

To: Chairman & Members
Maui County Charter Review Commission
Wailuku, HI 96793

From: Tony Ramil

Date: October 10, 2011

Re: Proposal to Establish Three (3) Council Districts
with Three (3) members in Each District

This is a supplement to a proposal submitted on September 26, 2011 for the establishment of three (3) County Council Districts, with each District electing three (3) council members for a total of nine (9) members. Under the proposal, the present arrangement of having the members elected from specified residency areas is to be retained.

Instead of every voter in the County voting for nine (9) council members, each voter would only be voting for three (3) council members for the three (3) seats in the voter's District.

The following three (3) Council Districts , with some adjustments in the present description of the area boundaries, look fair and reasonable:

FIRST DISTRICT to encompass the areas presently identified in the Charter as--

- a. The Wailuku-Waihe'e-Waikaipu residency area;
- b. The West Maui residency area; and
- c. The Island of Lanai.

One council member to be elected from each area.

SECOND DISTRICT to encompass the areas presently identified in the Charter as--

- a. Kahului residency area;
- b. South Maui residency area; and
- c. The Island of Molokai.

One council member to be elected from each area.

THIRD DISTRICT to encompass the areas presently identified in the Charter as:

- a. The East Maui (Hana-Keanae-Kailua) residency area;

102411 - Item No. II. A. pgs 1-2

- b. The Makawao-Ha'iku-Paia residency area; and
- c. The Upcountry (Pukalani-Kula-Ulupalakua) residency area.

One council member to be elected from each area.

NOTE that if Kahoolawe is still a part of the territory of Maui County, it is proposed to make the island officially a part of the South Maui residency area in the proposed SECOND DISTRICT.

Establishing THREE (3) Council DISTRICTS, with three (3) seats in each DISTRICT, is a vast improvement to the present set-up where the County has a ONE-DISTRICT COUNCIL. The proposal means that the voters in each of the THREE (3) DISTRICTS would be equally represented by THREE (3) COUNCIL MEMBERS while honoring the historic and cultural identities of the different areas by continuing to provide for the election of the members from defined residency areas.

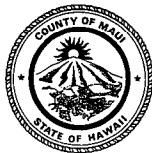
The voters in each of the THREE (3) DISTRICTS should have a more focused and greater opportunity to get to know the candidates in their respective districts; their votes would carry greater weight--not "diluted", neutralized or even nullified--by votes from "other" parts of the County; and hopefully there will be less blank votes in the elections.

Respectfully submitted:



TONY RAMIL

JEFFREY T. KUWADA
County Clerk



LANCE TAGUCHI
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

October 12, 2011

Joshua A. Stone, Chair
Maui County Charter Commission
c/o Department of the Corporation Counsel
200 South High Street
Wailuku, Hawaii 96793

RECEIVED
CORPORATION COUNSEL
201 OCT 12 AM 11:24

Dear Mr. Stone:

In response to your Request for Information letter dated August 8, 2011, I have enclosed the following:

1. Two CD's containing the vote totals (for and against the Charter Amendments) and the charter amendment questions from 1967 – 2010 (excluding the years without charter amendment questions).
2. Hard copies (one set) of the Results of Votes Cast Summary pages and the charter amendment questions from 1967 – 2010 (excluding the years without charter amendment questions).

Please contact me at 270-7749 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey T. Kuwada", is written over a horizontal line.

JEFFREY T. KUWADA
County Clerk

Encl.

P:\OCC\Elec\Correspondence\2011 Memos\111012 J. Stone Charter Commission

102411 - Item No. II.B pgs. 1-44

OFFICIAL TABULATION

MAUI COUNTY SPECIAL GENERAL ELECTION, SEPTEMBER 2, 1967

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I HEREBY CERTIFY THAT THE FOREGOING is a true and correct tabulation of the results of the Special General Election of September, A.D. 1967, in the County of Maui, State of Hawaii as taken from the Official Returns of the said election on file in the Office of the County Clerk of the County of Maui, State of Hawaii.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Maui, State of Hawaii, this 2nd day of September, A.D. 1967.

/S/ G. N. TOSHI ENOMOTO
County Clerk, County of Maui, State of Hawaii

OFFICIAL TABULATION

MAUI COUNTY SPECIAL GENERAL ELECTION, SEPTEMBER 2, 1967 — CHARTER

555	7	143	483	190	168	1,546	354	214	734	467	32	739	869	802	644	259	10	2,063	622	242	413	399	413	829	402	49	59	14	205	11	19	37	634	82
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498	6	125	386	160	148	1,323	263	189	594	396	22	582	607	569	424	166	1	1,621	460	188	276	263	308	569	266	15	32	3	132	4	11	28	513	59
57	1	18	97	30	20	223	91	25	140	71	10	157	262	233	220	93	9	442	162	54	137	136	105	260	136	34	27	11	73	7	8	9	121	22

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/S/ G. N. TOSHI ENOMOTO
County Clerk, County of Maui, State of Hawaii

