

MINUTES OF THE
MAUI COUNTY CHARTER COMMISSION

DATE: August 23, 1966

PLACE: Board Chambers, Wailuku, Maui, Hawaii

CALL TO ORDER: 7:35 P. M.

PRESIDING: Douglas Sodetani, Chairman

MEMBERS PRESENT: Douglas Sodetani, Chairman
Emil Balthazar
Edward L. Cluney
William F. Crockett, Vice-Chairman
Shiro Hokama
Nadao Honda
George Kondo
Paul Pladera
Keith Tester
James Ushijima
Charles C. Young, Research Assistant

MEMBERS EXCUSED: Harry Kobayashi

OTHERS PRESENT: Kase Higa, County Attorney
Miss Patricia M. Gouveia
Mrs. Helen L. Calasa
Benjamin Hussey
Melville McGuire

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ROLL CALL:

There were 10 members present and 1 excused at the regular meeting of the Maui County Charter Commission on August 23, 1966.

Mr. Edward L. Cluney, the newly appointed Commissioner from Molokai, was sworn in by County Attorney Kase Higa. Mr. Cluney replaces the late Cornwell Friel, Molokai Commissioner.

MINUTES:

The minutes of the previous meeting held on June 16, 1966, and the minutes of the seminars and public hearings held during the months of July and August were distributed to the members and approval of said minutes were deferred until the next meeting.

COMMUNICATIONS:

The following communications were received since the last meeting:

1. Minutes of the Kauai and Hawaii Charter Commissions;

2. Letter dated June 15, 1966, from Webb Beggs, Jr., Manager, Maui Chamber of Commerce;
3. Letter dated June 16, 1966, from James W. Smith, Jr., Secretary, Lanai City Lions Club;
4. Copy of a letter dated June 21, 1966, and addressed to the Honorable Manuel Rodrigues, Auditor, from Boniface Espinda, Deputy County Clerk, enclosing a copy of Committee Report No. 102, which was adopted by the Board of Supervisors, and which recommends the following:
 - a. Appropriation of \$10,284.00 for salaries for Charter Commission and staff for the period July 1 to December 31, 1966;
5. Letter of acknowledgment from Boniface Espinda, Deputy County Clerk, re receipt of our letter informing Board of Supervisors that the Charter Commission will undertake the task of drafting a charter; and
6. Copy of a letter dated August 9, 1966, and addressed to the Honorable Lanny H. Morisaki, Acting Chairman and Executive Officer, from G. N. Toshi Enomoto, County Clerk, re confirmation of the appointment of Edward L. Cluney by the Board of Supervisors as a member of the Maui Charter Commission.

LITERATURE:

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

1. Interim Report of the Charter Commission as submitted by Chairman Sodetani to the Board of Supervisors.
2. From Charles C. Young, Research Assistant, a reprint from the UPW Organizer.

Report on Hilo Meeting:

Emil Balthazar, who led the delegation comprising of himself, Paul Pladera and Harry Kobayashi, read his report as circulated to the members of the Charter Commission. Chairman Sodetani thanked the members for making the trip and commended Mr. Balthazar for the fine report.

It was noted by Paul Pladera that a lot of advertisements were made in the newspaper in regards to the Charter.

It was suggested by William Crockett to have the Research Assistant or secretary obtain copies of all the pleadings filed in the courts on Hawaii and Kauai, which involves the litigation pertaining to the Kauai and Hawaii Charters.

Mr. Young asked if copies of the pleadings should be obtained from the Supreme Court, too. Mr. Crockett said yes.

Evaluation of Public Hearings:

Chairman Sodetani felt the public hearings gave the Commission much publicity. Many read the articles which appeared in the newspapers.

Citizens Committee:

A memo was sent to the members of the Charter Commission to submit ten names of people in the County of Maui to serve on the Citizens Committee. The purpose of the Citizens Committee, as stated in said memo, is to assist the Commission in educating and selling the idea of a charter to the people. After the names have been compiled, Chairman Sodetani said a letter will be sent to these people asking them if they would be willing to serve on said Committee. This Committee will explain what the charter is about to the public. Their names will probably be used as far as advertisement is concerned.

Mr. Tester asked if it was possible to have the former members of the Charter Commission to serve on said Committee. Chairman Sodetani said yes.

Mr. Pladera felt the Citizens Committee should function now rather than wait until something is drafted. They could orient themselves and voice their opinion on certain provisions, and the members of the Charter Commission could ask them for opinions from time to time.

Although they may be invited to attend our meetings, Chairman Sodetani said most of them may not be able to attend because it involves so much time.

Mr. Crockett felt we should have something concrete to present to the public first.

