take plantations, for example. The manager himself you would expect, should be an Agriculturist, isn't that right? He's dealing with growing pineapples or sugar cane. Yet, how many of our managers are really Agriculturists, but they are good administrators because they know how to run a business.

Mr. Uu: He's a manager because he understands pineapple.

Mr. Crockett: Mr. Tester is not saying that a licensed engineer could not be appointed to this job. I agree that a manager does not necessarily have to be a licensed engineer.

Mr. Tester: And also, he could possibly be a professional engineer.

Mr. Sodehani: This will not necessarily limit the appointments and there will be a broad latitude in selecting the best qualified person for the position.

Mr. Uu: We don't want to argue with you folks.

Mr. Cluney: I think this is a question of whether you insist upon a licensed engineer or an administrator.

Mr. Uu: It's your job to decide that for us.

Mr. Sodehani: We feel that this Charter belongs to you people, too, and we want you to participate with us. We are here to compile your ideas so that the Charter will be acceptable to the people.

Mr. Pladera: I think we're all broad-minded enough to realize that whatever we argue on technically



can assist us in making our decisions. We want responsiveness and this is certainly in the right of obtaining the right conception of your ideas.

Mr. Crockett: We have eleven heads who will put this charter together, but you will have to vote on it. And we want this charter to reflect what you want.

(Hearing recessed at 8:50 and reconvened at 9:00 p.m.)

Mr. Sodehara: The Commission certainly appreciates the many comments and evaluations you have made. We hope you will continue to raise any questions you may have in the next half hour or so before we quit. Do anyone have any more questions?

Mr. Russell: How about running the whole works by a City Manager type deal?

Mr. Ushijima: In discussing a City-Managing type of government, the question was raised in the various public hearings we held on Maui. Under the City-Managing form, the elected councilmen are responsible for finding the man to manage the government. If the councilmen can get a man of stature who is thoroughly qualified and able, then the government will have good management. However, if the Manager and some councilmen have some disagreements, through politicking they may have a change every year, then you don't have continuity. After all, the Manager will have to be able to work well with the councilmen as he is hired by them and you will have to recognize the fact that there will be problems that arise from time to time. It is possible that they will be changing the Manager every year if he is one that cannot get along with the council.

Mr. Crockett: I think we need to explain this a little more. Under the City-Managing type of government, you would elect only a Council. The Council would then hire somebody to be the City Manager. This person would, presumably, appoint all the department heads. This City Manager would have no fixed term of office. He serves at the will of the Council.

Mr. Russell: I know what you mean, the Council would hire a City Manager. But that's not too different from a Corporation, and they don't change. Some people stay in for many years, and a Corporation has good management.

Mr. Ushijima: I don't think you can compare a City Manager with a Corporation. In a corporation, the manager has to produce his work whereas a City Manager, because of politics, he's going to become involved in some way in politics. If certain councilmen do not want to have him continue on, they would have enough votes to knock him off. In a corporation, if he does not produce, they can dismiss him.

Mr. Crockett: I wonder whether at the present time the people don't find the City Managing type too drastic a change for the people. Now the City Manager is in charge and the councilmen are not supposed to interfere. But you do have



situations where a councilman might be in a favorable position with the City Manager. Obviously, if one does, others will also. If this is permitted, then the manager is no longer the manager, as the basic idea is that these people are not to tell the manager what to do. You will have councilmen who will assert a certain amount of pressure on the manager. I know that if we adopt this type of government, this will be too radical a change and I don't think we'll be ready for it. Probably these people will be the same ones you have now and right now they do tell the people what to do. You can't expect a change overnight. We think the best way now is for a strong mayor. Perhaps 30 or 40 years from now, the people will be in a better position to accept it. We've given this matter a lot of thought.

Mr. Sodemani: A question was raised several times at the different public hearings as to whether the Charter will make for county government to operate cheaper. Does anyone want to comment on that?

Mr. Crockett: So far as the Charter making the government cheaper to operate, we are not able to say. The reason is that the more services, more improvements the public demands, the cost of government goes up. You want better schools, better roads, more parks, the money has to come from some place. More police protection, fire safety, this causes an increase in the cost of government. As we demand these services and improvements, the cost goes up. We would like to believe this, that when the final draft of the Charter is drawn, the municipal government will be more efficient and responsive. As far as it being less costly, we are not able to say that. Salaries will go up according to the overall salary standards in all areas are concerned. The Charter has no control over the various costs demanded by the people.