POLICE COMMISSION	100.0/100.0 51/51/51	DEPARTMENT APPOINTEES	100.0/100.0 51/51/51	BALLOT LANGUAGE	100.0/100.0 51/51/51
EXPAND POWERS OF POLICE COMMISSION? BLANK VOTES OVER VOTES	YES NO 25674 57.3 10262 22.9 8791 19.6 28 0.0	YES NO SET DEADLINES FOR COUNCIL ACTION? BLANK VOTES OVER VOTES	YES NO 27616 61.7 8178 18.2 8938 19.9 16 0.0	CHARTER COMMISSION PREPARE LANGUAGE? BLANK VOTES OVER VOTES	YES NO 20613 46.0 12475 27.8 11638 26.0 22 0.0
BUDGET	100.0/100.0 51/51/51	LEGAL NOTICE	100.0/100.0 51/51/51	CHARTER INCONSISTENCIES	100.0/100.0 51/51/51
CHANGE PROCEDURE FOR BUDGET? BLANK VOTES OVER VOTES	YES NO 23328 52.1 10609 23.7 10766 24.0 52 0.1	PUBLISH IN AT LEAST TWO NEWSPAPERS? BLANK VOTES OVER VOTES	YES NO 27405 61.2 9532 21.3 7782 17.3 29 0.0	ALTER CONFLICTING SECTIONS OF CHARTER? BLANK VOTES OVER VOTES	YES NO 24823 55.4 8848 19.7 11056 24.7 21 0.0
SALARY COMMISSION	100.0/100.0 51/51/51	MANAGING/FINANCE DEPUTY	100.0/100.0 51/51/51	LAND USE INCONSISTENCIES	100.0/100.0 51/51/51
COUNCIL APPROVAL REQUIRED? BLANK VOTES OVER VOTES	YES NO 21783 48.6 13201 29.4 9755 21.7 16 0.0	ESTABLISH DEPUTY DIRECTORS? BLANK VOTES OVER VOTES	YES NO 16374 36.5 18960 42.3 9383 20.9 31 0.0	ALTER CONFLICTING SECTIONS OF CHARTER? BLANK VOTES OVER VOTES	YES NO 24589 54.9 9066 20.2 11075 24.7 18 0.0
MINIMUM QUALIFICATIONS	100.0/100.0 51/51/51	RECALL	100.0/100.0 51/51/51	CONTRACT FOR SERVICES	100.0/100.0 51/51/51
SET QUALIFICATIONS FOR DIRECTORS? BLANK VOTES OVER VOTES	YES NO 28326 63.2 7524 16.8 8873 19.8 32 0.0	CHANGE PROCEDURE FOR RECALL? BLANK VOTES OVER VOTES	YES NO 21348 47.7 14015 31.3 9361 20.9 24 0.0	ENTER CONTRACTS FOR SERVICES? BLANK VOTES OVER VOTES	YES NO 16266 36.3 17387 38.8 11085 24.7 10 0.0
MAYOR/COUNCIL VACANCIES	100.0/100.0 51/51/51	OFFICIAL ACTION	100.0/100.0 51/51/51	GENERAL PLAN REVISIONS	100.0/100.0 36/36/36
CHANGE PROCEDURE FOR VACANCIES? BLANK VOTES OVER VOTES	YES NO 19495 43.5 15447 34.5 9808 21.9 5 0.0	SHOULD NUMBER OF VOTES BE A MAJORITY? BLANK VOTES OVER VOTES	YES NO 24547 54.8 8105 18.1 12088 27.0 8 0.0	SIMPLE MAJORITY RATHER THAN 2/3RDS? BLANK VOTES OVER VOTES	YES NO 9848 28.1 17474 49.9 7677 21.9 16 0.0
BOARD HOLDOVERS	100.0/100.0 51/51/51	NEUTRAL-GENDER	100.0/100.0 51/51/51	COUNCIL SEATS	100.0/100.0 36/36/36
HOLD BOARDMEMBERS FOR ONE MONTH? BLANK VOTES OVER VOTES	YES NO 24894 55.6 11634 25.9 8195 18.3 25 0.0	SHOULD CHARTER BE GENDER-NEUTRAL? BLANK VOTES OVER VOTES	YES NO 18526 41.4 15282 34.1 10927 24.4 13 0.0	ESTABLISH SEAT FOR SOUTH MAUI RESIDENCY? BLANK VOTES OVER VOTES	YES NO 18144 51.8 9536 27.2 7317 20.8 18 0.0

ENGLISH FACSIMILE BALLOT

SIDE 1

SIDE 2


B

STATE OF HAWAII

OFFICIAL BALLOT
GENERAL ELECTION
BOARD OF EDUCATION
SECOND SCHOOL BOARD DISTRICT
 (COUNTIES OF HAWAII, MAUI and KAUAI)
 TUESDAY, NOVEMBER 6, 1990

VOTE BOTH SIDES (OVER)
 This stub shall be removed by the Election Official only.

2nd Departmental School
 District Seat (Maui)
 Vote For Not More Than One (1)

FIELD, Douglas A.	+
UEOKA, Meyer M.	+

FACSIMILE

503

VOTE BOTH SIDES (OVER)
B

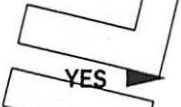
COUNTY OF MAUI
 STATE OF HAWAII

OFFICIAL BALLOT
GENERAL ELECTION
 TUESDAY, NOVEMBER 6, 1990
 AMENDMENTS TO THE REVISED CHARTER
 OF THE COUNTY OF MAUI (1983)
 PROPOSED BY THE COUNTY COUNCIL

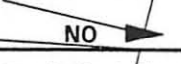
VOTE BOTH SIDES (OVER)
 This stub shall be removed by the Election Official only.

The full text of the Charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

1 Shall Section 8-8.6 of the Revised Charter of the County of Maui be amended to provide that where the council has proposed revisions to the general plan, zoning ordinance, or other land use ordinance, and the appropriate planning commission has modified or otherwise not approved the revisions, the council may nevertheless approve such revisions by a simple majority of five votes rather than the affirmative vote of at least two-thirds of its entire membership?


