

**James R. Smith**

September 12, 2011  
Members of the Maui County Charter Commission  
200 S. High Street  
Wailuku, Hawaii 96793

Subject: Economic reality as it affects your study of  
the Maui County Charter

Members,

Our Charter (2003 Edition) at Article 3, Section 3-1 **Composition** contains a sentence found in its 1976 Edition: "The ballots for the primary and general elections shall, never-the-less, be prepared to give every voter the right to vote for each and every council seat." Please study whether voters must consider specifically the removal of this right, as a condition for establishment of single member district voting.

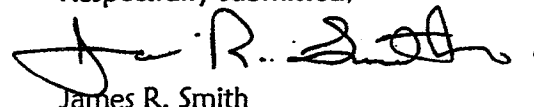
In the South, federal courts ordered single member districts to facilitate racial equality, perceived as a greater good than the right to vote at-large, when that right was used to oppress fellow citizens. No allegation has been argued or brought before you that our at-large election of council members similarly wrongs any racial or ethnic group in Maui County: Nor that a citizen's dignity is harmed by the electing of council members at-large.

No one has argued that a voter should lose his right to vote for each and every council seat, rather you are urged to let the matter be decided by voters; that my right can be taken away by someone else, not you as members of a commission, but by the best organized mob.

The numbers are there, there are nine council seats, and I possess, by right, one vote in each contest to elect a member of council. Any formula proposing single member districts strips value from my existence as a voter, and that degrades my dignity. The economic reality is that a person is a number, the higher the number the more value. In that world, an out-source of employment and immediate discharge means that "number" has no value. Here in this political reality, the economics of district voting make supporting any proposal "cents-less".

What greater good is served by destroying my right to vote for a candidate in any or all of nine residential areas? Zero. What harm does change remedy? At-large voting may bruise the ego of the under-educated newcomer; but, its bruise pales in comparison to a loss inflicted by suggested alternatives. Take good care.

Respectfully submitted,

  
James R. Smith

Public Testimony rec'd 9/12/11 from Jim Smith  
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MOLOKAI



LANAI



MAUI



KAHOOLAWE



# CHARTER

## County of Maui

1983  
(1989 EDITION)

*Office Copy*

**RULES AND REGULATIONS**

**OF THE**

**DEPARTMENT OF WATER SUPPLY**

**COUNTY OF MAUI**

**EFFECTIVE JANUARY 7, 1977**

**RULES AND REGULATIONS  
OF THE DEPARTMENT OF WATER SUPPLY  
COUNTY OF MAUI**

**RULES AND REGULATIONS NO. 1  
PURPOSE AND DEFINITIONS**

**Sec. 1-1. Purpose.**

The unique geographic, geological, and geophysical composition of the county of Maui, when considered in combination with the increasing demand for water, necessitates regulation of the water resources within the county to provide for domestic, agricultural, and commercial needs. These rules and regulations seek to insure a just and fair distribution of water to the people of the county of Maui within the limits of the water resources and systems available. Preservation and maintenance of water services to existing users without undue reduction in amount of water received or services rendered must be considered in addition to the interests of persons desirous of new water services. It is the purpose of these rules and regulations, therefore, to provide direction, guidance, and procedure for the resolution of problems regarding water services before they arise and to clarify past policies of the department of water supply and the board of water supply of the county of Maui.

**Sec. 1-2. Definitions.**

For the purpose of these rules and regulations, unless it is plainly evident from the context that a different meaning is intended, certain words and phrases used herein are defined as follows:

**Board** — The board of water supply of the county of Maui.

**Consolidated metering system** — Means by which water is furnished through a centralized metering system to multiple consumer units.

**Consumer** — The person, firm, corporation, association, or governmental department, whether owner or tenant, whose name appears on the records of the department as the party responsible and liable for receiving water service from the department.

**Consumer's supply pipe** — The pipe extending from the consumer's end of the service connection.

**Cost of service lateral** — The sum of the cost of the labor, materials, meter box, transportation, equipment, and road repair, if any, and other charges necessary for the complete installation of a service lateral, but excluding the cost of the meter.

**Department** — The department of water supply of the county of Maui, excluding the board of water supply unless the context so indicates.

**Director** — The person holding the office of "director" of the department of water supply of the county of Maui.

September 12, 2011

## Testimony to Charter Commission on Single Member Districts

Good afternoon members of the Charter Commission. My name is Michael Trotto and I have been a resident of Kihei, Maui since 1977. Thank you for the opportunity to provide testimony on the subject of Single Member Districts. Although this discussion has been present for a long time, I think there is sufficient consensus now to let the voters of Maui County weigh in on this important issue. I would respectfully ask that this body consider having this issue included on the ballot in 2012.

The current system of electing our Council members is not conducive to attracting quality candidates, nor is this somewhat At-Large system fully understood by the voters. The many blank votes in our current elections are a testament to this. The way we do it now places a very heavy financial burden on those candidates willing to serve the community in this capacity. Today a person must campaign in all districts on three islands. This factor, in my opinion, is what seriously limits the field of qualified candidates. One of the most least desirable outcomes on Election night for me is hearing the reporter say that in a particular race, the candidate has won outright because he /she ran un-opposed. In a democracy, this should never be the case.

In concluding my testimony, I understand that some of our friends and neighbors on the islands of Lanai and Molokai have expressed their desires to keep the current system. That is OK and they should be afforded the opportunity to take their argument to the voters as well as those of us seeking a system with a more fair representation. Let the voters decide. Again, thank you very much for allowing me to provide this testimony today.

Public Testimony rec'd 9/12/11 from Michael Trotto  
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