

91-24

COMPARISON CHART *

The Office of the Mayor

	MAUI ARTICLE VII	HONOLULU ARTICLE V	HAWAII ARTICLE V	KAUAI ARTICLE VII
ELECTION OF MAYOR AND TERM OF OFFICE	TERM - 4 years to begin 12:00 Jan. 2 following election. Two consecutive full terms limit.	TERM - 4 years to begin at 12:00 Jan. following election.	TERM - 4 years to begin 12:00 first Monday of December following election. Two consecutive full terms limit.	TERM - 4 years to begin 12:00 Jan. 2 following election. Two consecutive full terms limit.
QUALIFICATIONS	<ul style="list-style-type: none"> - U.S. citizen. - Voter of the county. - Resident of the county for 90 days preceding filing papers. - Removal of residence from the county deemed to have vacated office. - Forfeit office if ceases to be a voter of the county or is adjudicated guilty of a crime involving moral turpitude. 	<ul style="list-style-type: none"> - Voter of the city. - 30 years of age +. - Removal of residence from county deemed to have vacated office. 	<ul style="list-style-type: none"> - U.S. citizen. - Voter of the county one year preceding election. 	<ul style="list-style-type: none"> - U.S. citizen. - 30 years of age +. - Resident and voter of county 3 years prior to election. - Removal of residence from county deemed to have vacated office.

* Compares the Office of Mayor provisions of the Maui County Charter with the Charters for the City and County of Honolulu, the County of Hawaii and the County of Kauai.

<p>POWERS, DUTIES AND FUNCTIONS</p>	<p>MAUI ARTICLE VII</p> <p>MAYOR SHALL:</p> <ul style="list-style-type: none"> - Exercise supervision directly or through managing director over all departments enumerated in Article 8 of this charter and other agencies as provided by law. - Appoint staff for which appropriations have been made by the council. - Create positions for which appropriations have been made, or abolish positions, but a report of such actions shall be made to the council within 15 days of such actions. - Make temporary transfers of positions between departments or between subdivisions of departments. - Recommend to the council a Pay Plan for all county employees and officers whose pay is not otherwise provided for by law. - Prepare and submit and operating budget and a capital program annually to the council for its consideration pursuant to article 9. 	<p>HONOLULU ARTICLE V</p> <ul style="list-style-type: none"> - Director supervision over all agencies enumerated in this Article and other agencies as the mayor may deem desirable. - Through managing director exercise supervision over all agencies of the city. - Appoint staff for which appropriations have been made by the council. - Create or abolish positions with the Executive Branch, but a monthly report of such actions shall be made to the council. - Make temporary transfers of positions between departments or between subdivisions of departments. - Except as otherwise provided, recommend to the council a Pay Plan for all persons employed in the Executive Branch or any of its Boards and Commissions, whether as officers or otherwise. - Appoint a personal representative who shall subject to the mayor's direction, perform such ceremonial functions of the mayor's office and such other duties as the mayor may designate. 	<p>HAWAII ARTICLE V</p> <p>MAYOR SHALL:</p> <ul style="list-style-type: none"> - Exercise direct supervision over all agencies enumerated in this Article and other agencies as he may deem desirable, and through the managing director supervise and coordinate all other executive agencies of the county, except as otherwise provided by this charter. - Appoint necessary staff for which appropriations have been made by the council. All positions in the mayor's office shall be exempt from civil service laws and classifications. - Create positions, including position of deputy or assistant to each head of an agency where such position has not been created by this charter, for which appropriations have been made by the council and abolish positions with the consent of the council. - Make transfers of positions between agencies or between subdivisions of agencies subject to applicable civil service regulations. 	<p>KAUAI ARTICLE VII</p> <p>MAYOR SHALL:</p> <ul style="list-style-type: none"> - Except as otherwise provided, exercise direct supervision over all departments and coordinate all administrative activities and see that they are honestly, efficiently and lawfully conducted. - Appoint the necessary members of his staff and other employees and officers whose appointments are not provided herein. - Create positions authorized by the council and for which appropriations have been made, or abolish positions, but a monthly report of such actions shall be made to the council. - Make temporary transfers of positions between departments or
--	--	---	--	---