YES


☐ +


NO


☐ +

2 Shall Section 3-1 of the Revised Charter of the County of Maui be amended to:

1. Delete one of the two "No-District Residency" seats on the county council, and
2. Establish a seat requiring "South Maui Residency" on the county council?


YES

☐ +


NO

☐ +

FACSIMILE

504

VOTE BOTH SIDES (OVER)
B

** Summary Report **

Number 1.

24. C & C CHARTER			207/ 207/ 207	30. C & C CHARTER			207/ 207/ 207	LANAI PLANNING			39/ 39/ 39
STATE/FEDERAL EMPLOYEES			100.0/100.0	VIOLATION OF CHARTER			100.0/100.0	COMMISSION			100.0/100.0
STATE/FED WORKERS			YES 132948 49.0	RAISE PENALTY			YES 191876 70.7	ESTABLISH SEPARATE			YES 16895 44.1
AS CITY WORKERS			NO 108375 39.9	TO \$2,000			NO 37826 13.9	COMMISSION FOR LANAI			NO 14436 37.7
Blank Votes			30089 11.1	Blank Votes			41670 15.3	Blank Votes			6934 18.1
Over Votes			128 0.0	Over Votes			168 0.1	Over Votes			8 0.0
25. C & C CHARTER			207/ 207/ 207	31. C & C CHARTER			207/ 207/ 207	APPOINTMENT & APPROVAL			39/ 39/ 39
NEIGHBORHOOD COMMISSION			100.0/100.0	CHARTER COMMISSION			100.0/100.0				100.0/100.0
REQUIRE 3 MEMBERS			YES 185559 68.3	EXTEND SERVICE OF			YES 142141 52.3	CLARIFY APPT.			YES 18281 47.8
PRIOR BOARD SERVICE			NO 54854 20.2	CHARTER COMMISSION			NO 81085 29.9	& TEMPORARY APPT.			NO 13137 34.3
Blank Votes			30900 11.4	Blank Votes			48231 17.8	Blank Votes			6843 17.9
Over Votes			227 0.1	Over Votes			83 0.0	Over Votes			12 0.0
26. C & C CHARTER			207/ 207/ 207	32. C & C CHARTER			207/ 207/ 207	CODE OF ETHICS			39/ 39/ 39
DEPT. OF CIVIL SERVICE			100.0/100.0	HOUSEKEEPING AMENDMENTS			100.0/100.0				100.0/100.0
RE-NAME TO DEPT.			YES 123140 45.3	HOUSEKEEPING			YES 198351 73.0	CLARIFY FILINGS,			YES 20716 54.1
OF PERSONNEL			NO 109327 40.3	AMENDMENTS			NO 29901 11.0	PROHIBIT., OPINIONS			NO 10469 27.4
Blank Votes			38992 14.4	Blank Votes			43219 15.9	Blank Votes			7081 18.5
Over Votes			81 0.0	Over Votes			69 0.0	Over Votes			7 0.0
27. C & C CHARTER			207/ 207/ 207	COUNTY COUNCIL: TERM			53/ 53/ 53	BOARD OF VARIANCES &			39/ 39/ 39
REORGANIZATION COMM.			100.0/100.0				100.0/100.0	APPEALS			100.0/100.0
ELIMINATE			YES 160728 59.2	PROVIDE LIMITS TO			YES 12654 24.1	DELETE VARIANCES TO			YES 12512 32.7
COMMISSION			NO 62963 23.2	COUNCIL TERMS			NO 32869 62.6	GENERAL PLAN			NO 17709 46.3
Blank Votes			47775 17.6	Blank Votes			6932 13.2	Blank Votes			8048 21.0
Over Votes			74 0.0	Over Votes			23 0.0	Over Votes			4 0.0
28. C & C CHARTER			207/ 207/ 207	COUNCIL COMPOSITION			39/ 39/ 39	SALARY COMMISSION			39/ 39/ 39
FINANCE DIRECTOR			100.0/100.0				100.0/100.0				100.0/100.0
ESTABLISH PURCHASING			YES 148371 54.6	ELECT AT-LARGE			YES 23004 60.1	SET SALARIES FOR ALL			YES 19870 51.9
CONTRACTING RULES			NO 79643 29.3	RESIDENCY REQUIREMENT			NO 11131 29.1	DIRECTORS, DEPUTIES			NO 13160 34.4
Blank Votes			43414 16.0	Blank Votes			4118 10.8	Blank Votes			5222 13.6
Over Votes			112 0.0	Over Votes			20 0.1	Over Votes			14 0.0
29. C & C CHARTER			207/ 207/ 207	COUNTY COUNCIL			39/ 39/ 39	PROSECUTING ATTORNEY			39/ 39/ 39
CITY PURCHASES			100.0/100.0				100.0/100.0				100.0/100.0
CHANGE PURCHASE			YES 133830 49.3	CHANGE RE: TERMS,			YES 23588 61.6	POLICE POWERS			YES 11024 28.8
LIMIT FOR ADVERTISING			NO 93918 34.6	RESIDENCY, VOTING			NO 10144 26.5	TO INVESTIGATORS			NO 22309 58.3
Blank Votes			43680 16.1	Blank Votes			4533 11.8	Blank Votes			4920 12.9
Over Votes			112 0.0	Over Votes			8 0.0	Over Votes			13 0.0

NOVEMBER 3, 1992

Printed on 11/05/92 at 10:51 am

** Summary Report **

Number 1.

