

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

August 5, 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 June 1, 2016, June 27, 2016, June 29, 2016 (reconvene), and July 5, 2016 (reconvene), 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. Correspondence dated April 28, 2016, from Councilmember Elle Cochran, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO DESIGNATE PLANNING COMMISSION SEATS FOR LEADERS OF HAWAIIAN CULTURAL AND ENVIRONMENTAL PROTECTION GROUPS."

The purpose of the proposed resolution is to place on the next General Election ballot the question of whether the Charter shall be amended to require each planning commission to include members with an exhibited interest in and commitment to, respectively, Hawaiian cultural preservation and environmental protection.

By correspondence dated June 20, 2016, Councilmember Elle Cochran transmitted a revised proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO MEMBERSHIP

COUNCIL OF THE COUNTY OF MAUI
POLICY AND INTERGOVERNMENTAL
AFFAIRS COMMITTEE

Page 2

Committee
Report No. _____

QUALIFICATIONS OF THE PLANNING COMMISSIONS.” The purpose of the revised proposed resolution is to place on the next General Election ballot the question of whether the Charter should be amended to: (1) require each planning commission to include members with an exhibited interest in and commitment to, respectively, Hawaiian cultural preservation and environmental protection, pursuant to qualifications set forth in the Maui County Code; and (2) require each new planning commission member to participate in a Native Hawaiian law training course.

Your Committee notes Article 14 of the Charter 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 Charter amendment question on the ballot at the next General Election.

The Deputy Planning Director noted that establishing requirements for certain types of expertise for planning commission members may be a good idea in concept, but it is already difficult to fill vacancies on the planning commissions.

Your Committee was undecided about what type of expertise should be required for planning commissions. Your Committee determined it would be more appropriate to establish any requirements in the Maui County Code, which is easier to amend than the Charter.

The First Deputy Corporation Counsel confirmed that qualifications of planning commission members could be established by ordinance.

Your Committee voted 7-0 to recommend the filing of the correspondence. Committee Chair Victorino and members Baisa, Carroll, Cochran, Guzman, Hokama, and White voted “aye.” Committee Vice-Chair Couch and member Crivello were excused.

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

Page 3

**Committee
Report No.** _____

Your Policy and Intergovernmental Affairs Committee
RECOMMENDS that correspondence dated April 28, 2016, be FILED.

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



MICHAEL P. VICTORINO, Chair

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