

CHARTER COMMISSION
MEETING MINUTES
MAY 7, 1992
COUNCIL COMMITTEE ROOM

PRESENT

James Cockett
Sherrilee Dodson (Vice Chairman)
Dolores Fabrao
Robert Nakasone (Chairman)
Victor Reyes
Allan Sparks
Anne Takabuki
Jamie Woodburn
Deborah Wright
Lloyd Yonenaka
Susan Ruidas (Staff)

EXCUSED

Annette Mondoy

GUESTS

Paul Mancini
Dave DeLeon
Brian Perry (The Maui News)

I. CALL TO ORDER

Chair Nakasone noted a quorum present and called the meeting to order at 4:21 p.m.

II. PUBLIC TESTIMONY

None.

III. APPROVAL OF MINUTES

The minutes of the April 23, 1992 and April 30, 1992 Charter Commission meetings were approved as circulated.

Woodburn brought up the concern that the minutes were being transcribed verbatim. He wondered whether procedurally tapes could be made of the meetings as opposed to typed minutes.

Chair Nakasone responded that he believed typed minutes were a statute requirement. He noted that the minutes could be summary, however he felt it was the general consensus of the commission that the minutes be verbatim. He asked Woodburn if he had any suggestions.

Woodburn suggested that the minutes be a summation, and that anyone needing detail could access the tapes. He felt it was a lot of work to generate this amount of material.

Fabrao noted that it had been discussed and that had the last Charter Commission kept the minutes in verbatim, it was felt that it would have been easier for commissioners to get the background on many of the things discussed. She pointed out that by this commission keeping all the information it will be easier for the next commission to know "where we came from."

Sparks pointed out that minutes of some meetings (Chamber of Commerce, Community Associations) didn't need to be verbatim, but that meetings from this point on that are closely tied to final decisions "it's good to have them verbatim."

Reyes noted that he liked verbatim minutes because he didn't have the time to borrow the tapes, and that a summary would be subject to interpretation

III. APPROVAL OF MINUTES

Reyes: (Continued) by the person doing the summary. He felt to be on the "safe side" it was better to have minutes verbatim.

Chair Nakasone: Just a note...I know we tried to amend the sunshine law requiring written documents for all meetings of boards and commissions, aside from the legislature; and, we thought tapes would be sufficient for public record but some advocate group fought against that.

Woodburn: I don't have a problem with the generation of the minutes, I was just mildly concerned about the time.

IV. COMMUNICATIONS

The following communications were received by the Commission:

92-35 Letter requesting appearance before the Commission by Larry Jefts, Chairman of the Board of Water Supply, submitted by D. Craddick

92-36 Memo from Deputy Corporation Counsel re: Budget Format, submitted by Alice Lee

[It was noted that this communication was missing a page, that it would be obtained from the mayor's office and would be forwarded to commissioners]

92-33 Additional pages of petition for Lanai Planning Commission to be added to original Communication 92-33, submitted by G. Hokama

V. COMMUNICATIONS - COMMITTEE REPORTS

A. DISCUSSION OF COMMITTEE A PROPOSED AMENDMENTS TO ARTICLES 1 - 7

Chair Nakasone: At the last meeting, there was this concern from Committee A this question of single seat districts, and we asked Paul to come and give us an overview of possible legal ramifications over the attempt to divide the County of Maui into equal districts. So maybe Paul, you can comment on the question of how do we really go about this question of single seat districts, in which we are dealing with population. Al has some figures that split the county into nine districts, something like 11,000-plus population. Now I think Debbie brought up a question...what are the steps that we should go if we decide to go with the single seat district, the question of how do you go about splitting up the single seat districts. I know Lanai/Molokai, somehow it's going to be tied in with portions of Maui. So, I guess we're looking for some kind of opinion of the legal questions that might come up.

Mancini: The basic criteria is that when you put up your districts, you're going to have the districts identified so that they meet these requirements on the one man, one vote...so that my vote would count as equal as Allan's vote when we vote for the person. If we create a district with three voters, obviously it's not going to work; the votes have to be weighted equally. Then the question is how do you go about creating that classification and I checked on the Big Island as to what they did. They developed a consultant who provided their statistics for them, and those statistics gave them a number of variables by which they would be able to look at the criteria. From the variables, whatever that standard was on the Big Island, in breaking the island out into those equal districts, they looked at a number of ways to do it relative to geography and precincts; and then they went to a public hearing with the variables, got the input from the public and then I guess they are created already -- they established the districts that will be voted upon at the next election.

Mancini: (Continued) Allan, you've already calculated 11,000 voters?

Sparks: Well, I think the legal issue that Debbie raised is is there good legal reasons why we as a body couldn't do the mathematics and the geography, with the help let's say of the Lieutenant Governor's and the Clerk's statistics, and so forth; or, would we have to have an apportionment commission? Is there some legal reason why we should have to have an apportionment commission?

Mancini: I don't know if you legally...why you would have to do that. I think the problem on the Big Island was time and the ability to do the calculation, and feel comfortable that they were done correctly. And second, go to the public and get an adequate response from the public, so you were being fair in the political process -- people could comment on it and then you could deliberate on it. You've obviously... I think you could put it on the ballot; I don't know of any reason you couldn't, Allan. I'll research it further; I didn't know that this was the issue, but I don't know why you couldn't put it on the ballot -- there should be nine single member districts which shall be comprised of A, B, C, D, E, F, G -- what they are, and define them. Obviously, you've got a two year period after that before they become effective, and consequently you are losing quite a bit of the political process that may be healthy...in doing it...

Sparks: Well I see the political process as when the voters decide they want to vote for that scheme or not, as opposed to voting for an unknown scheme that some future apportionment commission is going to put together. The other question that occurred to me is is there a possible legal problem in terms of the population figures that you use. Now we've got 1990 census, we're using that right now...if we put together a scheme and it was voted on in the election this year -- 1992 -- by the time we're actually voting in these districts it's 1994...population has shifted quite a bit. Would we, for example, maybe be required to use the best state's estimates of what the population is as of 1992 when you divide it, instead of what it was in 1990 census? I don't think we would, but I'm just...

Wright: I don't think so, Allan, in fact, I think you want to stay away from that. It probably...this is just my own estimate...that you probably want to stay with something as concrete as the census, normally instead of some other estimation which is really subject to challenge, you know, somebody's estimation; I agree on that. My concern is that when they have not had input into the process, I have a lot of concern when the people have not had a chance to have a hearing in advance, so to speak, as Paul's talking about...and say this is where the line should be, that... I just don't feel comfortable with it. Maybe it's good to know that Paul's going to look at it further; it's good to know that there's probably no problem with us doing our own division, because I did have concern about that...whether we would be the appropriate body to do that. But timewise...

Sparks: Of course, my thought of the timeline was that we would be a little further along than we are now at this point in time, and then we could put together a definition using precincts primarily, like I've done already, and go to the public with ...we have precincted the boundaries, and we have populations for them...we can put them together in districts that are equal in population... There's another thing when you are looking into this -- could you define what the maximum deviation is? [Question was directed to Mancini.] I think the state apportionment guys have already done that, and it's something like...is it plus or minus five, so a total deviation ten? Or, is it seven? I've forgotten; it might be good to know exactly what that is.