QUALIFICATIONS				CHARTER AMENDMENTS				REGISTRATION AND TURNOUT			
39/ 39/ 39				39/ 39/ 39				100.0/100.0			
100.0/100.0				100.0/100.0				*****			
CHANGE QUAL.	YES	17836	46.6	NEW COMMISSION AND	YES	16540	43.2	GENERAL			
FOR OFFICIALS	NO	14974	39.1	AMENDMENT PROCEDURE	NO	13119	34.3	*****			
Blank Votes		5441	14.2	Blank Votes		8600	22.5				
Over Votes		15	0.0	Over Votes		7	0.0	TOTAL REGISTRATION.....			
								464495			
DEPARTMENTAL NAMES				PLANNING COMMISSION				TOTAL TURNOUT.....			
39/ 39/ 39				18/ 18/ 18				382882 82.4			
100.0/100.0				100.0/100.0				PRECINCT TURNOUT.....			
								342343 73.7			
CHANGE THE NAMES OF	YES	16635	43.5	SET QUALIFICATIONS	YES	11073	55.9	A BALLOTS CAST.....			
TWO DEPARTMENTS	NO	15605	40.8	FOR COMPOSITION	NO	4673	23.6	342343 73.7			
Blank Votes		6016	15.7	Blank Votes		4050	20.5	B BALLOTS CAST.....			
Over Votes		10	0.0	Over Votes		6	0.0	342325 73.7			
								C BALLOTS CAST.....			
FIRE DEPARTMENT				BUDGET PROCESS				342254 73.7			
39/ 39/ 39				18/ 18/ 18				D BALLOTS CAST.....			
100.0/100.0				100.0/100.0				279857 60.2			
								D2 BALLOTS CAST.....			
								279809 60.2			
EXPAND RESPON.	YES	22893	59.8	SET STANDARDS FOR	YES	8481	42.8	ABSENTEE TURNOUT.....			
OF FIRE CHIEF	NO	11007	28.8	ADOPTION OF BUDGET	NO	6596	33.3	40539 8.7			
Blank Votes		4351	11.4	Blank Votes		4715	23.8	A BALLOTS CAST.....			
Over Votes		15	0.0	Over Votes		10	0.1	40539 8.7			
								B BALLOTS CAST.....			
FINANCIAL PROCEDURES				IMPEACHMENT				39700 8.5			
39/ 39/ 39				18/ 18/ 18				D BALLOTS CAST.....			
100.0/100.0				100.0/100.0				30101 6.5			
								D2 BALLOTS CAST.....			
								29997 6.5			
MAKE CHANGES TO	YES	16044	41.9	CHANGE SIGNATURES	YES	7966	40.2	*****			
FINANCIAL PROCEDURES	NO	13911	36.4	REQUIRED, PAY FEES	NO	7207	36.4	OVERSEAS BALLOTS CAST			
Blank Votes		8300	21.7	Blank Votes		4626	23.4	*****			
Over Votes		11	0.0	Over Votes		3	0.0				
								1ST CONGRESSIONAL.....			
INITIATIVE				COUNCIL: TERMS				58			
39/ 39/ 39				18/ 18/ 18				2ND CONGRESSIONAL.....			
100.0/100.0				100.0/100.0				27			
								PRESIDENTIAL.....			
								4			
CHANGE PROCEDURES	YES	13825	36.1	EXTEND/LIMIT TERMS	YES	4846	24.5				
TO FILE AND PROCESS	NO	15623	40.8	SET VACANCY POLICY	NO	11473	57.9	*****			
Blank Votes		8810	23.0	Blank Votes		3477	17.6	OFF. OF HAWAIIAN AFFAIRS			
Over Votes		8	0.0	Over Votes		6	0.0	*****			
								TOTAL REGISTRATION			
RECALL								68122			
39/ 39/ 39								TOTAL TURNOUT.....			
100.0/100.0								51029 74.9			
								PRECINCT TURNOUT.....			
CHANGE PROCEDURES	YES	14592	38.1					45597 66.9			
TO FILE AND PROCESS	NO	14963	39.1					ABSENTEE TURNOUT.....			
Blank Votes		8704	22.7					5432 8.0			
Over Votes		7	0.0					*****			

ENGLISH FACSIMILE BALLOT

SIDE 1

SIDE 2

COUNTY OF MAUI
STATE OF HAWAII



D1

OFFICIAL BALLOT GENERAL ELECTION

TUESDAY, NOVEMBER 3, 1992

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE CHARTER COMMISSION

VOTE BOTH SIDES (OVER)

This stub shall be removed by the Election Official only.

These are the charter commission proposals required by law to be submitted to the voters.

The Charter Amendment Ballot Digest is available at this polling place. Please contact an Election Official if you wish to review the Digest.

If you favor the proposed change to the County Charter, please vote "Yes." If you oppose the proposed change, please vote "No."

VOTE YOUR CHOICE ON EACH QUESTION BELOW.

1 **COUNCIL COMPOSITION:** Shall all nine Maui county council members be elected by all the voters of the county with the requirement that there be one resident elected from each of the nine residency areas as follows:
Kahului
Wailuku-Waihee-Waikapu
West Maui
South Maui (Kihei-Makena-Maalaea)
Upcountry (Pukalani-Kula-Ulupalakua)
Makawao-Paia-Haiku
East Maui
(Hana-Keanae-Kailua)
Molokai
Lanai
(§ 3-1.)

