

PRELIMINARY REPORT
BY THE
MAUI COUNTY CHARTER COMMISSION

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Honorable Eddie Tam
Chairman and Executive Officer
and Members of the Board of Supervisors
County of Maui
Wailuku, Maui, Hawaii

Gentlemen:

Section 6 of Act 73, Session Laws of Hawaii 1963, provides
as follows:

"The commission shall study and analyze the existing governmental structure of the county for the purpose of securing information that will enable it to draft a proposed charter adapted to the requirements of such county and designed to provide for the people of such county, a more efficient and responsible form of government. The study of any subject relevant to the government, property or other affairs of the county, or of the laws relating thereto, or of any matter or thing deemed by the commission to be pertinent thereto, and consistent with the purpose for which the commission was created, shall be deemed within the scope of the commission's work. If, after its study, the commission decides that a charter is not desirable, it shall so report to the legislative body of the county and by resolution of the legislative body of the county the commission shall be dissolved. If, however, the commission decides to draft a charter, the charter shall set forth the structure of the county government, the manner in which it is to operate and the powers of the county in local affairs and shall provide for orderly transition from the present government to government under the charter."

In accordance with said Section 6 of Act 73, the Maui County Charter Commission has conducted a series of meetings and public hearings for the purpose of studying and analyzing the existing governmental structure of the County of Maui, and to determine whether there is a need for a "new charter" or not. The term "new charter" used in this report means the charter that is to be drafted by the Charter Commission. In a sense, such a charter will not be a "new charter" since the county government does not

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have a "charter" at present, but for the sake of convenience we will refer to it as a "new charter."

The Maui County Charter Commission conducted sixteen regular meetings from June 28 through November 7, 1963. The members of the Commission also attended a special seminar at Hilo, Hawaii, on September 12 and 13, 1963.

The Charter Commission also met with the Finance Committee and with the Committee on County and Municipal Affairs of the State House of Representatives on November 6, 1963.

On November 7, 1963 the public was invited to listen to Dr. Robert Cahill and Mr. Michael Meriwether talk on the various forms of county governments and on other problems of the Charter Commission.

The Charter Commission met with the members of the Board of Supervisors and with members of the State Legislature on October 31, 1963.

Most of the legislators present at said meeting advocated the formation of a new charter. At said meeting the majority of the members of the Board of Supervisors, and Chairman Eddie Tam, at a prior meeting, expressed the view that a new charter was needed. Most of the Board members favored a "strong mayor" type of government with the terms of council members to run for four years. Several did not feel the need for any change. There was a divided opinion as to whether council members should run for staggered terms. There was also a divided opinion on other problems.

On November 14, 1963 the Charter Commission held a public hearing to permit the public to express their opinion as to the need of a new charter, and if so, what type of local government they advocated. This meeting was attended by several students from Baldwin High School and by a relatively few adults, many of them from the Citizen's Association for Good Government. The majority of those

who expressed an opinion at said public hearing advocated a new charter. There were a few who desired no change from the present government.

Throughout the meetings and hearings conducted by the Charter Commission it became evident that the powers, duties, and responsibilities of the county government were loosely defined and often confusing. It also became evident that the powers of the Chairman, of the Board of Supervisors, and of the various department heads were also loosely defined and difficult to pinpoint.

The Charter Commission has also, throughout these meetings, hearings and seminars, studied the various types of county governments which may be appropriate for the operation of the County of Maui. Thus, the Charter Commission has been able to compare the operation of the Maui County government, which has been classified as a "weak mayor" form of government, with other types of local governments, such as the strong mayor, council-manager and commission types.

As a result of these various meetings and public hearings, it is the unanimous decision of the Maui County Charter Commission that the form of government of the County of Maui be changed, and that this Charter Commission undertake the task of drafting a charter, setting forth the structure of the county government, and the manner in which it is to operate. This decision was made by the Charter Commission at its meeting of November 21, 1963.

The Charter Commission also decided, unanimously, at said meeting to adopt a strong mayor-council type of county government. This, however, is a tentative decision and may be subject to change.

Finally, on behalf of the Charter Commission, I wish to thank the Board of Supervisors for its generous help in all matters involving the Commission. I also wish to report that the county officials and employees were all very cooperative in furnishing

information and extending help to the Commission. The cooperation of the officials and employees have been of immense help to the Charter Commission, and it is our hope that this cooperation will continue until the Charter Commission has completed its work.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Masaru Yokouchi".

MASARU YOKOUCHI
Chairman