Mancini: What I'll do is I'll check with the Big Island on their commission and their statisticians, see what their views...because they would be the best source right now. Another scenario...I understand your concern is it's difficult to go to the voters

Mancini: (Continued)...shall we have nine single member districts and they don't know what they are voting for -- whatever they get, they get. Another scenario is to treat it the way the water board was treated a few years back...then you identified a separate commission to work only on that process, and then they put on the ballot the one issue... and that commission could put on the ballot do you want nine single member districts, and this is the geography. That's the only issue that they would work on for that period of time; that would satisfy your concern. So, the vote would not be would you have nine single member districts [but] should be we appoint a commission which would investigate the feasibility and present it to the voters.

Sparks: Yeah, I understand what you're saying. That was done in 1983, I think; a special commission dealing only with how we elect council. They came up with recommending seven with no residency area requirements -- at large, right? If we do that, it seems to make sense to give them the whole ball of wax about electing councils, what kind of a recommendation they want to make. I don't think we'd want to say a special commission just to recommend a districting scheme, although maybe we could...that would be just like an apportionment committee wouldn't it?

Mancini: You could put it in more specific...you could say should a commission be appointed which would present to the voters the issue as to whether there would be nine single member districts, and the geography for the same. Geography is probably the wrong word, but that would be quite specific...

Sparks: Well, we did at one time discuss that in my committee meeting...putting some recommendation in there for changing the at large residency areas, but also a separate question of should there be a special commission...or a special question, in effect asking the voters do you want true district representation, and in some fashion...

Mancini: Another way is to appoint a commission that was mandated to bring to the voters to vote on the nine in the geography, so you're not voting on nine now, you're only voting on the commission which gives them the opportunity to vote on the nine; which probably makes more sense.

Chair Nakasone: Questions? Paul, let's say the question's really single member district or at large. The current system we have now is an at large representation; now if we're considering the possibility of amending the Charter for identifying single member districts, what you're saying is to put on the ballot the question of single member districts?

Mancini: What I was trying to do was address Allan's concern, which I understood to be that it was unfair to place the voters to vote on nine single member districts -- whatever number it is -- without knowing what those districts were going to be geographically. I was trying to address that concern, which seemed to me a valid concern. And, my scenario that would accommodate that is you put the question on the ballot -- should there be a commission which would present to the voters at the next election the opportunity to vote for x single member districts and the geographic boundaries are the same. So, you're voting for both at the same time, and that would be a... The commission would have to present it; obviously the voters don't have to vote in favor of it, but it does combine the package the single member districts and geography in one, which avoids Allan's concern of what they did in the Big Island because they bought something they didn't know what the final end was going to be.

Chair Nakasone: So you're saying on the ballot, let's say if the question was in favor of splitting the county into single member districts that the commission has created to define

Chair Nakasone: (Continued) districts, and that would be put on the ballot.

Mancini: Yeah, they would have to create a number of single member districts -- you don't have to tell them how many it would be -- and they would have to give you geography, and that would be their mandate; they had no choice but to do it. Then the voters don't have to vote in favor, because they can vote it down.

Sparks: So this election the voters would be voting for such a commission to present the voters with that option...

Chair Nakasone: Right...in 1994...

Sparks: ...and the defined districts in '94.

Chair Nakasone: ...which would be put on the ballot in 1994.

Sparks: Which then wouldn't go into effect, if the voters voted for it, until '96.

Chair Nakasone: Right.

Sparks: And then you'd have to have also cranked in there some kind of reapportionment thing to go into effect in the year 2000.

Chair Nakasone: A review like the City and County, yeah.

Sparks: So it'd be '96, '98, 2000...

Yonenaka: How often do they have to do it that way then?

Sparks: I think it's typically done every ten years, right? The reapportionment exercise, because that's when you get your census done...

Chair Nakasone: The City and County has what...every eight years, yeah? Their requirement.

Yonenaka: Is that when it's done...

Chair Nakasone: They have a reapportionment committee that reviews the districts. Any other questions?

Yonenaka: Are we going to decide that issue today, Bob?

Mancini: Which is said with such enthusiasm!

Chair Nakasone: Well, you know, I think Al wanted some kind of reaction or decision in regards to the question of single member or at large, you know, position of this commission. And if so, then... I mean if the commission feels that this would be a...in favor of a single member district, that the next step would be to... What procedures? Like Paul mentioned, that we should put it on the ballot again as one question in regards to district...the creation of another commission that deals specifically with the district and the process of putting that on the ballot in 1994. Or, the commission decides that our present system is working and we should not change...well, that's a decision of the commission also. So, that's where we're at at this...

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Reyes: Or, another possibility is like what Al had in the beginning, that if we decide...if the commission decides to have a single member district, recommend at the same time what those districts will be.

Sparks: Yeah, my position...my first preference still is to put together our own... is to first of all decide that we would like to put together our districting scheme, and then to go ahead and put it together. I still think there's enough time; I don't... Maybe I'm naive; maybe there's something I haven't seen yet, but I don't think the mathematics and the geography's that difficult, and the population statistics are that difficult to get and to mold into a districting scheme that we might...at least most of us...agree with and put out to the public, get some reaction, maybe possibly revise it and then put it on the ballot. I still think there's time to do that -- that'd be my first position. And if not enough of you agree with that, then I'd take a second position.

Chair Nakasone: Well unfortunately, you know, I think this commission really hasn't received adequate input from the public in regards to what's the preference or why is the district better than at large. And, I have mixed feelings about it myself. I can see, which Al mentioned before, the advantage and disadvantage of one or the other. Candidates-wise, it would be a heck of a cost savings for them if they look at district...single member district. The question of canoe districts with Lanai/Molokai being part of Maui's district is another question that has been brought up. There's some political ramifications in terms of single member districts where you can have a very heavy tight majority that would create some problems in terms of an organization of the council...a question of CIP matters; but that's part of the City and County of Honolulu had...now... What's the pleasure of the commission?

If there's any other questions...I guess the real question the chair has, I think some of the members have expressed that concern, is really the legal question... Is there anything else besides just numbers that we have to consider? Compatible areas like rural or urban...

Mancini: No, it's the one man, one vote. I'll...actually I didn't know really what your questions were. The message I got was think about single member districts.

Sparks: I think there's enough of us already thinking about it, yeah?

Mancini: So, I called the Big Island to see what the last commission did...but I could write you a memo on the standards for next time and you could feel more comfortable on it. It seems to me there are five choices though to think through. I mean, one choice is to do nothing -- leave everything the way it is. The second choice is to do something with the at large system -- right now we've got an at large system and you could do... there are many variables with that. The third is just like the Big Island -- just go to the voters...we want x number of single member districts. The next thing is Al's suggestion -- you go to the voters with single member districts with the geography. And the fifth thing is something like a commission that would look at it. And those are the broad choices -- the menu you have.

Sparks: And some of those are not incompatible. You could do the commission idea that Paul just hatched and the...juggling the residency areas that we have right now in the meantime. I would... Okay, are we at a position now where we can put a motion on the floor and start discussing it, and then vote on it, and then go to the next motion and so forth? Get some things done...