YES ► +

NO ► +

2 **COUNTY COUNCIL TERM, RESIDENCY, VOTING:** Shall the charter provisions concerning the county council be changed:

- (1) to prohibit council members from serving more than five consecutive two year terms,
- (2) to require a ninety day residency in the county prior to filing nomination papers and residency in the candidate's residence area at the time of filing nomination papers, and
- (3) to authorize that voting on matters before the council be pursuant to council rules and to require a roll call vote when requested by any council member.

YES ► +

NO ► +

201

VOTE BOTH SIDES (OVER)

D1

I HAVE VOTED, HAVE YOU?

VOTE BOTH SIDES (OVER)

3 **LANAI PLANNING COMMISSION:** Shall a separate planning commission be established for the island of Lanai?
(Chap. 8, § 8-8.1, 8-8.4)

YES ► +

NO ► +

4 **APPOINTMENT AND APPROVAL OF CORPORATION COUNSEL AND PROSECUTING ATTORNEY:** Shall the mayor be granted the authority to make temporary appointments and shall the procedure for the appointment and approval of the prosecuting attorney and the corporation counsel be further defined to provide that:

- (1) the mayor has 80 days after taking office or the creation of a vacancy to make these appointments,
- (2) the council has 60 days to act on such appointments, and
- (3) persons denied confirmation by the council shall not continue in these offices?

(§ 6-2, 6-2.4)

YES ► +

NO ► +

5 **CODE OF ETHICS:** Shall the code of ethics be changed:

- (1) to clarify which boards and commissions must file financial disclosure statements,
- (2) to clarify the prohibitions on county employees and officers in representing private interests before county agencies, and
- (3) to authorize that advisory opinions be issued within 45 days after filing?

(§ 10-2, 10-3, 10-4)

YES ► +

NO ► +

8 **BOARD OF VARIANCES AND APPEALS:** Shall the authority of the board of variances and appeals to grant variances from the general plan be deleted?
(§ 8-5.4)

YES ► +

NO ► +

202

VOTE BOTH SIDES (OVER)

D1

ENGLISH FACSIMILE BALLOT

SIDE 1

SIDE 2

COUNTY OF MAUI
STATE OF HAWAII



D2

OFFICIAL BALLOT GENERAL ELECTION

TUESDAY, NOVEMBER 3, 1992

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE CHARTER COMMISSION

VOTE BOTH SIDES (OVER)

This stub shall be removed by the Election Official only.

VOTE YOUR CHOICE ON EACH QUESTION BELOW.

- 7** **SALARY COMMISSION:** Shall the salary commission establish the salaries of the directors and deputy directors of all county departments, including the Department of Water Supply? (§ 8-11, 8-16.1)
- YES ☒ +
- NO ☐ +
- 8** **INVESTIGATORS WITH PROSECUTING ATTORNEY:** Shall investigators within the Department of the Prosecuting Attorney have powers and privileges of a police officer? (§ 8-3.3)
- YES ☒ +
- NO ☐ +
- 9** **QUALIFICATIONS - CORPORATION COUNSEL AND PROSECUTING ATTORNEY:** Shall the qualifications of the corporation counsel and prosecuting attorney be changed to require these officers have practiced law at least three years, but not necessarily in the State of Hawaii? (§ 8-2.2, 8-3.2)
- YES ☒ +
- NO ☐ +
- 10** **DEPARTMENTS OF PUBLIC WORKS AND HUMAN CONCERNS:** Shall the names of the Department of Public Works and Department of Human Concerns be changed to the Department of Public Works and Waste Management and the Department of Housing and Human Concerns? (§ 8-4, 8-10)
- YES ☒ +
- NO ☐ +
- 11** **FIRE DEPARTMENT:** Shall the duties of the fire chief include responsibility for hazardous materials? (§ 8-7.3)
- YES ☒ +
- NO ☐ +

203

VOTE BOTH SIDES (OVER)

D2

I HAVE VOTED, HAVE YOU?

VOTE BOTH SIDES (OVER)

- 12** **FINANCIAL PROCEDURES:** Shall the financial procedures be changed, as recommended by the charter commission concerning:
- (1) the processing of changes to legislative and executive operating budgets,
 - (2) the procedures to prepare and adopt the police department's budget, and
 - (3) the finance director's authority to issue checks? (§ 8-4.3, 9-2, 9-10)
- YES ☒ +
- NO ☐ +
- 13** **INITIATIVE:** Shall the procedures for the filing and processing of initiative petitions be changed as recommended by the charter commission? (§ 11-3, 11-4, 11-6)
- YES ☒ +
- NO ☐ +
- 14** **RECALL:** Shall the procedures for the filing and processing of petitions to recall elected officials be changed as recommended by the charter commission? (§ 12-3, 12-4, 12-6)
- YES ☒ +
- NO ☐ +
- 15** **CHARTER AMENDMENTS:** Shall the charter be changed to provide an additional method for proposing charter amendments and to provide for the appointment of a new charter commission in 2001 and/or it to submit a report 16 months after appointment? (§ 14-1, 14-3)
- YES ☒ +
- NO ☐ +

204

VOTE BOTH SIDES (OVER)

