

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS COMMITTEE

December 14, 2004

**Committee  
Report No.**

04-222

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations Committee, having met on August 30, 2004, September 15, 2004, and December 1, 2004, makes reference to County Communication No. 03-24 from the Council Chair, relating to the matter of the Maui County Legislative Package.

By correspondence dated August 24, 2004, the Chair of your Committee requested submission of possible items for inclusion in the 2005 Maui County Legislative Package.

By correspondence dated August 30, 2004, the Council Vice-Chair proposed that a draft State bill allowing for durational limits on political campaign signs be considered for inclusion in the 2005 Maui County Legislative Package.

At its meeting of August 30, 2004, your Committee met with the Corporation Counsel and the Senior Executive Assistant to the Mayor.

There was no testimony.

Your Committee briefly discussed the Council Vice-Chair's proposal and the possible inclusion of the proposals from the 2004 Maui County Legislative Package in the 2005 Maui County Legislative Package.

Your Committee deferred the matter pending further discussion.

By correspondence dated September 3, 2004, your Committee transmitted the Council Vice-Chair's correspondence dated August 30, 2004, to the Executive Committee, Hawaii State Association of Counties, for comment.

At its meeting of September 15, 2004, your Committee met with the Corporation Counsel and the Senior Executive Assistant to the Mayor.

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There was no testimony.

Your Committee briefly discussed including previously submitted bills from the 2004 Maui County Legislative Package in the 2005 Maui County Legislative Package.

Your Committee deferred the matter pending further discussion.

By correspondence dated November 9, 2004, the Chair of your Committee transmitted the following proposals for consideration of inclusion in the 2005 Maui County Legislative Package:

1. A proposal allowing the counties to charge and collect an additional fee for issuance, reissuance, or return of a driver's license after a conviction of driving under the influence of intoxicants.
2. A proposal requiring the State to transfer fines and forfeitures collected for uncontested traffic infractions to the county in which the violations occurred.
3. A proposal authorizing the counties to increase the maximum fee that may be charged for motor vehicle registration from \$5 to \$10 to defray additional costs relating to abandoned or derelict vehicles.
4. A proposal requiring motor vehicle insurers to notify the police department in the county in which a vehicle is registered of the cancellation of or the refusal to renew no-fault insurance.
5. A proposal increasing from 45 to 75 days the timeframe within which a legislative body must approve or disapprove an affordable housing project under Section 201G-118, Hawaii Revised Statutes; clarifying that the expedited deadline for approval or disapproval by the legislative body shall not apply to proposed amendments to a project that has previously been approved; and requiring that the "corporation" (Housing and Community Development Corporation of Hawaii or the county administration) hold at least one public hearing in the community plan area where the project would be developed.

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6. A proposal authorizing the counties with a population of at least 200,000 to establish a general excise tax.
7. A proposal authorizing the “instant” impoundment of vehicles where: (1) a vehicle is operated without insurance or evidence of insurance, as required by Chapter 431-10C and Section 286-116, Hawaii Revised Statutes (HRS), respectively; (2) a vehicle is operated without a current certificate of inspection, as required by Chapter 286, Part II, HRS; (3) a driver operates a vehicle without a license required by Section 286-102, HRS; or (4) a vehicle is operated without current registration, unless already subject to instant impoundment under Section 249-10, HRS, for delinquent taxes.
8. A proposal to clarify the requirement imposed on political subdivisions to reimburse the legislative auditor for the cost of financial audits conducted by the legislative auditor from funds appropriated by the Legislature.
9. A proposal to repeal the sunset dates contained in Act 170, Session Laws of Hawaii 2002, and Act 190, Session Laws of Hawaii 1996 (as amended by Act 101, Session Laws of Hawaii 1999, and as further amended by Act 170, Session Laws of Hawaii 2002). Both acts provide limited immunity to the counties and State in their efforts to provide warning signs and lifeguard services at State and county beach parks.
10. A proposal for appropriations for expenses of the 2005 National Association of Counties Annual Conference and Exposition in Honolulu.

Your Committee notes that Section 249-10, HRS allows for instant impoundment of any vehicle lacking current registration. Therefore, subitem 4 in proposal 7 above appears to be superfluous.

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By correspondence dated November 30, 2004, the Chair of your Committee recommended declining to submit a 2005 Maui County Legislative Package for the sake of efficiency.

At its meeting of December 1, 2004, your Committee met with a Deputy Corporation Counsel and an Executive Assistant to the Mayor.

There was no testimony.

Your Committee discussed the low success rate of prior County legislative packages, noting that the Legislature considers thousands of bills each legislative session and that it is likely that almost every organization which submits proposals to the Legislature also experiences only limited success.

Your Committee considered the possibility of including only three proposals (the first, third, and seventh proposals listed above), with a common theme of highway safety. Your Committee noted that it may be more effective to focus its advocacy efforts on a relatively small number of proposals.

Your Committee voted to recommend that three proposals (the first, third, and seventh proposals listed above), all relating to highway safety, be included in the 2005 Maui County Legislative Package.

Your Government Relations Committee RECOMMENDS the following:

1. That the following proposals be APPROVED for inclusion in the 2005 Maui County Legislative Package:
  - a. A proposal allowing the counties to charge and collect an additional fee for issuance, reissuance, or return of a driver's license after a conviction of driving under the influence of intoxicants;
  - b. A proposal authorizing the counties to increase the maximum fee that may be charged for motor vehicle registration from \$5 to \$10 to defray additional costs relating to abandoned or derelict vehicles; and

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- c. A proposal authorizing the “instant” impoundment of vehicles where: (1) a vehicle is operated without insurance or evidence of insurance, as required by Chapter 431-10C and Section 286-116, Hawaii Revised Statutes (HRS), respectively; (2) a vehicle is operated without a current certificate of inspection, as required by Chapter 286, Part II, HRS; or (3) a driver operates a vehicle without a license required by Section 286-102, HRS.
2. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

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**DAIN P. KANE** **Chair**

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**MICHAEL J. MOLINA** **Member**

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**G. RIKI HOKAMA** **Vice-Chair**

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**CHARMAINE TAVARES** **Member**

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**DANNY A. MATEO** **Member**