Chair Nakasone: Well, I don't think we're done with the comments, you know... The chair

Chair Nakasone: (Continued) was going to suggest another approach to this...the makeup of the council, or the fact of the recommendations per Committee A, B and C...that this would be a good start to have and to present to the public for public reaction. Not necessarily a commitment, this commission's position, but to put out to the public your committee's recommendations and have the public respond to what the recommendations are. Like if you are saying single member district... Number one, your initial proposal was to cut up the districts and lay it out, and this is going to be it...and that's comprised of nine single member districts. Okay, if that's the recommendation of your committee, I believe that we should compile your three committees' recommendations -- put it out to the public.

Sparks: Let me be clear. That's my recommendation, not the recommendation of the majority of my committee...

Chair Nakasone: Oh, you don't have a majority of your committee?

Sparks: ...but the committee at that time...

Chair Nakasone: You're a minority.

Sparks: It's a little different procedure here than you are used to, Bob. The committee met way back over a month...well, almost a month or more. And, at that time our recommendation was just like you're talking about -- let's get some more feedback, let's put it out...in fact, you're the one that made the recommendation in that committee meeting...

Chair Nakasone: Right, right...an article in the paper.

Sparks: Get an article in the paper, and so forth. We've done that now. We haven't met again and made a formal...taken any kind of formal vote. I am curious though...what happened in the interim; how many of the rest of you were approached by anybody with their preferences on this, one way or the other? I mean, six or eight, or nine or so people approached me and all but about one of them said they liked the districts, but then they knew I wrote the article. What did the rest of you find?

Wright: No comments.

Fabrao: I haven't gotten any.

Cockett: No reaction.

Yonenaka: You mean as far as your districting?

Sparks: Yeah, has anybody said one way or the other what they preferred?

Takabuki: Same. Keep the same.

Sparks: Okay, and how many people is that?

Takabuki: Two or three.

Yonenaka: The majority of the people feel it's the same...I figure ten or fifteen people; and, a few are on the fingers that want Lanai and Molokai to have nothing.

Sparks: The ten people you are talking about are actually preferring to keep what we have?

Yonenaka: They like the at large system; in fact, they want to go one step further and say the at large system works fine, but Lanai and Molokai shouldn't have theirs... which they don't understand the idea that they vote for the guy anyway, you know. But, that seems to be the... And, I have to say though, at the same time I've had comments on the other side that want districting -- half a dozen people maybe.

Chair Nakasone: Well, I did talk to some people...in fact, I had some respond to your article, and some of them came from members of the council...

Sparks: Well, they're people too... We can count their votes.

Chair Nakasone: And, they all voted you down.

Woodburn: That's only nine votes...

Sparks: Well that's interesting...

Wright: Yeah, you would have thought some of them would have...

Sparks: No, I'm not too surprised. Most people who are winning under the system the way it is now, don't want to change the rules. That's kind of standard nature...human nature.

Wright: That's true.

Chair Nakasone: But, Al, I think you also mentioned that...the possibility of combining the question in terms of district with terms, or limit of terms...that was another possibility.

Sparks: Let me try... I separate the limitation of terms, and even the length of terms, from the districting system, myself. I think we can separate those two...

Chair Nakasone: But that's what they did on the Big Island...they combined that.

Sparks: Yeah, well, it didn't make any sense to me what they did on the Big Island...

Fabrao: It didn't make sense to them, either. They couldn't explain it...

Takabuki: It was a mistake.

Chair Nakasone: Al, you know, the chair feels that we really didn't have a good feedback from the public, in regard to any comments to the Charter, because we had nothing really proposed. But it seems that when the committees were making recommendations on the Charter, and had this put out prior to our decisions...I think it would have a better impact.

Dodson: I think the best impact you're going to have though is if you take something out that's concrete...We want to go districts, and let them come out full force against it; or we're going to stay at large and abandon districting, and let them come out with that. If you come out with what you've got right now, which is a... Al Sparks says yes and the rest of us say I don't know... What are they going to say?

Wright: That's right.

Dodson: I mean, I like the idea of Paul's idea of five different suggestions... Number one, number two, number three, number four, number five... Now, we're going out to the public with that...

Chair Nakasone: I don't know... Any questions to that, or comments to that? Jamie.

Woodburn: I would like to see us come up with a position and take that position out for feedback. Not so much five options, but this is the sentiment of the Charter Commission right now and we'd like to present that to the public...what are your feelings. It's a modifiable position; if the feedback indicates...hey, wait a minute, back up -- we don't want it, then the Commission reconsiders those issues. But, step one would be for this body to take action on the recommendations from each of the committees, and then to take those out for public comment and review. But if the review indicates that there's a consensus or not, then modify it...do our homework, and create the material for ballot. I don't know that having public hearings and taking the material out is going to be any more well attended than what we've already experienced, which isn't an overflow of public interest.

Chair Nakasone: Well, Jamie, the committees are coming out with proposed amendments, which there's some kind of action taken by the committees of what they would recommend to this full commission. And, it seems that those have been fairly concrete proposals that we can put out to the public. For example, in Al's committee he says he doesn't have the votes to get this single member district out.

Woodburn: Is that what you're saying? I didn't hear that.

Chair Nakasone: That in a sense, doesn't reach this commission.

Sparks: It didn't come to a vote. My feeling is that we've done a kind of a round on them. With this districting thing, I mean, we went all over the county and showed them a conceptual map; we threw out...to those who were willing to come to the meetings...the ideas and we got some limited feedback. We did it again with the Chamber of Commerce, and we did it again with the Council of Community Associations... It's not surprising that there wasn't an overflow of dramatic interest, because people are busy...and this is complicated and it's distant in its effects on them, so there's a limited number of people that are paying close attention. I think inevitably, the general public expects us to do the serious studying, come up with our best judgments and make a recommendation to them. And, that's our job. On this districting thing, I think we probably... I would hope amongst us atleast, not talking about the general public, but amongst us...we should have enough feel for it now to make a reasonable judgment, and decide what we want to do... what we want to recommend to the voters now. It can be tentative in the sense that we still have time to put it out there and then revise it if we want, but it should be a fairly firm recommendation I think. And, you know what my preference is, but then...one of eleven, that may not be the commission's preference.

Wright: I agree with you, Bob, that I don't think we have as much input as maybe we'd like at this point. I have to agree that we don't have enough time to get much more input. And then to consider it, I think we do have to come to some sort of consensus on what we're proposing; and hope then that we get some sort of feedback when we say -- yes, let's go. I mean, I know how to get feedback...we'll do the districting, and we'll divide it all up in some interesting fashion, and we'll get feedback right away from that, it that's what you are looking for. But, I think that other than tactics just to get feedback, that we just don't have time for that; and that we'll have to hope that whatever consensus we come to, we will get some feedback so that we know whether we're just totally

Wright: (Continued) off-the-wall as far as what the voters want, or whether or not they have an interest in the subject at all. And I agree that, while it's difficult with the information that we have, that we may have to come to some sort of initial proposal... because we always knew that whatever we went to the voters with at this point, is going to be an initial proposal in the hopes of getting some feedback, for a starter. And, I don't think anybody on the commission is bound to it; if we get feedback, we vote again ...I think that's when we clearly change our votes. And so somebody who's in favor of at large may say forget it, what the public needs is districting and go to that; or vice versa when we go out there. So, I just don't think we have much more time in which to come to our decision.