D2

** Summary Report **
 Number 1.

CONSTITUTIONAL AMENDMENT	325/ 325/ 325	2. HAWAII CHARTER	54/ 54/ 54	REGISTRATION AND TURNOUT	
JUDICIAL SELECTION	100.0/100.0	CENTRALIZED PURCHASING	100.0/100.0	*****	
NUMBER OF NOMINEES	YES 215471 57.3	PURCHASING TO FOLLOW	YES 25458 52.1	GENERAL	
BETWEEN 4 AND 6	NO 96762 25.7	STATUTE AND RULES	NO 15422 31.6	*****	
Blank Votes	63981 17.0	Blank Votes	7961 16.3		
Over Votes	110 0.0	Over Votes	17 0.0	TOTAL REGISTRATION.....	488889
CONSTITUTIONAL AMENDMENT	325/ 325/ 325	3. HAWAII CHARTER	54/ 54/ 54	TOTAL TURNOUT.....	377011 77.1
JUDICIAL SELECTION COMM.	100.0/100.0	COUNTY BUDGET	100.0/100.0	PRECINCT TURNOUT.....	323168 66.1
TERM NOT TO EXCEED	YES 240411 63.9	CHANGE TO A BIENNIUM	YES 19469 39.8	A BALLOTS CAST.....	323168 66.1
SIX YEARS	NO 73945 19.6	BUDGET	NO 22071 45.2	B BALLOTS CAST.....	323145 66.1
Blank Votes	61894 16.4	Blank Votes	7305 15.0	C BALLOTS CAST.....	323115 66.1
Over Votes	74 0.0	Over Votes	13 0.0	D BALLOTS CAST.....	31214 6.4
CONSTITUTIONAL AMENDMENT	325/ 325/ 325	MAUI CHARTER	41/ 41/ 41	ABSENTEE TURNOUT.....	53843 11.0
JUDICIAL SELECTION COMM.	100.0/100.0	WATER RULES	100.0/100.0	A BALLOTS CAST.....	53843 11.0
CHANGE REQUIREMENTS	YES 205982 54.7	COUNCIL CONFIRMATION	YES 23812 65.3	B BALLOTS CAST.....	53395 10.9
IN APPOINTMENTS	NO 103135 27.4	OF MAYOR'S ACTION	NO 7031 19.3	C BALLOTS CAST.....	53209 10.9
Blank Votes	67164 17.8	Blank Votes	5575 15.3	D BALLOTS CAST.....	5225 1.1
Over Votes	43 0.0	Over Votes	21 0.1		
C&C OF HONOLULU CHARTER	211/ 211/ 211	MAUI CHARTER	41/ 41/ 41		
POLICE DEPARTMENT	100.0/100.0	COST OF GOV. COMMISSION	100.0/100.0		
1 ADDITIONAL DEPUTY	YES 140660 52.3	CONTINUOUS COMM.;	YES 21529 59.1	*****	
CHIEF POSITION	NO 94097 35.0	STAGGERED TERMS	NO 8063 22.1	OVERSEAS BALLOTS CAST	
Blank Votes	33985 12.6	Blank Votes	6840 18.8	*****	
Over Votes	54 0.0	Over Votes	7 0.0		
C&C OF HONOLULU CHARTER	211/ 211/ 211	MAUI CHARTER	41/ 41/ 41	1ST CONGRESSIONAL.....	2
CITY PARK USAGE	100.0/100.0	FINANCIAL DISCLOSURES	100.0/100.0	2ND CONGRESSIONAL.....	1
CITY COUNCIL TO	YES 184327 68.6	PUBLIC INSPECTION OF	YES 24670 67.7		
APPROVE PARK USE	NO 55823 20.8	NAMES, FILING DATES	NO 6044 16.6	*****	
Blank Votes	28598 10.6	Blank Votes	5676 15.6	OFF. OF HAWAIIAN AFFAIRS	
Over Votes	48 0.0	Over Votes	49 0.1	*****	
1. HAWAII CHARTER	54/ 54/ 54			TOTAL REGISTRATION	75766
POLICE COMMISSION	100.0/100.0			TOTAL TURNOUT.....	55424 73.2
INCREASE TO 9 AND	YES 32356 66.2			PRECINCT TURNOUT.....	47324 62.5
APPOINT FROM DISTRICT	NO 10771 22.0			ABSENTEE TURNOUT.....	8100 10.7
Blank Votes	5715 11.7				
Over Votes	16 0.0				

COUNTY OF MAUI
STATE OF HAWAII

D

OFFICIAL BALLOT
GENERAL ELECTION
TUESDAY, NOVEMBER 8, 1994AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE COUNTY COUNCIL

This stub shall be removed by the Election Official only.

The full text of the Charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

1

Shall Section 8-11.8 of the Charter of the County of Maui be amended to provide that the Mayor's action on rules of the Board of Water Supply be confirmed by majority vote or overridden by two-thirds vote of the County Council?

YES > +

NO > +

2

Shall Section 8-14.3 of the Charter of the County of Maui be amended to establish the Cost of Government Commission as a continuing commission with members appointed to staggered two-year terms?

YES > +

NO > +

3

Shall Section 10-3.2 of the Charter of the County of Maui be amended to open for public inspection the names, the required filing dates, and the actual filing dates for all persons required to file confidential financial disclosures?

YES > +

NO > +

601

D

I HAVE VOTED, HAVE YOU?

(OVER)

FACSIMILE

286

(OVER)



SB101

SB101

GENERAL ELECTION - STATE OF HAWAII - STATEWIDE

NOVEMBER 5, 1996

Printed on 11/07/96 at 05:14 pm

** Summary Report **

Number 2.

