

**COUNCIL OF THE COUNTY OF MAUI**  
**POLICY AND INTERGOVERNMENTAL**  
**AFFAIRS COMMITTEE**

June 3, 2016

**Committee**  
**Report No.** \_\_\_\_\_

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

Chair and Members:

Your Policy and Intergovernmental Affairs Committee, having met on May 23, 2016, makes reference to the following:

1. County Communication 09-229, from Michael J. Molina, Chair, Committee of the Whole, relating to proposed amendments to the Revised Charter of the County of Maui (1983), as amended.
2. County Communication 15-197, from Council Chair Mike White, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ARTICLE 11, INITIATIVE, REGARDING THE TIME FRAME TO REVIEW SUPPLEMENTAL PETITION SIGNATURES."

The purpose of the proposed resolution is to place on the next General Election ballot the question of whether Charter Section 11-5 should be amended to allow the County Clerk 20 days, instead of 10 days, to review a supplemental initiative petition.

Your Committee notes Article 14 of the Revised Charter of the County of Maui (1983), as amended, sets forth procedures related to amending the Charter. The Council, by resolution adopted after two readings on separate days, and passed by a vote of six or more members, may place a question on the ballot at the next General Election.

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Your Committee further notes Article 11 of the Charter allows an ordinance to be proposed by initiative, upon the submission of a petition signed by at least 20 percent of the total number of voters who cast ballots in the last mayoral General Election.

Your Committee notes Article 11 provides 45 days for the County Clerk to validate signatures on the original submission of a petition. If more signatures are needed to meet the applicable threshold after the County Clerk provides an initial count of valid signatures, a supplemental petition may be submitted. The proposal would allow 20 days, instead of the existing 10 days, to validate supplemental signatures.

The proposed resolution notes the County Clerk received a supplemental petition proposing an ordinance by initiative with more than 9,000 signatures in 2014.

Your Committee determined the proposed Charter amendment would make the timeline more reasonable and would reduce potential staffing costs related to the initiative process.

Your Committee voted 9-0 to recommend passage of the proposed resolution on first reading and filing of the communication. Committee Chair Victorino, Vice-Chair Couch, and members Baisa, Carroll, Cochran, Crivello, Guzman, Hokama, and White voted "aye."

Your Policy and Intergovernmental Affairs Committee **RECOMMENDS** the following:

1. That Resolution \_\_\_\_\_, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ARTICLE 11, INITIATIVE, REGARDING THE TIME FRAME TO REVIEW SUPPLEMENTAL PETITION SIGNATURES," be PASSED ON FIRST READING and be ORDERED TO PRINT; and


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2. That County Communication 15-197 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
\_\_\_\_\_  
MICHAEL P. VICTORINO, Chair

pia:cr:16010(6)aa:kcw

# Resolution

No. \_\_\_\_\_

PROPOSING AN AMENDMENT TO THE REVISED  
CHARTER OF THE COUNTY OF MAUI (1983), AS  
AMENDED, RELATING TO ARTICLE 11,  
INITIATIVE, REGARDING THE TIME FRAME TO  
REVIEW SUPPLEMENTAL PETITION  
SIGNATURES

WHEREAS, Section 11-5(2) of the Revised Charter of the County of Maui (1983), as amended ("Charter"), establishes the timeframe within which the County Clerk shall examine a supplemental petition; and

WHEREAS, in 2014 the County Clerk received over 9,000 signatures on a submitted supplemental petition; and

WHEREAS, in addition to its normal operations and work, the Office of the County Clerk had only ten (10) days to review the supplemental petition, and had to incur significant amounts of overtime to meet the Charter-mandated deadline; and

WHEREAS, the deadlines for submission of initiative and supplemental petitions may coincide with important Primary and General Election deadlines for the Office of the County Clerk; and

WHEREAS, extending the timeframe for review would reduce expenditures incurred in the examination of a supplemental petition and enable the Office of the County Clerk to conduct a more thorough review of it; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That, pursuant to Section 14-1(1) of the Charter, it hereby proposes that Section 11-5 of the Charter, pertaining to an initiative, be amended by amending subsection (2) to read as follows:

"2. The clerk shall within [ten (10)] twenty (20) days after such supplementary signatures are filed make a like examination of them and shall promptly issue a certificate as to their sufficiency. Such certificate shall be sent to the petitioners' committee."; and

Resolution No. \_\_\_\_\_

2. That material to be repealed is bracketed and new material is underscored; and

3. That, pursuant to Section 14-2(1) of the Charter, this resolution be submitted to the voters of the County of Maui at the next general election; and

4. That the County Clerk prepare the necessary ballot for presentation to the voters at the next general election; and

5. That, pursuant to Section 14-1(1) of the Charter, it hereby proposes that the following question be placed on the next general election ballot:

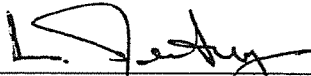
"Shall Section 11-5 of the Charter be amended to allow the County Clerk twenty (20) days to review a supplemental petition, instead of ten (10) days?"; and

6. That pursuant to Section 14-2(2) of the Charter, the County Clerk publish this proposed amendment in a newspaper of general circulation; and

7. That, upon approval by the majority of the voters as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect; and

8. That certified copies of this resolution be transmitted to the Mayor and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY



Department of the Corporation Counsel

County of Maui

LF2015-4378 - timeframe