MAUI ARTICLE VII	HONOLULU ARTICLE V	HAWAII ARTICLE V	KAUAI ARTICLE VII
<ul style="list-style-type: none"> - Control, manage, and execute the annual operating budget and capital program. - Conduct a systematic and continual review of the finances, organizations, and methods of each department. - Prepare and process applications for state, federal or other governmental funds on behalf of the county. - Assign powers, duties and functions that are not already assigned or enumerated in Article 8, to and between the departments. - Sign instruments requiring execution by the county including deeds and other conveyances, except those which the finance director or other officer is authorized to sign. - Make periodic reports informing public as to county operations in addition to an annual report. - Approve or veto bills passed by the council. - Voice but not vote on all Boards and Commissions. - Enter into bilateral and multilateral contracts with 	<ul style="list-style-type: none"> - Submit an operating and capital program and budget and necessary proposed budget ordinances annually to the council. - Sign instruments requiring execution by the city, except those which the finance director or other officer is authorized to sign. - In addition to the annual report, reports informing the public as to city policies, programs and operations. - Call special sessions. - Veto ordinances, resolutions authorizing proceedings in eminent domain and resolutions adopting or amending the General Plan. - Voice but no vote on Boards. - Enforce provisions of this charter, the ordinances of the city and all applicable laws. - Exercise such other powers and perform other duties prescribed by this charter. 	<ul style="list-style-type: none"> - Recommend to the council a pay plan for all officers and employees of the county or any of its boards and commissions, except those whose pay is otherwise provided for; provided that the salary of any officer or employee who is exempt from the civil service laws shall be subject to approval by the council and the mayor. - Submit an operating budget, an operating program, a capital budget and a program annually to the council. - Sign instruments requiring execution by the county, except as otherwise provided by this charter or by ordinance. - Make periodic reports in addition to the annual report, informing the public as to county policies, programs and operations. - Call special sessions of the council. - Veto ordinances. - Enforce the provisions of this charter, the ordinances of the county and all applicable laws, and exercise such other powers and perform such 	<ul style="list-style-type: none"> - between subdivisions of departments. - Recommend to the council for its approval a pay plan for all department heads, officers and employees who are exempt from civil service and the position classification plan. - Submit operating and capital budgets, together with a capital program annually to the council for its consideration and adoption. - Sign instruments requiring execution by the county, including deeds and other conveyances, except those which the director of finance or other officer is authorized by this charter, ordinance or resolution to sign. - Present messages or information to the

	<p>MAUI ARTICLE VII</p> <p>other counties, the state, or the United States for the performance of any function or activity which the county is authorized to perform.</p> <ul style="list-style-type: none"> - Enforce provisions of this charter, the ordinances of the county and all applicable laws. - Exercise such other powers and perform such other duties as may be prescribed by this charter or by law. 	<p>HONOLULU ARTICLE V</p>	<p>HAWAII ARTICLE V</p> <p>other duties as may be prescribed by this charter or by ordinance.</p>	<p>KAUAI ARTICLE VII</p> <p>council which in his opinion are necessary or expedient.</p> <ul style="list-style-type: none"> - In addition to the annual report, make periodic reports informing the public as to county policies. - Approve or veto ordinances and resolutions pertaining to eminent domain proceedings. - Have a voice but no vote in the proceedings of all boards and commissions. - Enforce the provisions of this charter, the ordinances of the county and all applicable laws. - Exercise such other powers and perform such other duties as may be prescribed by this charter or by ordinance.
--	--	--------------------------------------	--	--