C&C OF HONOLULU CHARTER	212/ 212/ 212	C&C OF HONOLULU CHARTER	212/ 212/ 212	KAUAI CHARTER	18/ 18/ 18
COUNCIL CONFIRMATION	100.0/100.0	DISS PUB TRANS AUTH	100.0/100.0	COUNCIL TERM LIMITS	100.0/100.0
CONFIRM MAYOR	YES 141210 54.1	TRANS PTA TO DTS	YES 144279 55.3	EST TERM LIMITS	YES 6698 30.8
APPOINTMENTS	NO 79127 30.3	AND EST TRANS COMM	NO 71692 27.5	FOR COUNCIL	NO 12154 55.8
Blank Votes	40458 15.5	Blank Votes	44865 17.2	Blank Votes	2919 13.4
Over Votes	90 0.0	Over Votes	49 0.0	Over Votes	9 0.0
C&C OF HONOLULU CHARTER	212/ 212/ 212	HAWAII CHARTER	56/ 56/ 56	KAUAI CHARTER	18/ 18/ 18
DEPT NAME CHANGE	100.0/100.0	COUNCIL TERM LIMITS	100.0/100.0	BID THRESHOLDS	100.0/100.0
CHG NAME TO DEPT	YES 147650 56.6	LIMIT TO 4 CONSE-	YES 33542 66.5	CHGS COMPETITIVE-	YES 7510 34.5
COM AND SOC RES	NO 73172 28.0	CUTIVE 2-YR TERMS	NO 10428 20.7	BIDDING THRESHOLDS	NO 9055 41.6
Blank Votes	40005 15.3	Blank Votes	6429 12.7	Blank Votes	5201 23.9
Over Votes	58 0.0	Over Votes	31 0.1	Over Votes	14 0.1
C&C OF HONOLULU CHARTER	212/ 212/ 212	HAWAII CHARTER	56/ 56/ 56	KAUAI CHARTER	18/ 18/ 18
CITY OFFICIALS	100.0/100.0	VACANCY IN OFFICE	100.0/100.0	NONPARTISAN ELECTIONS	100.0/100.0
PROHIBITED ACTS	YES 170632 65.4	VAC ONLY IF TERM	YES 23758 47.1	EST NONPARTISAN	YES 8879 40.8
RE: PROMOTIONS	NO 53465 20.5	OF OFFICE OVERLAPS	NO 18333 36.4	ELECTIONS	NO 8661 39.8
Blank Votes	36665 14.1	Blank Votes	8318 16.5	Blank Votes	4229 19.4
Over Votes	123 0.0	Over Votes	21 0.0	Over Votes	11 0.1
C&C OF HONOLULU CHARTER	212/ 212/ 212	MAUI CHARTER	41/ 41/ 41	KAUAI CHARTER	18/ 18/ 18
NEIGHBORHOOD COMM	100.0/100.0	BRD OF VAR & APPEALS	100.0/100.0	AUTHORITY RE: GRANTS	100.0/100.0
APPT OF EXEC SEC	YES 116328 44.6	TRANSFER BVA	YES 20925 58.0	CLARIFY COUNCIL	YES 9060 41.6
OF NBRHD COMM	NO 99394 38.1	TO DEPT OF PLANNING	NO 8304 23.0	AUTH RE: GRANTS	NO 8018 36.8
Blank Votes	45107 17.3	Blank Votes	6839 19.0	Blank Votes	4693 21.5
Over Votes	56 0.0	Over Votes	8 0.0	Over Votes	9 0.0
C&C OF HONOLULU CHARTER	212/ 212/ 212	MAUI CHARTER	41/ 41/ 41	KAUAI CHARTER	18/ 18/ 18
BRD OR COMM MEM	100.0/100.0	VAR TO GENERAL PLAN	100.0/100.0	PLAN COMM APPOINTEES	100.0/100.0
REMOVAL FROM OFFICE	YES 168292 64.5	REPEAL BVA AUTH	YES 14873 41.2	DEL REQ PLAN	YES 7958 36.5
OF BRD OR COMM MEM	NO 43636 16.7	TO CHG GEN PLAN	NO 14170 39.3	COMM APPOINTEES	NO 9481 43.5
Blank Votes	48906 18.7	Blank Votes	7024 19.5	Blank Votes	4326 19.9
Over Votes	51 0.0	Over Votes	9 0.0	Over Votes	15 0.1
C&C OF HONOLULU CHARTER	212/ 212/ 212	KAUAI CHARTER	18/ 18/ 18	KAUAI CHARTER	18/ 18/ 18
CITY PROSECUTOR	100.0/100.0	COUNCIL DISTRICTING	100.0/100.0	COST CONTRL COMM	100.0/100.0
PROV OF CHTR APPLY	YES 181018 69.4	COUNCILMEMBERS	YES 8456 38.8	PUBLICATION AND SUB-	YES 11784 54.1
TO CITY PROSECUTOR	NO 35205 13.5	ELECTED BY DIST	NO 9589 44.0	MIT OF ANNUAL RPT	NO 4850 22.3
Blank Votes	44621 17.1	Blank Votes	3729 17.1	Blank Votes	5133 23.6
Over Votes	41 0.0	Over Votes	6 0.0	Over Votes	13 0.1

ENGLISH FACSIMILE BALLOT

SIDE 1



B

STATE OF HAWAII

OFFICIAL BALLOT

GENERAL ELECTION

BOARD OF EDUCATION
SECOND SCHOOL BOARD DISTRICT
(COUNTIES OF HAWAII, MAUI and KAUAI)

TUESDAY, NOVEMBER 5, 1996

VOTE BOTH SIDES (OVER)

This stub shall be removed by the Election Official only.

1st Departmental
School District Seat (Hawaii)

Vote For Not More Than One (1)

FOX, Robert A.

+

WATANABE, Herbert S.