Chair Nakasone: Any other comments?

Sparks: I would like to put a motion before the commission that we recommend to the voters a nine equal district representation system for the council.

Chair Nakasone: Is there a second?

Reyes: I second the motion.

Chair Nakasone: Second by Victor.

Wright: Are you making... I'm sorry.

Sparks: Yeah, and the other qualification was that we define it, and put it out there as a recommendation...define it geographically.

Wright: So the commission breaks up the districts?

Sparks: Right.

Chair Nakasone: You're talking about this commission creating nine single member districts.

Sparks: And putting it to the voters, right.

Chair Nakasone: Discussion? Victor.

Reyes: Mr. Chairman, the reason I seconded the motion is we've been discussing and it's time to get away from the issue, but we really have to tackle it. And I think it's just fair to discuss the subject by having the motion on the table, rather than discussing the subject before the motion is on the table. That's the reason I seconded the motion. I think we should formally put it on the table and discuss it, so that we follow Robert's Rules of Order.

Chair Nakasone: Excuse me, Victor...we are really still continuing Al's report...committee report, but the question is to create nine single member districts, which would be geographically determined by this commission. Any more discussion? Debbie.

Wright: I am strongly opposed to this commission dividing up into the districts. I don't think we have the proper time to study it; I don't think we have the understanding of the political implications, and I'm not talking about for the politicians, I'm talking about the political implications for the people...in the way we draw the lines. I do agree that Al can...I'm sure very easily...do the mathematical computations and define the precinct, but I don't have the time to give it the sort of study...and I don't think

Wright: (Continued) we do on this commission with all the other things that are pending before us, to feel comfortable with recommending a certain district scheme to the public. And so, I feel that with the fact that this commission would be dividing and recommending as far as districts...specific districts are concerned, that I don't think that's appropriate.

Chair Nakasone: Jamie.

Woodburn: What about if the motion were amended to deal with the issue of just single member districts? So that if there were a motion on the floor that if this commission favors single member districts or not... Is that more palatable?

Dodson: I'd rather not complicate this motion by amending, and amending, and amending... I like to do this motion and defeat it or approve it...and then I'm sure Al will make another motion.

Sparks: How did you know?

Dodson: And then once that gets defeated, he'll make another motion...

Sparks: I won't need to make another motion...this one's going to pass.

Takabuki: You only have two, right?

Chair Nakasone: Futher discussion? Let's do a roll call on this...

Sherrilee: No.

Dolores: No.

Victor: Yes.

Jamie: Yes.

Al: Yes.

Anne: No.

Debbie: No.

Jim: No.

Lloyd: No.

Bob: No.

Chair Nakasone: Seven noes, three ayes. Okay, the motion dies. Mr. Sparks.

Sparks: I don't want to disappoint Sherri, so I'd like to make another motion. And this motion is that we keep the at large system but revise the residency area requirements in such a manner that all nine members have a residency area requirement, and there's nine separate election contests.

Dodson: Second.

Chair Nakasone: Second by Sherri.

Wright: I'm sorry...could it be repeated?

Chair Nakasone: The motion is to retain the at large system, but to create nine residential requirement areas, rather than at the present time we have three central...one at large. Discussion? Lloyd.

Yonenaka: I assume...are we again going to be the ones to decide the nine different districts?

Chair Nakasone: Well, I think conceptually we're looking at an at large...still an at large system...

Reyes: Remember now, Lloyd, you said no to the district...

Yonenaka: Wait a minute...you've got a different... This is not a district now, this is a residency requirement...

Reyes: So you cannot say a district...

Yonenaka: Right. Okay. My question is are... Does this mean this body will decide...

Sparks: That was the intent of my motion...I guess I didn't make it clear that this body will redefine the residency areas into nine equal...or separate residency areas.

Yonenaka: So in that case we don't have a problem with one man, one vote. We don't have a problem...economic...

Chair Nakasone: No. Discussion? Jim.

Cockett: I'm curious...question here... When you say nine districts here, what happens in the central district? There'd still be three...

Chair Nakasone: Three separate residential areas...

Cockett: Okay.

Chair Nakasone: ...and there will be no at large seat, and possibly two East Maui residential areas. Further discussion?

Sparks: Let me point out something Paul just made clear to me, too, and I thought it was clear in what I said... But, if we're going to do that, then we have a subsequent action which is to actually define the residency areas and be prepared to put forth plans before the commission next meeting...to work on that.

Chair Nakasone: Well, if you follow the current Charter they identify the precincts...

Sparks: By precincts, and I have already a tentative scheme by precincts but it could be easily revised by the commission.

Chair Nakasone: If there's no objections, Al, if this motion passes...would that be part of your committee's report?

Sparks: We're commission now...it's part of the commission's work... Oh, you mean passing it back to the committee?

Chair Nakasone: Yeah, no problem?

Sparks: Right, right. Committee members, you all agree to do that?

Chair Nakasone: Further discussion? Roll call again...

Sherrilee: Yes.

Dolores: Yes.

Victor: No.

Jamie: Yes.

Al: Yes.

Anne: Yes.

Debbie: Yes.

Jim: Yes.

Lloyd: Yes.

Bob: Yes.

Chair Nakasone: One no, nine... So by the rules we pass by eight...minimum eight votes.
Motion carried. Al?

Sparks: I would like to make another motion that we put...that this committee... this commission put on the ballot that we're recommending to the voters that there be a commission...a special commission appointed to present to the voters an equal single member districting scheme for future council elections...geographically defined single member districts scheme before the voters for future council elections.

Wright: I have a question about the motion. If it's the proper order, I don't know. Can I ask a question about the motion?

Woodburn: You've got to have a motion...

Chair Nakasone: There's no second to the motion, so...

Woodburn: I second the motion.

Chair Nakasone: Okay, second by Jamie.

Wright: Now, my question is about the motion... Are you saying that there will be on the ballot a recommendation that a commission be appointed to do districting and present it to the public, or, to examine the question of districting?

Sparks: No, to do districting.

Wright: Okay. I just wanted to make sure I understood.

Dodson: So this would be a conflict of what we just voted on for at large...to remain with at large. Didn't we just vote to remain at large?

Sparks: Well, not exactly because...

Mancini: The voters would not have to vote this in though. They would have the choice to say...yes, we will go to single member districts, or no we won't... If they said no, your existing scheme...it it passed...would stay in place.

Dodson: Okay, so there will be two proposals on the ballot, if this one passes... One that says we will stay with our at large but we will go with nine equal resident...

Sparks: As I see it, if they pass our earlier recommendation about at large single residency areas, that would then go into effect in 1994. And at 1994, the special commission would recommend in that same election a districting scheme, that if the voters passed it would go into effect in 1996.

Dodson: I see...sounds pretty tricky to me.

Chair Nakasone: Dolores.

Fabrao: Wouldn't that kind of confuse the voters? It might just shoot down what you're working for...what we just voted... I would be confused.

Dodson: I am confused.

Sparks: Nah....

