

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 3, 2006

**Committee
Report No.**

06-123

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

Chair and Members:

Your Committee of the Whole, having met on August 29, 2006 and October 17, 2006, makes reference to County Communication No. 05-22, from the Council Chair, relating to the Maui County Legislative Package.

By correspondence dated August 2, 2006, the Chair of your Committee requested that proposals be submitted for consideration in the 2007 Maui County Legislative Package.

At its meeting of August 29, 2006, your Committee met with a Deputy Corporation Counsel.

There was no public testimony.

The Chair of your Committee indicated that he would accept proposals for consideration in the 2007 Maui County Legislative Package until October 6, 2006.

Your Committee noted that proposals regarding establishing a time share zoning district, establishing an environmental court, and requiring the application of Government Accounting Standards Board Statement 45 (GASB 45) for government financial reporting may be among the proposals submitted for consideration in the 2007 Maui County Legislative Package.

Your Committee deferred action pending further discussion.

By correspondence dated August 30, 2006, Councilmember Robert Carroll transmitted a draft bill entitled "A BILL FOR AN ACT RELATING TO TIME SHARE ZONING" and justification sheet to be considered for possible inclusion in the 2007 Maui County Legislative Package. The purpose of the draft bill is to authorize the counties to establish a time share zoning district that is distinct from the hotel zoning district.

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At its meeting of October 17, 2006, your Committee met with the Corporation Counsel.

There was no public testimony. Your Committee received a brief overview of the time share zoning proposal from Councilmember Carroll.

Your Committee discussed whether the County could enact an ordinance establishing a time share zoning district with standards and uses that are distinct from the hotel zoning district without State legislation. The Corporation Counsel said that pursuing State legislation is worthwhile.

Your Committee noted that time shares have an impact on the community and that these impacts need to be addressed.

Your Committee voted to recommend that the time share zoning proposal be included in the 2007 Maui County Legislative Package and that a copy of the committee report be transmitted to the Mayor.

Your Committee of the Whole **RECOMMENDS** the following:

1. That the proposal to authorize the counties to establish a time share zoning district that is distinct from the hotel zoning district, attached hereto, be **APPROVED** for inclusion in the 2007 Maui County Legislative Package; and
2. That a copy of this committee report be **TRANSMITTED** to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

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MICHAEL J. MOLINA **Chair**

JO ANNE JOHNSON **Member**

DAIN P. KANE **Vice-Chair**

DANNY A. MATEO **Member**

MICHELLE ANDERSON **Member**

JOSEPH PONTANILLA **Member**

ROBERT CARROLL **Member**

CHARMAINE TAVARES **Member**

G. RIKI HOKAMA **Member**