Mr. Uu: What would happen to Murayama, Rodrigues and the Clerk's office if you are going to consolidate these departments. Will you continue these boys under the Charter?

Mr. Sodemani: The Charter cannot guarantee any job presently being held by any department head.

Mr. Uu: If you are not going to make any protection for these people, let's leave the government as it is. I've lived under this government for over 50 years and I see nothing wrong with it. Let's leave it alone.

Mr. Sodemani: We cannot say that the incumbents in positions now are guaranteed their jobs. You say you've lived under this government and you see nothing wrong with it. I just rented one of your cars when we arrived here, I believe it was a Chevy II. I think it was one of your new cars. (Chairman Sodemani continued to make comparisons between a Model T and today's modern automobile). If today's government was good for you, it should be good for your children, and for your children's children.

Mr. Uu: But this obsolete automobile is worth ten times its value.



Mr. Sodemani: You're speaking of antiques, I'm not speaking of antiques in value. (Chairman continued to compare today's modern home conveniences and luxury items).

Mr. Crockett: Mr. Uu said he lived under this form of government for over 50 years, you then lived under the Territorial form of government, but everyone was happy to change from territorial status to Statehood. And I believe everyone enjoys the results. I'm sure nobody would want to go back to territorial status.

Mr. Ushijima: Another observation is the use of an automobile. It gets old, needs repairs, servicing, new tires.....

Mr. Uu: You're just probing way.

Mr. Pladera: You are not alone in your feelings, Mr. Uu. There are certain groups, and within a particular group you will have people who want to see their people secured. However, to turn around and give that particular group some guarantee, I think is defeating the purpose. This is why I think a lot of UPW workers who say they don't want a change is because they want to take care of their friends in office. There is a need for a change and I believe we have to stand on that premise or take care of certain people. We have to take a stand and draw a line.

Mr. Sodemani: Bill, you want to talk on the cost brought out by other people?

Mr. Crockett: In our hearings on Maui, this whole charter business was discussed. In a survey made at the request of the legislature by a mainland firm, they found out that the general cost of government in the County of Maui ran about \$15.00 per 1,000 population. The cost of government for a comparable area on the mainland ran about \$3.00 to \$4.00 per 1,000. Now, this is, in my opinion, a glaring discrepancy in the overhead, and we are not talking about police and fire protection. This is the overhead cost of government; and they attribute this to elected officials in government who are interested in building up political machines. Whether this is the reason our operating costs are high, I won't say, but we do know that we have this very, very high cost in the various Counties in Hawaii. (Mr. Crockett cited the cost of the Counties of Kauai, Maui and Hawaii, as contained in the Research Report on State & Local Government Relationships prepared by the Public Administration Service).

Mr. Hussey: You quoted figures which are from certain areas only. I know that on the mainland, a lot of these areas are incorporated, some are not. But I don't think those figures include the police and fire protection when you make the comparisons. If you leave that out.....

Mr. Crockett: I'm speaking about general government, only the overhead costs of government. This report has the police and fire itemized separately. These figures do not include police and fire.



Mr. Sodetani: Are there any other questions? Mr. Uu, does that enlighten your mind?

Mr. Uu: I still think I'm in favor of the present government.

Mr. Brown: I would say that I am not for this present form of government and anything we can do to cut costs is bound to be good. We just can't go on to protect a few old timers now in office. It just isn't practical.

Mr. Sodetani: Yes, I agree with Mr. Brown.

Mrs. Sherwood: I think we were talking about appointing the directors of the different departments. I am all for the Mayor appointing the different directors but with the approval of the councilmen. I don't think he should appoint and remove them at will.

Mr. Crockett: Could we find out how the people feel about the timing of the election.

Mrs. Ornellas: Could we ask how much time we have to kick this thing around?