Yonenaka: Well, what we're saying is that this is where we want to go, but we're going to go one step at a time...because we don't think we can go the full step...

Sparks: Right. It's more of a one step at a time...

Yonenaka: Okay, but at the same time...why can't we go more than one step at a time? Being on the amendment now is a different impression than the first one that go defeated... it's a basic... The intent is we will go to districting, and we...

Sparks: No, the intent is to present to the voters, at a future election, a districting scheme for them to say yes or no... But not at this coming election, and not done by this commission but done by a future special commission.

Yonenaka: Okay, then my feeling is that districting will not in any way be passed with this commission, because the first vote...why should we pass on the second vote?

Wright: But that's not really correct. That's why I asked him about the clarification...is because he's saying there will be a recommendation of districting, and divided into districts...here's what it is. So, you are recommending districting, okay, because you are saying we're going to appoint a commission to do the districting. Then you can vote it down public, but we're going to establish a commission to actually do the districting, not just to make recommendations. You see what I'm saying? It's not something where they're going to go and do a fact finding...should we have districts or not, they're

Wright: (Continued) going to do a here are the districts, and then you either approve or don't approve the districts. So to me, it's a combination but it's a step further than just saying that we're going to let someone else recommend for the future.

Yonenaka: Right...you know, we're giving you the whole shot...right, okay.

Dodson: In other words, you're saying when we say these are the districts...vote yes or no, if they vote no, that means no districting period? Or we don't like these districts?

Wright: I'm not sure.

Sparks: If they vote no on the commission, then there is no commission to recommend the districts...

Dodson: I know, but let's say we get past that, and we get into 1994...whenever you're going to have this come up on the election again...and you pose the question -- here are the districts, vote yes or no. If they vote no, are they voting no for districting, are they voting no for I don't like being with West Maui, I don't like being with South Maui...whatever...

Sparks: It could be either or all, right?

Wright: You see, that's kind of confusing...

Sparks: But at least they're on the concrete districting scheme. Now, I'm assuming there may be a fair number of you around this table that are somewhat interested in a districting scheme but don't feel we have the time to do it properly, and to give it the proper public discussion and education, and so forth. So, we could have a special commission do that...with more time and with that limited mandate.

Chair Nakasone: Further discussion? Dolores.

Fabrao: Yes. So what you're saying is that this motion that you made, that would be put on the ballot with this other recommendation...the at large with residency requirements is going to be put on the same ballot this year?

Sparks: As a separate item.

Fabrao: I understand that...as a separate item; so it's kind of contradictory because we're...well, I know that there are some who want the districting, but if people are pretty satisfied with the at large...obviously we haven't had that much input from the community saying that they didn't want the at large, and they wanted the full districts. We really haven't had that much, and maybe it would satisfy most people if you had the residency requirements and the at large system, which seems to be working. But, if you put that on the same ballot, or even as a separate item...it's still confusing...you have the at large and then you're going to go purely districting... I don't see where we can get that vote together. I don't know...I may not be understanding it correctly.

Chair Nakasone: Anne.

Takabuki: To me, if this commission even wants the subject to be pursued further, before the next ten years, then I would rather see a commission that studies the entire issue as opposed to saying we've already decided that it should be studied in single

Takabuki: (Continued) district format and you propose what the lines should be. So again, to me it's just if we really want to pursue this or have it looked at earlier than ten years, we should just say look at the whole kit and caboodle, and you can put something... three or four choices, whatever it is.

Fabrao: I could go with that kind of language...that you ask a commission to be formed to look at the whole situation...whether people would want to stay at large, with what we voted on, or go districting. And then that...I could buy that...I could go with that.

Sparks: My problem with that is...like the last time that was done, in 1983, they came up with an abortion of an idea... They wanted to go backwards instead of forwards, but why give them that choice if we already know that there are certain things...if we already, in our common wisdom, have decided that we want to limit to certain possibilities ...go ahead and limit it.

Wright: The problem with it, Al, that I'm saying, is that I understand what you're saying and I don't mind having a commission divide things up, because that's one of my problems that I really don't think we should be getting into the division aspect. But, I have a problem because what we haven't addressed...what Sherri brought up...is what are ...what is the commission going to do, and what happens if they come up with a proposal and it's voted down? If we put both of these on there, where are we exactly? Say they approve both, they approve that you go to at large with nine, and then they approve a commission to do the districting; but the scheme that they come up with, nobody likes, and they go...we vote it down. Is it going to be crystal clear then that we are still at large with nine?

Sparks: Sure.

Wright: Or do we...or is it clear that we have voted for districting...you know, that they've approved districting, but the commission screwed up and nobody can agree on the districts that were determined. You know, I'm a little concerned about that because it does seem contradictory in nature.

Dodson: Plus too, when you think of what we're going to have in the public is this ballot...and we're not going to have all this space and all this time to put on the ballot...hey, this is what the reality is...we're going to have at large for two more years, and then you're going to have a chance... And, we're not going to put all what we're discussing down on that. I think what it's going to look like to the public is just a ballot and they're going to be choosing between at large and districting. That to me is the confusion...putting two different ideas -- totally different ideas...

Sparks: But, they vote yes or no on both ideas.

Dodson: But even still, when you put two...I mean, addressing the same issue, right? Whether it's districting or at large, and then you put something like vote for at large, and then the text...I don't know how it's going to be written; it would have to be just so crystal clear that after this at large...after two years of this at large, there will be a commission appointed to discuss the districting and how it will be done. I mean that's just terribly confusing to the public.

Chair Nakasone: Jim, question?

Cockett: Getting back to the residency, that's going to be divided up into nine

Cockett: (Continued) areas, and technically those nine areas are going to be the districts we're talking about where the residency comes into play...equal districting...

Chair Nakasone: No.

Cockett: No, not at this vote, but the idea is the commission will come in and do that...not necessarily in '92; but, we just formed the commission, am I correct? The selection...they appoint a commission to do the district.

Chair Nakasone: Yeah, the motion is to create the commission to identify districts. So, the voters vote on the question of creating this commission...

Cockett: Whether they have a commission or not...okay, that's what I was thinking. I mean, there's two separate things we're talking about...

Chair Nakasone: Okay, further discussion? Lloyd.

Yonenaka: I really think it's just too confusing, I mean...

Cockett: I was confused...

Chair Nakasone: Are you ready for the question? Everybody understands the question?

Sparks: I really don't think it's too confusing...

Reyes: Mr. Chairman, we heard so much testimonies on this subject; I think this is the most...this is the subject that we heard the most testimony about. And I, myself, am not confused...I've learned alot, and if you think you're confused...I don't know, but it's crystal clear to me that what we're trying to do is, you know, we're trying to present to the public that yeah, maybe this is a step...a progressive step, you know. Right now we go to an at large system...a totally at large system with a residency requirement; and the ideal thing is really to have a district, because people...although they may not have expressed precisely that I want to have a district...when you talk to them...people that I've talked to, they feel that the guy or the person in their residential area or residency district, is my representative. To me, that means that they meant that they had a district representative. When the person from Lanai said that Goro is our representative, to me that meant that those people think that Goro is their district representative. When I talked to someone in Pukalani, yeah, they thought that Alice Lee is their representative; to me they mean...it means that Alice Lee is a representative from upcountry. So, we're just trying to put it where it is and that way Al's motion to in the future go one step, to me is not confusing if it's put properly in the ballot.

