

MAUI COUNTY CHARTER COMMISSION

MINUTES
November 18, 1975

The meeting of the Charter Commission, Msgr Charles a Kekumano, Chairman presiding, convened at 3:30 P.M., Maui Beach Hotel Conference Room.

All Commissioners were present:

1. Mrs. Edwina Bright, Vice Chairman
 2. Hideo Abe
 3. Catalino Agliam, Lanai
 4. Mrs. Margaret Cameron
 5. Ralph Murakami
 6. Stephen Petro, Molokai
 7. Lloyd Sodetani
 8. Joseph M. Souki
 9. Dr. S. Moikeha
 10. Allan Sparks
- Staff: Mrs. C. Marciel

Others Present: Press: Maui News, Hnl Advertiser.

Chairman Kekumano called upon Commissioner Allan Sparks who in turn presented two proposals to ARTICLE 3. COUNTY COUNCIL. REFER TO ATTACHMENT.

PROPOSAL A: Sec. 3-1. Composition
 Sec. 3-2 Reapportionment (New)

PROPOSAL B: Sec. 3-1 Composition

There was lengthy discussion on district representation, particularly as it pertained to the combination of District 1 (Lanai and Molokai) and the other 7 districts as proposed by Comm. Sparks. The matter was deferred by Chairman Kekumano who also requested that other Commissioners present proposals at the next meeting if they would care to do so.

Chairman Msgr. Kekumano called upon Commissioner Joseph Souki who presented proposals affecting the following: REFER TO ATTACHMENT

- ARTICLE 5. County Clerk - No Change
- ARTICLE 6. Executive Branch - Refer to Devens
- ARTICLE 7. Mayor
 - Sec. 7-1 Change - Refer to Devens
 - Sec. 7-3 Change
 - Sec. 7-4 Change - Refer to Devens
 - Sec. 7-5 Change - Refer to Devens
- CHAPTER 1 - Office of the Managing Director - New


Discussion followed regarding options; whether or not to present them to the public - and if so, how many and in what areas. Should Sec.7-1 - Election and Term of Office - Should the change from two years to four years be an option? Comm. Abe felt this body should come up with something definite regarding a Charter, rather than to have everything rejected because of too many options or alternatives as "in the case of Kauai". The Chairman said this matter could be decided in January.

ACCEPTED

The Commission UNANIMOUSLY/the proposed charter amendments with the provision that such proposals would be deferred to Mr. Paul Devens, Commission Attorney for proper language and legality. ATTACHMENTS MADE A PART OF THESE MINUTES.

There was nothing further - meeting adjourned at 9:00 PM.

FOR THE COMMISSION:

Respectfully submitted,

Cecilia T. Marciel
Administrative Assistant

Attachments

Chapter 9
Department of Police

Sec. 8-9.1. Organization. No change.

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Sec. 8-9.2. Police Commission.

The police commission shall consist of seven members appointed by the mayor with the approval of the council for terms of five years.

The police commission shall:

1. Adopt such rules as it may consider necessary for the conduct of its business and regulation of the matters committed to its charge by law.

2. Request an annual appropriation for the operation of the department.

3. Receive, review and investigate any charges brought forth by the public against the conduct of the department or any of its members and submit a report of its findings to the chief of police.

4. Have such other powers and duties as may be provided by law.

Sec. 8-9.3. Chief Of Police

The chief of police shall be appointed and may be removed by the police commission. He may be removed by the police commission only after being informed in writing of the charges which resulted in his dismissal, and after given a hearing before the commission.

The chief of police shall have had a minimum of five years of training and experience in law enforcement, at least three of which shall have been in a responsible administrative capacity.

The chief of police shall:

1. No change.

2. No change.

3. Be responsible for traffic safety and traffic safety education.

Check the necessity for this duty being singled out and listed in the charter.

4. Train, equip, maintain and supervise the force of police officers and employees of the department.

5. Delete a/c state function.

6. No change. Check with Devens a/c General Provisions for Boards and Commissions.

Sec. 8-9.4. Dismissal, Suspension Or Demotion.

The dismissal, suspension, or demotion of any police officer or employee in the police department shall be under procedures set forth in the contract negotiated between the State of Hawaii and the legally recognized exclusive collective bargaining agent of the police. Refer to Paul Devens for legal wording of new change.

(Submitted by Commissioner Petro
ctm)

11/11/75

1st Revision - 11/17/75