

COMMITTEE OF THE WHOLE
Council of the County of Maui

Meeting Agenda

August 5, 2010
9:00 a.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/COW

RECEIVED
 2010 JUL 30 AM 8:36
 OFFICE OF THE
 COUNTY CLERK

VOTING MEMBERS

Michael J. Molina, Chair

Danny A. Mateo, Vice-Chair

Gladys C. Baisa

Jo Anne Johnson

Sol P. Kaho'ohalahala

Bill Kauakea Medeiros

Wayne K. Nishiki

Joseph Pontanilla

Michael P. Victorino

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Kirstin Hamman or Camille Sakamoto) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

**COW-2(24) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
 (COMMISSION ON CULTURE AND THE ARTS)**

- DESCRIPTION:** The Committee is in receipt of the following:
1. Correspondence dated June 18, 2010, from Michael J. Molina, Chair of the Committee of the Whole, informing of the Council's opportunity to nominate and approve the appointment of an individual to fill a vacancy on the Commission on Culture and the Arts by August 9, 2010, and requesting nominations for consideration be submitted by July 9, 2010.
 2. Correspondence dated July 8, 2010, from Councilmember Sol P. Kaho'ohalahala, nominating Philip B. Sabado to the Commission on Culture and the Arts, for a term expiring on March 31, 2012, and transmitting Mr. Sabado's application and resume.

STATUS: The Council must approve the nomination by August 9, 2010, or the responsibility to nominate an individual to fill the vacancy will revert to the Mayor. The Committee may consider whether to recommend approval of the nomination. The Committee may also consider other related action.

COW-3(7) HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) (2011 HSAC LEGISLATIVE PACKAGE) (COW-3(7))

DESCRIPTION: The Committee is in receipt of the following:

1. Correspondence dated July 22, 2010, from Councilmember Joseph Pontanilla, transmitting correspondence dated July 1, 2010, from Derek S. K. Kawakami, HSAC President, informing that each council has until September 1, 2010, to submit legislative proposals to the HSAC Executive Committee for possible placement in the 2011 HSAC Legislative Package.
2. Correspondence dated July 21, 2010, from Councilmember Gladys C. Baisa, transmitting a draft State bill entitled "A BILL FOR AN ACT RELATING TO NOMINATION PAPERS", and a corresponding justification sheet. The purpose of the draft State bill is to require that candidates for elective county office include with their nomination papers a sworn certification of compliance with any relevant provision of the county charter or ordinances pertaining to elected officials, or the nomination papers shall be void and not accepted for filing by the county clerk.
3. Correspondence dated July 21, 2010, from Councilmember Jo Anne Johnson, transmitting a draft State bill entitled "A BILL FOR AN ACT RELATING TO TAXATION", and a corresponding justification sheet. The purpose of the draft State bill is to establish a tax credit for the rehabilitation of historic structures.
4. Correspondence dated July 22, 2010, from Councilmember Bill Kauakea Medeiros, transmitting a draft State bill entitled "A BILL FOR AN ACT RELATING TO TARO SECURITY", and a corresponding justification sheet. The purpose of the draft State bill is to prohibit the development, testing, propagation, release, importation, planting, or growing of genetically modified taro.
5. Correspondence dated July 23, 2010, from Councilmember Bill Kauakea Medeiros, transmitting a draft State bill entitled "A BILL FOR AN ACT RELATING TO AQUARIUM AQUATIC LIFE", and a corresponding justification sheet. The purpose of the draft State bill is to improve the regulation of aquarium aquatic life collecting to protect aquatic life and the marine environment.

STATUS: The Committee may consider whether to recommend approval of any or all of the draft State bills, with or without revisions, for placement in the 2011 HSAC Legislative Package. The Committee may also consider other related action.

COW-27 INTERGOVERNMENTAL AGREEMENT/MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION, AND THE MAUI COUNTY DEPARTMENT OF FIRE AND PUBLIC SAFETY

DESCRIPTION: The Committee is in receipt of County Communication No. 09-274, from the Fire Chief, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT/MEMORANDUM OF UNDERSTANDING TO DOCUMENT A MUTUAL AID RELATIONSHIP BETWEEN THE STATE DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION AND THE MAUI COUNTY DEPARTMENT OF FIRE AND PUBLIC SAFETY". The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement/memorandum of understanding to document a mutual aid relationship in emergency situations within Maui County wherein the County and the State Airport Rescue and Fire Fighting units work together.

STATUS: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 09-274 and other related action.