Dodson: I don't know because you started out a little bit different on this, but I'm not confused about the difference between districting and at large...I know exactly the difference, and I'm not worried about the public being confused about what is districting versus at large. What I'm afraid of is that when you put two...and I've seen, you know, proposals on ballots all the time and they're always confusing, no matter how much you try... When you put them on the ballots, no matter how educated they are on the districting...the difference between districting and at large...when they see the two things on the ballot, they are going to think it's yes or no, period; I'm going to vote for at large or district. But, that's not what we're saying. We're saying vote for at large, yes or no; and then say in two years or four years...vote again...

Sparks: On a commission...

Dodson: On a commission... No, what we're saying is if you vote yes on this...to create a commission, then you're going to be voting again on whether you want districting or not. And that to me is confusing. It's adding these steps. If you want to, in four years, approach this issue again...then, you know, there's got to be a different way of doing it than putting them both on the ballot. Well then, just stick with the at large system the way it is now...but the concensus to me is that everybody on this commission wants at large to change a little bit, but stick with at large.

Sparks: It seems to me, if you don't want districting...you wouldn't vote for this motion. I would not like to see you not vote for it because you're afraid we can't put it on the ballot clearly.

Wright: I agree with Sherri, to the extent that if we're going to put this motion on the ballot, then we should leave the at large system the way it is and not put something on that adds or changes the at large. We should rescind our previous vote, leave at large exactly like it is in the Charter, and then say -- do you want a commission to divide up into districts in two years to make a recommendation to you on that. And leave it...because that way you have your at large system, it's in place; you know where you stand if they say no on the commission, okay? You know where you stand if they go and they say let's have a commission...the commission divides it up, and they go gosh, I wouldn't have those districts for anything, and they vote no. It just stays the way it is, but I think right now when we recommend that the at large system be changed, and at the same time recommend that they go to districts through a commission... and vote again in two years...I do think that that is a problem. I think that's a very conflicting message that we're sending out. Either just leave the at large alone, the way it is...and say do you want a commission to divide this up into districts... But, don't recommend both that the at large system be changed and that the commission be established solely for the purpose of division of the districts. That's why I was asking is it solely for the purpose of division, or is it for a general study and a recommendation as to what we should go to in the future. And, the only other thing that I can think of is that you could put something on -- should this system be reviewed in four years? You know, if you don't want to go to...if everybody's having a problem with...let's keep the at large with nine residency, but we'd still like them to consider districting, and we don't want to wait ten years for it...is there some other way to bring it up on a faster review? You know, I can understand those two things being together, and I can understand this at large as it remains and the commission being together; but, I can't see change the at large and a commission at the same time. I can see saying -- hey, don't you want to maybe give this a quicker look again, or consider it sooner by saying something like -- do you want this to be reviewed or on the ballot again in '94 or '96, or whatever, as far as at large and commission.

Chair Nakasone: A1.

Sparks: So, I understand you're saying we could put, like was already voted for, a recommendation of changing the at large plus a commission to look at council elections generally. That would not be too confusing?

Wright: I don't think so. I don't think that's too confusing.

Sparks: Well, I think that's probably just about as confusing as the other one, myself, but maybe we've talked about it long enough...

Dodson: What if, as you say, we're going to go to an at large system now; we're going to see how it works for five years, or whatever the period of time; at the end of

Dodson: (Continued) five years another commission shall be appointed to review the process of electing council people, with the intent of whether we should go to districting or not. Instead of saying set the districts, let's just do it...I don't like that idea...

Sparks: Well, my response to that is...we'll probably end up recommending another Charter Commission ten years from now...that's only a few years later; might as well do it that way, if that's the way you want to go.

Chair Nakasone: Dolores.

Fabrao: We could have two items on the ballot...what we just voted on, the at large with the district...the residency requirements; and also ask the public the question -- are you satisfied with our...something to that effect...are you satisfied with our system now...do you want a change...yes or no, whatever... I don't know, if you...I mean it's a big... Okay, if you're not satisfied with the system the way it is, do you want a commission set up or appointed...

Sparks: That's what I'm recommending. That's what the motion amounts to, I think. I'm glad to see you came around to supporting the motion, Dolores...

Fabrao: No, but you're saying specifically district, Al. You're saying specifically district. I'm saying that the people can still make a choice...if they want a commission to look at it to see whether they want to stay at large or go district.

Chair Nakasone: Victor.

Reyes: Mr. Chairman, I still see merit in Al's proposal; it just depends on how we now go to the public. Okay, I kind of probably was a little bit early in proposing how we put it in the ballot, but it's probably going to help how we present it to the public...this is the opinion or the consensus of the commission; we feel we might have to go to district, but it's too drastic, so we're proposing officially and the ballot... that we did point out something to make it less confusing... And, that's all I want to ...for the commission to consider -- that we see that it's in the right direction, but we don't want the public to get confused.

Chair Nakasone: Well basically, my understanding on the previous motion was that it was already approved...that the commission holds a position of at large voting. And, I didn't quite hear anybody say it was the intent to be a step toward districts. But maybe I misunderstand the intent, but I felt the intent was really to identify retaining the at large system, but to get nine residential requirements.

Reyes: That may be true, but if you have attended all the meetings that we've been to, that's what the people had said privately...during our private conversations, that if the commission is not going to go full district, this is a step to go on a full at large system...is in the right direction. But although it was not the intent of the first motion, I think the public wants to see a type of representation where there is some form of accountability...direct accountability...more active participation in government, and all those public testimonies in favor of district...you know, equal district representation...

Chair Nakasone: Further discussion? Lloyd.

Yonenaka: I agree this ends, but I think what the public wants is for the politicians to do what they want, okay? And it just so happens that districting is a form of getting

Yonenaka: (Continued) to that point...of having government be more responsible. I don't agree necessarily that that's true. If you've got a good person, you've got a good person. If you don't have a responsive person, that's all there is to it. And I, for one, like the idea of nine separate areas, like residency requirements but at large. I really like the idea that the guy has to live there; for me, that's really, really important. And in that sense, I don't like Lanai losing something, or Molokai losing something... because I think it's...this is unique -- three islands that are very, very different -- and it's really important that somebody who sits on that island lives there. And, I think we're going to lose that if we go districting. And I...to have the guy in my own backyard, and only my area votes for him...I'm not worried about it because that person needs other people to get anything done, and I...

Reyes: If you remember correctly, in Lanai they said they were very pleased with someone living on the west of Maui, Roz Baker, better than their own residential representative to the council...and they don't mind that. So to me, that says that the person...as long as he's in the district, if they are represented to the council...it makes more sense to them than someone who's a resident, but doesn't represent their concerns.

Yonenaka: Yes; at the same time you have to understand that people who don't like Goro yesterday, like him today. And, it's a matter of which side of the fence he's on...

Fabrao: That's right.

Yonenaka: ...and it happens all the time with all the politicians. There is no politician that everybody loves all the time...except one...so, except Bob, but then...

Reyes: It's true, but what I'm saying is that it's been made that someone who doesn't live in the area can still be appreciated by people who are not in the area...

