

**COUNCIL OF THE COUNTY OF MAUI**  
**COMMITTEE OF THE WHOLE**

August 14, 2006

**Committee**  
**Report No.**

\_\_\_\_\_ 06-83

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 July 18, 2006 and August 1, 2006, makes reference to County Communication No. 06-174, from the Mayor, transmitting a proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, AMENDING SECTION 13-2, RELATING TO BOARDS AND COMMISSIONS".

The purpose of the proposed resolution is to amend Section 13-2 of the Revised Charter of the County of Maui (1983), as amended (Charter), relating to boards and commissions, by removing reference to political party affiliation for appointments to boards and commissions.

By correspondence dated June 27, 2006, the Chair of your Committee requested that the Department of the Corporation Counsel revise the proposed resolution to include the appropriate ballot question as requested by the County Clerk.

By correspondence dated July 3, 2006, the Corporation Counsel transmitted a revised proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, AMENDING SECTION 13-2, RELATING TO BOARDS AND COMMISSIONS" incorporating the ballot question.

At its meeting of July 18, 2006, your Committee met with the Corporation Counsel and the Senior Executive Assistant to the Mayor.

Your Committee received public testimony from one person in opposition to the proposal who expressed a preference for the disclosure of political party affiliation.

Your Committee deferred the matter pending further discussion.

At its meeting of August 1, 2006, your Committee met with the Corporation Counsel and the Senior Executive Assistant to the Mayor.

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Your Committee received public testimony from one person in opposition to the proposal who expressed a preference for the disclosure of political party affiliation.

Your Committee received a brief overview of the proposal from the Senior Executive Assistant to the Mayor. He noted that many applications are returned to him because the applicants have not completed the party affiliation portion of the application, although the application clearly states that this section of the application cannot be left blank. He said that once the applicants complete the party affiliation portion of the application, approximately one-third of the applicants will identify a party affiliation while two-thirds of the applicants will indicate that they have no party affiliation. He said that requiring the disclosure of a party affiliation can be a detriment to filling vacancies on boards and commissions, and that some applicants feel that this is a violation of their privacy. He further stated that he does not attempt to verify the applicants' party affiliation by verifying their membership or registration with a political party organization because applicants are not required to be registered with a political party in order to consider themselves affiliated with a political party. However, he stated that he does verify that boards and commissions have no more than a bare majority of one party.

Your Committee expressed a concern that eliminating the party affiliation requirement may lead to unbalanced boards and commissions. Your Committee noted that a person's affiliation with a particular political party may represent basic philosophies, and that political parties have a place in the political system.

Your Committee further noted that people should be able to state their political party affiliation publicly when applying for a position on a County board or commission, and that political-party affiliations should not be hidden.

Your Committee questioned whether the proposed Charter amendment is necessary at this time.

Your Committee discussed the possibility of amending the application form to further emphasize the requirement that the applicant must state a political party affiliation or lack thereof, as a condition, in order to complete the application.

Your Committee voted to file the communication.

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Your Committee of the Whole RECOMMENDS that County Communication No. 06-174 be FILED.

Adoption of this report is respectfully requested.

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