Mr. Ushijima said they may come to the meetings and we may agree on certain provisions, but we still have to meet with the Board of Supervisors and there may be some changes or alternatives. What we agree and they agree may not be what the Board wants, he added.

Mr. Balthazar commented that our first job is to inform and then to enlist support.

Mr. Pladera contended participation is first. Chairman Sodetani agreed participation is an idealistic thing, but if you can't get it, we should be satisfied with the next best thing.

Mr. Tester said the best support would be through PTA's, church groups, Lions Clubs, Rotary Clubs, etc.

Mr. Hokama agreed with Mr. Balthazar's statement in his report suggesting that different organizations be encouraged to form a special charter committee to study the discussions of provisions the Charter Commission sends out. It would be our best contact of passing out information, he said. The special charter committee's responsibility would be to follow the charter and have periodical reports made to their specific organizations and if necessary, invite the members of the Charter Commission to speak to their group.

Chairman Sodemani reminded the members to bear in mind names of people to serve on said Citizens Committee.

Initiative and Referendum:

Mr. Crockett wondered if Section 11-1, paragraph 3, was not wrong specifically. He felt the people should have some recourse through initiative and referendum should the council who sets their own salary by ordinance be too high.

Mr. Pladera contended maybe initiative and referendum is not needed. Mr. Higa said these measures were needed to protect the public.

Mr. Cluney asked if any criticisms had been made on this particular section. Mr. Sodemani replied no. He said it was something foreign, something good, a protective measure, but very seldom used.

After some discussion, it was moved by Emil Balthazar and seconded by Keith Tester that the initiative and referendum provision be incorporated in the proposed charter. Motion was carried. (9 ayes, 1 no--Paul Pladera).

Mr. Crockett was specifically concerned about the powers of the Board to set their own salary. Mr. Higa wondered if the paragraph meant to be interpreted differently. Mr. Crockett said he would rather not leave it to interpretation. It should be spelled out and it should be clear, he added. Mr. Crockett felt the people should have the right to vote on the ordinance in the increase of salaries.

On motion by Mr. Crockett, seconded by George Kondo, Section 11-1, paragraph 3 of Initiative and Referendum was amended to the effect that said section would be applicable to any ordinance concerning the salaries of officers or employees not otherwise established by law. Motion was carried. (8 ayes and 2 noes--Paul Pladera and Douglas Sodemani).

Recall:

Mr. Higa, after some discussion, suggested the Commission leave the section on Recall as is after the Commission makes a decision on whether it will be four or two year terms.

The motion to tentatively agree on Initiative and Referendum as amended from the proposed Charter of 1964, and Recall was made by Shiro Hokama, seconded by James Ushijima. Motion was unanimously carried.

Miss Gouveia, an observer, commented she was happy the Commission allowed the people to have recourse through initiative and referendum on salaries of officers and employees.

Public Hearings on Lanai and Molokai:

Scheduling of public hearings on Molokai and Lanai were discussed. Shiro Hokama and Edward Cluney were asked by Chairman Sodemani to find out if the 15th or 16th of September, or the first week of October would be available on their respective islands.

Mr. Benjamin Hussey, an observer from Molokai, cautioned the Commission on the first week of October. He said Aloha Week may be observed that week. He suggested the Commission contact different organizations on Molokai after a date is set. He felt a better response would be had rather than a public notice for the public hearing.

Chairman Sodetani suggested the Commission meet with various PTA's and organizational groups during the campaigning and election period.

Next meeting:

Chairman Sodetani informed the Commission he would take up Article IV, Ordinances and Resolution at our next meeting on September 8, 1966, at 7:30 P.M.

There being no further business to be discussed, Emil Balthazar moved, seconded by Shiro Hokama, that the meeting be adjourned.

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

Respectfully submitted,

Ayako Ishikawa
Ayako Ishikawa, Secretary

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PUBLIC HEARINGS

Hana	July 10, 1966	2:00 p.m.	Helene Hall, Hana, Maui
Makawao	July 11, 1966	7:30 p.m.	Makawao School
Kula	July 12, 1966	7:30 p.m.	Kula Elementary School
Haiku	July 21, 1966	7:30 p.m.	Haiku School
Kihei	July 22, 1966	7:30 p.m.	Kalama Park
Paia	July 28, 1966	7:30 p.m.	Paia Gym
Kahului	July 29, 1966	7:30 p.m.	Kahului School
Wailuku	August 1, 1966	7:30 p.m.	Iao School
Lahaina	August 2, 1966	7:30 p.m.	Kamehameha III School

Byd. chambers

Aug 18, 1966 (Thurs evening) 7:30 pm

8/11-12