Yonenaka: I agree; I agree.

Fabrao: Mr. Chairman...

Chair Nakasone: Dolores.

Fabrao: ...Roz Baker has really worked for the people of Lanai, and we all love her. And, I know that Mr. Hokama was seen as being a little bit different than he is... in his feelings and attitude about things because he was a proponent of the hotel industry and that kind of thing on Lanai; but now we all love him because he's working with us closely. And so, times do change...

Reyes: But the point that I'm making is the people of Lanai have shown that someone who doesn't live in their residential area can be appreciated for what's being done for them.

Fabrao: That's true enough, but if you tell Lanai that you're going to take that seat away from Lanai, you're going to have a fight.

Reyes: Oh, we're not saying Lanai will be taken away...

Fabrao: Well, if you go true districting...

Chair Nakasone: Members of the commission, we are on a motion regarding the question of

Chair Nakasone: (Continued) creating a commission to consider the district -- so the discussion should be limited to that motion. Al.

Sparks: The reason why, I think, a commission to put forward a districting plan to the county is basically along the lines that Victor's been talking...that district systems will in fact give more electoral clout to outlying areas than they have now. Right now, all nine council people have to pay a lot of attention in terms of electoral pressure to where the voters are enmass, and that's pretty much in the central area. That means that in terms of concern about where their voters are, that that electoral pressure is in one major area...with the fringe areas then getting less attention, for the reason of worrying about where your votes are coming from. So, on that kind of calculus, Lanai for example as part of a district, as 20% of part of a district, could have more influence through that representative of that district than they do now. That's, incidentally, the reason why on...the courts have forced a lot of municipalities on the mainland to shift towards a district, because there they had ethnic groups majorities that could completely freeze out any minority groups. Well, in a sense, I'm saying we get a kind of a freeze out of influence for the minority outlying areas under the existing at large system. We helped fix that a little bit by requiring residents to live there, so that you get a sort of a peer pressure influence on residents even though you don't have electoral control over your residents in those outlying areas. So that's why I prefer to have residency requirements as long as your running at large, but it's still not as good a fix, I think, as the districting. And, I'm through talking...

Chair Nakasone: Okay. Sherri.

Dodson: I just have one comment, Al; maybe you could explain this to me. I thought, like you did, that Lanai and Molokai and Hana, in particular, would be thrilled about going to districting because they would have a bigger percentage of the vote. And then, when we went to that Community Association thing...here gets up a lobbyist from Hana, he has talked to the Hana Community Association; he's talked to most of the residents there, he knows them; and he gets up and violently opposes districting, and says no, at large system. Because he feels, representation-wise and accountability-wise, he has a better shot at nine, than one. And, that made a lot of sense to me; and if that's what the people of Hana, and I...you know, I didn't talk to anybody from Lanai and Molokai, except for Dolores, but if that's what Hana wants and it's going to affect them that way...then I tend to go back to at large, because accountability is still there according to the public in Hana, with the at large system. I mean, he surprised me, he really surprised me that he came out that way.

Sparks: Yeah, his arguments didn't make a lot of sense to me, except when I remembered that he's representing or close to...I don't know whether he's still representing the unions... And the unions, of course, have a huge mass of voters in certain locations; their block of voters can have influence now on all nine elections...not a majority anymore like in the old days, but still a major influence in all nine elections. If it's split up, there's going to be a number of these districts where they don't have a very significant influence.

Dodson: I kind of thought he did make a lot of sense because he has taken the concerns of the Hana community, and no matter whether he was with the union or not, he has taken concerns directly from the community...taken them to the council, whether it be Wayne Nishiki or Goro Hokama, or Alice Lee, and been able to effectuate change with all...you know, one of nine, rather than just one period.

Chair Nakasone: Jim... you had a question?

Cockett: I was just going to say, before we vote, if you could just repeat the motion...

Chair Nakasone: Okay, all members understand what the motion is? Any questions on the motion?

Cockett: Restate it please.

Dodson: Al, you want to restate it?

Chair Nakasone: The motion is to create a commission that...

Sparks: No, no, no. To put a recommendation on the ballot that a commission be appointed to develop the single member districting scheme for electing council people and put that to the voters in a future election.

Chair Nakasone: Okay. All understand the question? Roll call...

<u>Sherrilee</u> :	No.
<u>Dolores</u> :	No.
<u>Victor</u> :	Yes.
<u>Jamie</u> :	Yes.
<u>Al</u> :	Yes.
<u>Anne</u> :	No.
<u>Debbie</u> :	No.
<u>Jim</u> :	Yes.
<u>Lloyd</u> :	No.
<u>Bob</u> :	No.

Chair Nakasone: The motion lost.

[SHORT RECESS]

Chair Nakasone: The meeting shall reconvene. On Committee B, we don't have the complete committee report, so if there are no objections and with Jim's approval, that we're deferring the report of Committee B.

And, Committee C is right now in recess in this afternoon's meeting, so with due respect, we hope they can reconvene and come up with their committee report. So, we'll defer that committee report also.

Dodson: Don't we have more discussion on Articles 1 through 7?

Chair Nakasone: Yeah, we have the questions that were submitted by Committee A in regards to terms and limited terms. Al, the chair of the committee, felt it was not critical at this time to make a decision on those particular questions, so if we have no objections

Chair Nakasone: (Continued) we'll defer that to the next meeting, and give Committee C a little more time to reconvene. Questions? Debbie.

Wright: You know, it seems like we have an awful lot that we still have to finish, and we're coming up on time when we're going to have to present it to the public; so, as much as it goes against my natural tendency, I would like to propose that perhaps we should consider going to more often meetings... I'm worried that we're not going to finish...

Chair Nakasone: Yeah, we did have that...

Sparks: I second that worry.

Chair Nakasone: So we will be... Is there any other day that's convenient for everybody?

Takabuki: Bob, as soon as the subcommittees are finished, we can meet at 1:00 or something like that; so, would that be acceptable -- to go four or five hours -- I know it's a long haul...would that be acceptable, since there would be more time...

Chair Nakasone: Well, there was a question of the time... If there's no objection, the chair has no objection to meeting at 1:00 or earlier.

Sparks: Or maybe if we had advance warning, we could go later...

Wright: I don't mind going late, but I can't start earlier.

Chair Nakasone: Any problem with the earlier schedules?

Sparks: Two people said they had problems.

Cockett: How about running later?

Wright: I don't have a problem with that.

Takabuki: That's fine too.

Dodson: What about an hour earlier, Debbie, like 3:00...and then an hour later?

Wright: I just know next...well, no I don't...maybe. You all have to decide what's best for most of the members; I'm just not sure on that because I know what the next two weeks of my schedule is already.

Chair Nakasone: Okay, the real question is that maybe 4:00 is the ideal time for everybody. I don't think we've established a time for when we adjourn the meeting; okay, so we can go on all night if we wanted to.

Wright: Well, at least we can plan for next Thursday...get everybody to try and stay as late as possible, then at least we'd have one real long session.

Chair Nakasone: Okay, the chair would like to suggest the next meeting date is the 14th, same time -- 4:00 -- and let's set some kind of a goal per meeting and what we intend to accomplish. And, the chair will make known on the agenda what the chair would like to recommend in terms of action taken...so we have a schedule that we have to follow. If we have to extend further than 6:00 or 8:00, I think we're forced to do that, okay?