Mr. Sodetani: The Enabling Act provides one year. Within 30 days after that, it goes to the Board of Supervisors and they have the time to recommend any changes. If the Charter members do not agree on the changes, then it will go before the people. (The Chairman continued to explain the difficulties experienced by the Kauai Charter in which 149 points on amendments were involved. He also elaborated on the experiences of the City & County of Honolulu). Because of a certain time-table they had to meet (City & County of Honolulu), the people did not have an opportunity to educate themselves as to what they were voting for. Our Commission feels, and the Board of Supervisors also feel, that the Charter should go out to the people in a separate election. This coming Primary and General Election, the charter will not be up for voting like your 1964 Charter. Several times, the question was raised, should the Charter fail to receive the majority of the votes cast what would happen. Shiro, would you care to comment on this?

Mr. Hokama: It was mentioned that should the Charter fail again, the Legislature would issue a mandatory change which means that the voters then would not have a chance to vote on it. So it seems that if the Charter is dumped again, chances are that is what would happen. The Commission is going through a lot of expense and they might feel (the Legislature) the people had two cracks at it. They might just say this is it. Under reapportionment of the Legislature, it would be controlled by Oahu. Do you think the people on Oahu would know what Maui County wants? I feel this might just happen.

Mr. Cluney: I would like to comment on Mr. Hokama's remarks. Last night on Lanai, a young lady got up and made this statement; that when the constitution was first drawn up, it wasn't a perfect document, but there were provisions therein that you could make amendments; which all



boils down to this; there may be provisions in the Charter that would be objectionable, but that is the thing to remember, that you have the right to change it.

Mr. Sodetani: We recognize, too, that the commissioners themselves cannot agree on the various provisions of the Charter, and we ask you to understand what this is about so you know that if you vote NO, you will know why; and if you vote YES, you will know why. But this is our fear; that the Legislature might give us a Charter that is shoved down our throat and which none of us will have any say. And this type of hearing is so that you will have the last say in voting YES or NO. So it's very important to you as well as to us that you have an opportunity to understand the Charter and what it means to you.

Mr. Crockett: I think the most important thing that came up tonight, it seems to me, is that of district representation. As I said, we have three alternatives. A lot of you want district representation. Alright, assuming that district representation is what you want, the next problem is to go ahead and divide the different districts which seems easy enough for the districts. But that does not solve the problem of the commission. We've got to make this proportionate. Not only write to us and tell us you want district representation, but sit down and tell us how you propose it should be divided. Divide the County up and send this proposal in to us. It's not enough to say you want a man from Molokai; write it up and tell us how it should be divided; either by population, or by voting. And you don't have only Molokai and Lanai to consider. You've got to think of the other areas, Kahului, Wailuku.

Mr. Von Tempsky: How does Lanai and Molokai rate one man in the House of Representatives?

Mr. Crockett: You might not have him for very long. You might lose this yet.

Mr. Pladera: We have been hearing a lot about this statutory requirement on the Charter. You know logically that if you have to take this step, you have a lot to answer. The thought behind this Charter Commission is that they wanted to find out if we are ready for home rule and an indication as to how we react to this draft. If we say NO, they might say that we're not ready for home-rule.

Mrs. Napoleon: How do you arrive at who should be elected and who should be appointed?

Mr. Sodetani: We have certain criteria and formats in the model form of government which we can use and improvise so that it would be most beneficial. We feel and subscribe to the municipal government. We also feel that the legislative and executive bodies should be separate, and this is where we have to sit down and decide which one, in so far as responsiveness, efficiency, are concerned. (Chairman calls for more comments from the audience -- none received).

I know the people of Molokai are really interested in the kind of government they would like. Certainly the crowd



tonight is the biggest we've had throughout the County. Thank you again for the overwhelming vote you gave in the last Charter and I would like to say here that your former Commissioner, the late Cornwell Friel, did a lot of work. You have a new person now who filled the vacancy and your new member has done an excellent job and he's doing a lot of homework. He has indicated to me that he is more than willing to appear before any organization on the island to speak on the Charter. Call him. Some of us have been going out to the different organizations. In behalf of your charter commission, I wish to thank you for your participation. We will be back here the early part of next year with the final draft and will discuss the various provisions with you.

The hearing was adjourned at 9:50 P.M.

Respectfully submitted,

/s/ Harriet F. Cluney

Harriet F. Cluney  
Secretary pro tem