<p>VACANCY IN OFFICE</p>	<p>MAUI ARTICLE VII</p> <p>Shall be filled for the remainder of the unexpired term in the following manner:</p> <ul style="list-style-type: none"> - If unexpired term is less than one year, the managing director shall act as mayor. If office of managing director is vacant or during periods managing director is unable to act, the director of finance shall act as mayor. - If unexpired term is one year or more, the vacancy shall be filled by a special election to be called by the council within 30 days and to be held 90 days after the vacancy. - Electors of the county will elect a successor with requisite qualifications. - If no candidate receives at least a majority of the votes cast to fill the vacancy, then within 15 days after the election, the council shall call for a run-off election to be held 45 days of the first election. 	<p>HONOLULU ARTICLE V</p> <ul style="list-style-type: none"> - A vacancy in the office of mayor caused by death, resignation, removal or disqualification to hold office shall be filled as follows: <ul style="list-style-type: none"> - If unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within 10 days and to be held 60 days after the vacancy. - The electors of the city shall elect a successor with requisite qualifications to fill remainder of term. - If any special or general election is to be held 180 days after position is vacant, then election shall be held in conjunction with such other election. - Pending the election of a mayor in case of a vacancy or in temporary absence of the mayor or from the state or temporary disability of the mayor, the managing director shall act as mayor. 	<p>HAWAII ARTICLE V</p> <p>A vacancy in the office of the mayor shall be filled by the managing director, or if the office of managing director is vacant, or during such periods as the managing director is unable to so act, by the finance director until a successor is duly elected at the state or state and county election and seated.</p> <ul style="list-style-type: none"> - The person elected as the successor shall serve out the unexpired term of the person he succeeds commencing at 12 o'clock meridian on the first Monday of December following his election. 	<p>KAUAI ARTICLE VII</p> <ul style="list-style-type: none"> - In the event of a vacancy in the office of the mayor, the council shall select, by majority vote, one of its members as mayor to serve until the next general election and assumption of office in December by the person elected mayor. The vacancy in the council shall be filled as provided for in Article III. section 3.05 of the charter. In the event the vacancy occurs prior to the mid-term election, the person elected mayor in the general election shall serve only for the unexpired term of the mayor elected in the prior election. In the event the vacancy occurs later than three (3) days prior to the closing date for filing of nomination papers
--------------------------	--	---	---	---

		<p>MAUI ARTICLE VII</p> <p>- The candidates in the run-off election shall be the two candidates receiving the most number of votes in the first election.</p>	<p>HONOLULU ARTICLE V</p> <p>If there is no managing director or if unable to act, the chief budget officer shall act as mayor.</p>	<p>HAWAII ARTICLE V</p>	<p>KAUAI ARTICLE VII</p> <p>the closing date for filing of nomination papers for the mid-term election, the mayor selected by the council shall continue to serve for the remainder of the term of the person he succeeded. The foregoing provisions shall also apply in the event the person elected as mayor dies before taking office.</p> <p>- During the temporary absence from the county or temporary disability of the mayor, or in case of a vacancy in the office of the mayor until a new mayor is appointed or elected, the administrative assistant shall act as mayor. In the event both the mayor and the administrative assistant are temporarily absent</p>
--	--	--	--	------------------------------------	---

	<p style="text-align: center;">MAUI ARTICLE VII</p>	<p style="text-align: center;">HONOLULU ARTICLE V</p>	<p style="text-align: center;">HAWAII ARTICLE V</p>	<p style="text-align: center;">KAUAI ARTICLE VII</p>
	<p>- If any special or general election is to be held in the county after 30 days and within 180 days after the vacancy, the election shall be held in conjunction with such other election.</p> <p>- Pending the election of a mayor in case of a vacancy or in temporary absence of the mayor from the state, or a temporary disability of the mayor, the managing director shall act as mayor. If no managing director or one is unable to act, the finance director shall act as mayor.</p> <p>- mayor may designate managing director, or if absent, finance director to act as mayor in event of temporary absence or temporary leave.</p>	/	/	<p>or disabled, the finance director shall act as mayor during said period.</p> <p>- The mayor shall appoint and may remove an administrative assistant whose qualifications shall be the same for the position of mayor. The salary for the administrative assistant shall be fixed by ordinance. The administrative assistant shall serve as the mayor's principal administrative aide.</p> <p>- In the event the person elected as mayor dies before taking office, the person serving as administrative assistant at the termination of the prior term shall continue to serve as acting mayor until a new mayor is elected.</p>