Sparks: I have another item that needs to be dealt with. Earlier we identified May 28 as a skybridge type of meeting with Hana, Molokai and Lanai...Now I find that that week isn't clear, so we're limited to either the 19th through the 22nd, or near the end of June to do this.

Dodson: I think the end of June kind of defeats the purpose, huh?

Sparks: So if we want to do it in May, we're kind of stuck with Thursday, the 21st of May...which is two weeks away...

Wright: You know, maybe you can't present everything, but you could still do a substantial showing. Continue with what we're doing and next week stay late, and get our recommendations in on those things... I just hate to wait too late; I mean, it's okay to wait until the end, but we're not going to have much time after that. We don't have much time after the end of June.

Sparks: Well if next week we get through the rest of my recommendations and some more, we'll have our votes...which are still our tentative recommendations, based on possible reactions...

Chair Nakasone: Okay, can we set up tentatively for the 21st?

Sparks: I can go ahead and make those plans on the 21st...like 7 to 9?

Wright: Was somebody going to verify again that August 15th was the date where we had to have everything in? Do we know that for sure?

Chair Nakasone: Yeah, we did double check with the corp counsel again.

Wright: And it was August 15th?

Chair Nakasone: Yeah.

Dodson: So, when are we going to do public hearings?

Chair Nakasone: Before then.

Dodson: I mean are we going to do it in June or July?

Takabuki: The last two weeks of June.

Chair Nakasone: Well we should be done by end of...

Dodson: More like June 15th to August 15th?

Chair Nakasone: No, no...we have to submit already...

Takabuki: Is Paul drafting the whole thing?

Wright: He's supposed to, so we'd better give him a lot of time, so we'd better be done. I think we're supposed to propose something to him, and then let him try and put it in concrete language. I'm sure we should have some rough language for him...

Sparks: Is that everyone else's expectation, that our attorney will do the final drafting for us?

Chair Nakasone: Yeah. Well, subject to our approval though.

Sparks: Well sure, we looked at his drafting but he wasn't real clear on that one...ninety days or not ninety days that we voted on last time. He was supposed to come up with the wording...I thought that was clear in the minutes.

Dodson: He brought it to us in the first place, didn't he?

Sparks: Well, we brought it to his attention... Yeah, I guess the Blair letter...

Wright: You know what we probably should do since we have passed two things... three things...voted on several things... We should probably ask him, even just as preliminary... For the skybridge meeting maybe to do a rough draft of the wording for it, unless you think that it's just too preliminary; that we can do the questions for something like that.

Dodson: That's a good idea; as we vote on them, then he should start drafting them so that they're at least in the process of...

Wright: That doesn't have to be final...

Dodson: No, but so we can get an idea of how it's going, and if there's some changes, then we can...

Wright: And that would alleviate the suddenly dumping all kinds of things, and asking him to help us draft things all at the last second.

Chair Nakasone: Yeah, I think it's going to be important how this commission determines the drafting of the ballot question. I don't know whether we can do it with one section just merely housecleaning measures...recommendations...

Takabuki: They can be bunched together...it's got to be.

Sparks: I have another concern then; if we're going to try for the 21st, we would want to have a pretty definite scheme for residency areas.

Chair Nakasone: Right...that's why you have that job to do...

Wright: I thought you were going to have that by next week...

Sparks: I just want to get my assignment real clear here.

Chair Nakasone: Now you've got a direction to go...

Dodson: And a time limit...how's that.

Sparks: And, the time limit is all of us...like next week, then I should be presenting you defined areas and we can kind of agree on it...

Chair Nakasone: Al, wouldn't it be similar to what's in the Charter now? Identified by precincts?

Sparks: The wording could be the same, right; identified by precincts...we want to look at the map and there's some things you can talk about...you know, where're the

Sparks: (Continued) normal communities...and do you want to put the line here, or should this area belong more with that area... You know, we can try to come up with the most logical dividing lines for these areas, and all agree on it maybe... I don't think it's going to be an enormous task to do that.

Chair Nakasone: Okay, Debbie.

Wright: I'm a little vague on this skybridge thing... Is it supposed to be like a regular commission meeting...is it supposed to be only certain...

Sparks: A public hearing with our recommendations, like we did before, only we'll be doing it through T.V.

Wright: So as many as possible should attend, or what? I don't...

Woodburn: Is it interactive?

Sparks: Interactive, right.

Chair Nakasone: Right. The full commission should be there.

Fabrao: That's the meeting on the 21st?

Sparks: The 21st...it should be...and, you can't be there; I know, that was part of our problem last time, so...

Fabrao: I have to be on Oahu, that's why.

Woodburn: I won't be here either.

Fabrao: I could have somebody else be there...

Sparks: Yeah, maybe kind of recruit somebody else to help make sure it happens... But, the picture is that there will be some people in the Lanai studio, some people in the Molokai studio, and some people in the Hana studio...I hope more people than we've had at our hearings; and they will be able to listen to us present what we're recommending, and then ask their questions and give their feedback.

Yonenaka: Will the Hana and Lanai people be able to see each other?

Sparks: Yeah, they'll see which ever channel the switchboarder is focusing on.

Dodson: Are we doing a lot of advance publicity on this?

Sparks: Well, we should.

Dodson: I was going to say we don't want another Kahului situation to happen...

Sparks: I mean, the publicity has to be out there -- in Hana, and Lanai, and Molokai, right? And, unfortunately, Annette's not here... Maybe this is what I should do...I'll make sure again, but I'm 99% sure we can do it, because I talked to the guy that controls this. He has to, though, make sure he can get technicians at all these sights...there's some arrangements he has to make, but I think there's no problem there. We should get ahold of Annette and get her to spreading the word, I guess. And, Dolores

Sparks: (Continued) can start spreading it...

Fabrao: The coordinator for the skybridge on Lanai...why couldn't she be the one that...because she knows the equipment; you wouldn't want anybody else to touch the equipment...

Sparks: You're talking about the coordinator for the equipment or are you talking about Phyllis?

Fabrao: Phyllis...she's the one who's been handling the equipment, right?

Sparks: Yeah, she might help us out there...I can talk to her...

Fabrao: Same thing with Molokai...

Dodson: Well, don't they have...couldn't we contact someone like Crickett, and ask her to get publicity out on it?

Dave DeLeon: There's a lot of ways of doing it; I mean, you can use the mayor's office and Information; you can use...there's a bulletin board system... I think there's also publications -- Molokai's got two papers and Lanai's got some...

Chair Nakasone: Sherri, would you like to handle that? Get something going out...

Dodson: Considering my sister-in-law is the information officer, I guess I could.

Chair Nakasone: Okay? No problem.

VI. NEXT MEETING DATE

- A. May 14, 1992 at 4:00 p.m. - Council Committee Room
- B. May 21, 1992 at 7:00 p.m. - Skybridge at MCC

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:59 p.m.

[Note: These minutes have been edited to delete approximately 2-3 minutes of personal time schedules.]

ACCEPTED:

Robert Nakasone, Chairman Date