

REALTORS®
*Association of
Maui, Inc.*

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October 24, 2011

Maui County Charter Commission
Maui County
200 S. High Street
Wailuku, HI 96793

RE: Attached RAM Survey

On behalf of RAM President Robert Lightbourn, the REALTORS® Association of Maui is pleased to submit to the Charter Commission the results of a recent survey of RAM Realtor members. The survey went to 1285 email addresses and received 327 responses, for a 25 percent response rate. We consider this an excellent response rate for a random survey on a matter not immediately related to the industry. The survey was conducted via Zoomerang, our standard survey system, between October 17 and 21.

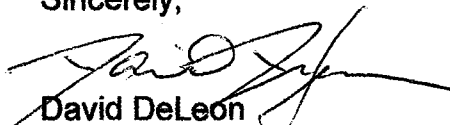
The survey results speak for themselves and do validate the position taken by the association's board and presented to this commission at its October 10, 2011 meeting. Asked if they:

- Support single member districts over at-large districts, 89 percent said yes
- Support four-year terms over two-year terms, 78 percent said yes.
- Support term limits, 82 percent said yes.
- Agree that the Commission should allow the voters to decide these issues, 96 percent said yes.

President Lightbourn pointed out that RAM's Board does not ordinarily survey its membership on the positions it takes on a wide variety of topics, but because the survey question came from a RAM member, he thought that it would be appropriate in this case.

I would be happy to answer any questions you have in regards to this survey on behalf of RAM.

Sincerely,


David DeLeon
Government Affairs Director

102411 - Additional material rec'd from Dave DeLeon
pgs 1-3

RAM Charter Commission Survey - October 17, 2011

Results Overview



Date: 10/22/2011 3:35 PM PST
 Responses: Completes
 Filter: No filter applied

Please take 3 minutes NOW to give us your input: Recently RAM President Bob Lightbourn testified before the County Charter Commission that RAM supports the concept of changing the way we elect our County Council to single-member districts; four-year terms of office; and with a maximum of two terms. While Bob was speaking from the RAM Board position on this issue, his testimony was challenged by a Commissioner because the Board had not surveyed the membership before taking this position. (See Bob's testimony) The RAM Board does not usually survey the membership on the issues it addresses since they have been reviewed and approved by the Government Affairs Committee, Executive Committee and the Board of Directors. However, in this case, President Lightbourn has determined that a survey will serve to: Get a clear indication of the membership's position on this issue and Allow RAM to respond to the challenge from the Commission. Please take a moment to read the following information and respond to the five questions below. NOTE: This brief survey will close at 5 p.m. Friday, October 21, 2011.

BACKGROUND: Maui County is in the process conducting a once in a decade review of its Charter. The Charter is something like a county-level constitution, basically establishing the structure for our county government: how we elect our leaders, how our budget works, and what the various departments do. One of the discussions before the County Charter Commission is how we elect our County Council. Our Council is a nine-member legislative body that is elected at-large - meaning that all voters can vote for all nine Council Members - but the Council Members are required to come from specific "residency districts," so that each part of the County has its own representative on the Council. The Council Members are elected for two-year terms, and can be elected for five consecutive terms. If a five-term Council Member takes a break after the fifth term, they are permitted to run again for another five terms. **ARGUMENTS FOR THE STATUS QUO:** Maui County has a unique geography - three populated islands, two of which have small populations. The current election system allows Maui County to sidestep the constitutional requirement for "one person, one vote" proportionality. The two small islands, Lanai and Molokai need their own, island-based Council Members to have quality representation. "Canoe" districts do not work for the smaller islands because they will be ignored. This system also forces all members of the Council to know all parts of the County. **ARGUMENTS FOR SINGLE MEMBER DISTRICTS:** The system is seen by some as grossly inequitable: Lanai has a population of 3000. Wailuku has a population of 28,000. They get the same level of representation. Single-member districts would create equally-sized districts, with Council Members elected by and answering to the residents of that district. Communities could often end up with representatives that they did not want because of the votes from other communities. The history of the current at-large system shows incumbents - and especially those from Lanai and Molokai - are nearly invulnerable to being removed from office. Many would-be challengers lack the money and "connections" to run a county-wide campaign against an incumbent.



1. Do you support the proposal to change our Council Elections from the current At-large system to Single Member Districts?

