

COUNCIL OF THE COUNTY OF MAUI

# PARKS AND AGRICULTURE COMMITTEE

December 14, 2004

Committee  
Report No.

04-228

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

Chair and Members:

Your Parks and Agriculture Committee, having met on December 2, 2004, makes reference to the matters noted on Exhibit "A", attached hereto and incorporated herein.

At its meeting, your Committee met with the Deputy Director of Parks and Recreation; the Chief of Planning and Development, Department of Parks and Recreation; and a Deputy Corporation Counsel.

There was no public testimony.

Your Committee notes that the end of the current Council term is approaching. In preparation for the new Council term, your Committee decided to recommend that the pending matters be referred to the Council Chair for the term beginning January 2, 2005, pursuant to the following provision of the Rules of the Council:

Sec. 19. Filing of Items.

A. At the expiration of a Council term, all items pending before the Council and its committees shall be deemed filed and disposed of; provided that the following items shall be deemed referred to the Council Chair for the ensuing term, for consideration by the Council:

1. an item transmitted by another governmental agency to the Council, pursuant to a legal requirement, for Council action;
2. pending legislation that has passed only one of the required readings; and

COUNCIL OF THE COUNTY OF MAUI

# PARKS AND AGRICULTURE COMMITTEE

December 14, 2004  
Page 2

Committee  
Report No. 04-228

3. subject to Council approval, items recommended for referral by the Council Chair for matters pending before the Council, and items recommended for referral by a committee chair with the approval of that committee for matters pending before that chair's committee.

B. This provision shall not prevent the resubmittal of any matter to the Council in a subsequent term, for consideration as a new item.

After due consideration, the recommendation of the Chair of your Committee was approved.

Your Parks and Agriculture Committee RECOMMENDS that all communications noted on Exhibit "A" be REFERRED to the Council Chair for the term beginning January 2, 2005. Adoption of this report is respectfully requested.

COUNCIL OF THE COUNTY OF MAUI  
**PARKS AND AGRICULTURE COMMITTEE**

December 14, 2004  
Page 3

Committee  
Report No. 04-228

---

**JO ANNE JOHNSON** Chair

---

**JOSEPH PONTANILLA** Member

---

**ROBERT CARROLL** Vice-Chair

---

**CHARMAINE TAVARES** Member

---

**MICHAEL J. MOLINA** Member

## **EXHIBIT "A"**

### **PA-2 TREE PRESERVATION**

Sep. 3/04 C.C. 04-220 Councilmember Robert Carroll, transmitting a proposed draft bill entitled "A BILL FOR AN ORDINANCE ADDING A NEW CHAPTER 12.26, MAUI COUNTY CODE, PERTAINING TO TREE PRESERVATION".

### **PA-3 GENETICALLY MODIFIED ORGANISMS (GMO)**

Aug. 1/03 C.C. 03-195 Councilmember Johnson, relating to the matter of genetically modified organisms.

Apr. 2/04 C.R. 04-74  
(Recommitted) Parks and Agriculture Committee, recommending the following:

1. ADOPTION OF resolution urging the State to establish advisory boards regarding genetically modified organisms; and
2. FILING of communication.

### **PA-4 TRANSFER OF DEVELOPMENT RIGHTS**

Nov. 7/03 C.C. 03-275 Councilmember Johnson, transmitting the following:

1. Draft bill entitled "A BILL FOR AN ORDINANCE TO ENABLE THE TRANSFER OF DEVELOPMENT RIGHTS"; and
2. Draft resolution entitled "REFERRING TO THE PLANNING COMMISSIONS A DRAFT BILL TO ENABLE THE TRANSFER OF DEVELOPMENT RIGHTS".

**PA-7                    PROTECTING AGRICULTURE INDUSTRY FROM INVASIVE SPECIES**

June 18/04    C.C. 04-156            Councilmember Johnson, relating to stronger protective measures for Maui County's agriculture industry.

July 27/04    MISC.                    County Clerk, referring the matter relating to protecting the agriculture industry from invasive alien species.

**PA-10                    PENALTIES IN CHAPTER 13.04, MAUI COUNTY CODE, PERTAINING TO RECREATIONAL AREA REGULATIONS**

Sept. 19/03    MISC.                    County Clerk, referring the matter relating to penalties in Chapter 13.04, Maui County Code. (C.R. 03-104, as amended)

**PA-13                    BEACH PARKS WHERE OCEAN RECREATIONAL ACTIVITIES ARE PROHIBITED IN SECTION 5.24.040, MAUI COUNTY CODE**

Sept. 19/03    MISC.                    County Clerk, referring the matter relating to beach parks where ocean recreational activities are prohibited in Section 5.24.040, Maui County Code. (C.R. 03-104, as amended)

**PA-14                    TRANSITION TO NEW OCEAN RECREATIONAL ACTIVITY BUSINESS PERMITS ORDINANCE**

June 4/04      C.C. 04-143            Councilmember Johnson, relating to amending Ordinance No. 3143, pertaining to ocean recreational activity permits by extending the transition period.

**END OF EXHIBIT "A"**