Yes		286	89%
No		37	11%
Total		323	100%



2. Do you support the proposal to change the Council's current 2-year term of office to 4-year terms?

Yes		252	78%
No		71	22%
Total		323	100%

3. Do you support the proposal to limit Council Members to a maximum of two 4-year terms of office?

Yes		264	82%
No		58	18%
Total		322	100%

4. Do you agree that the Charter Commission should allow the voters to decide these issues?

Yes		307	95%
No		15	5%
Total		322	100%

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General guidelines for defining districting scenarios into GIS (based on June 13, 2011 presentation to the Maui County Charter Commission):

- Define the population target (e.g., $154,834/9 = 17,204$) and the maximum allowable variation from district to district (e.g. $\pm 1\%$, $\pm 2\%$, $\pm 5\%$, etc).

Approx District Ranges by Variation Percent

Variation	Low	High
$\pm 1\%$	17,032	17,376
$\pm 2\%$	16,860	17,548
$\pm 5\%$	16,344	18,064

- Define the policy for any canoe districts. Can be geographic proximity, socio-economic, etc.
- Define preferred “starting points” (e.g. Nakalele Point, Ahihi-Kinau, etc.) or specific hard and fast geographic boundaries, if any.
- Districts need to follow block boundaries (80% of block boundaries are streets).

MAUI COUNTY CHARTER

ARTICLE 3
ELECTION OF COUNCIL AND TERM OF OFFICE

ARTICLE 7
ELECTION OF MAYOR AND TERM OF OFFICE

Proposed Charter Amendments

[added material is underlined, deleted material is bracketed]

Amend Section 3-2. Election of Council and Term of Office, Paragraphs 1 through 4, as follows:

1. Council members shall be elected by [nonpartisan special elections. Such special elections shall be held in conjunction with the primary and general elections every two (2) years commencing in 2000. The special election held in conjunction with the primary election every two (2) years shall be known as the first special election. The special election held in conjunction with the general election every two (2) years shall be known as the second special election] partisan elections in accordance with the election laws of the state, insofar as applicable.

[2. The names of all candidates for each council seat shall be placed on the ballot for the first special election; provided, that for any council seat with two or fewer candidates, the names of the candidates shall appear only on the ballot for the second special election.

3. For any council seat with three or more candidates, the names of the two candidates receiving the highest number of votes for each council seat in the first special election shall be placed on the ballot for the second special election; provided, that if two or more candidates tie for the highest number of votes received in the first special election, the names of the candidates tied for the highest number of votes shall be placed on the ballot for the second special election; and further provided, that if a single candidate receives the highest number of votes in the first special election and two or more candidates tie for the second-highest number of votes received, the names of the candidate receiving the highest number of votes and the candidates tied for the second-highest number of votes shall be placed on the ballot for the second special election.

4. At the second special election, the candidates receiving the highest number of votes for each council seat shall be deemed elected. If there is no more than one candidate for a council seat, such person shall be deemed elected regardless of the number of votes received.]

Amend Section 7-2. Election of Mayor and Term of Office, Paragraphs 1 through 4, as follows:

1. The mayor shall be elected by [nonpartisan special elections. Such special elections shall be held in conjunction with the primary and general elections every four (4) years commencing in 2002. The special election held in conjunction with the primary election every four (4) years shall be known as the first special election. The special election held in conjunction with the general election every four (4) years shall be known as the second special election.] a partisan election in accordance with the election laws of the state, insofar as applicable.

[2. The names of all candidates for mayor shall be placed on the ballot for the first special election; provided, that if there are two or fewer candidates, the names of the candidates shall appear only on the ballot for the second special election.

3. If there are three or more candidates, the names of the two candidates receiving the highest number of votes in the first special election shall be placed on the ballot for the second special election; provided, that if two or more candidates tie for the highest number of votes received in the first special election, the names of the candidates tied for the highest number of votes shall be placed on the ballot for the second special election; and further provided, that if a single candidate receives the highest number of votes in the first special election and two or more candidates tie for the second-highest number of votes received, the names of the candidate receiving the highest number of votes and the candidates tied for the second-highest number of votes shall be placed on the ballot for the second special election.

4. At the second special election, the candidate receiving the highest number of votes shall be deemed elected. If there is no more than one candidate for mayor, such person shall be deemed elected regardless of the number of votes received.]

PROPOSED BALLOT QUESTION

Shall Sections 3-2 and 7-2 of the Revised Charter of the County of Maui (1983) be amended to delete the reference to nonpartisan elections, and provide that Council members and the Mayor shall be elected by partisan elections in accordance with the election laws of the State of Hawaii ?