+

FACSIMILE

601

VOTE BOTH SIDES (OVER)

B

SIDE 2

COUNTY OF MAUI
STATE OF HAWAII

OFFICIAL BALLOT

GENERAL ELECTION

TUESDAY, NOVEMBER 5, 1996

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE COUNTY COUNCIL

VOTE BOTH SIDES (OVER)

The full text of the Charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

1

Shall Chapters 5 and 8 of Article 8 of the Revised Charter of the County of Maui (1983) be amended to transfer the Board of Variances and Appeals and the responsibility for administering zoning ordinances from the Department of Public Works and Waste Management to the Department of Planning?

YES >

+

NO >

+

2

Shall Section 8-5.4 of the Revised Charter of the County of Maui (1983) be amended to repeal the Board of Variances and Appeals' authority to hear and determine variances from the general plan, so that only the County Council may determine changes to the general plan?

YES >

+

NO >

+

FACSIMILE

604

VOTE BOTH SIDES (OVER)

B



BOE - 4TH DEPT SCH
213 of 213 100.0

LYONS, Marilee Y. 109324 37.6
McMILLEN, Francis 104464 35.9
Blank Votes 77035 26.5
OverVotes 291 0.1

BOE - 6TH DEPT SCH
213 of 213 100.0

HEUPEL, Jacqueline L. 96576 33.2
SAKURAI, Winston Y. 122290 42.0
Blank Votes 71948 24.7
OverVotes 300 0.1

OHA - AT LARGE
334 of 334 100.0

AIONA, Darrow L. 9226 4.7
AIONA, Leonard (Chief) 5596 2.9
AKANA, Rowena Noelani 20806 10.7
CARPENTER, Dante Keala 9839 5.1
CLUNEY, Sam 3835 2.0
DELA CRUZ, Stewart 2132 1.1
DESOTO, A. Frenchy 20107 10.3
KALEIKINI, Lovell F. 5030 2.6
KALUA, Virginia Halemano 3942 2.0
KAMAU, William K., III 3397 1.7
KAMAUU, Mahealani 12346 6.4
KEALOHA, Gard 2918 1.5
KEALOHA, Samuel L., Jr. 7482 3.8
KEKAI, Hank (Kupuna) 2716 1.4
MEYERS, Willy 1772 0.9
MONTGOMERY, Bill 2500 1.3
NAPEAHI, Kanak 2242 1.2
PA, Leimamo Josephine 2694 1.4
PRIGGE, Joseph, Jr. 963 0.5
SABEY, John L. (Kione) 449 0.2
SHIBATA-KAILIANU, Raynette 1645 0.8
TRASK, Mililani 29656 15.3
WATSON, B. Mokihana 7232 3.7
WONG, Jimmy 6464 3.3
WONGHAM, Greg 2563 1.3
Under Votes 25258 13.0
OverVotes 1608 0.8

OHA - MAUI
334 of 334 100.0

CAMPOS, Herbert Kuualoha 10127 15.6
HAO, Louis 13502 20.8
KAHO'OHANO, David E. 10523 16.2
KALALAU, Sam III 7442 11.5
KAMA, Natalie Tasha 7977 12.3
KIA-KIRLAND, Rose Kalohe 6432 9.9
Blank Votes 8423 13.0
OverVotes 380 0.6

OHA - OAHU
334 of 334 100.0

AGARD, Louis K. (Buzzy) 2670 4.1
AMARAL, Annette C. 8032 12.4
AMONG, Les A. 1427 2.2
HAO, Reginald 4992 7.7
HEE, Clayton 22751 35.1
KAMALI'I Kina'u Boyd 15720 24.3
KIYOHIO, Larry Joy 4731 7.3
Blank Votes 4075 6.3
OverVotes 408 0.6

CON AMEND: APPT TAX REVIEW COMMISSION
334 of 334 100.0

APPT OF TAX REVIEW YES 138672 33.6
COMM EVERY TEN YRS NO 222433 53.9
Blank Votes 51026 12.4
OverVotes 389 0.1

CON AMEND: LEG POWER TO RESERVE MARRIAG
334 of 334 100.0

LEG TO RES MARRIAGE YES 285384 69.2
TO OPP-SEX COUPLES NO 117827 28.6
Blank Votes 8422 2.0
OverVotes 887 0.2

CONSTITUTIONAL CONVENTION QUESTION
334 of 334 100.0

CONVENTION TO REVISE YES 140688 34.1
OR AMEND CONST NO 244753 59.3
Blank Votes 26784 6.5
OverVotes 295 0.1

C&C HON CHARTER: PLANNING DEPT MERGER
213 of 213 100.0

COMBINE PLANNING YES 200312 68.8
DEPTS INTO ONE DEPT NO 70867 24.3
Blank Votes 19681 6.8
OverVotes 254 0.1

C&C HON CHARTER: BUDGET DEPT MERGER
213 of 213 100.0

COMBINE BUDGET YES 191436 65.8
DEPTS INTO ONE DEPT NO 77454 26.6
Blank Votes 22040 7.6
OverVotes 184 0.1

C&C HON CHARTER: DEPT OF CUSTOMER SERV
213 of 213 100.0

CREATE NEW DEPT OF YES 182700 62.8
CUSTOMER SERVICES NO 87230 30.0
Blank Votes 20969 7.2
OverVotes 215 0.1

C&C HON CHARTER: DEPUTY DIRECTORS
213 of 213 100.0

EXEMPT DEPUTY YES 107375 36.9
DIRECT FROM CIV SERV NO 148440 51.0
Blank Votes 35031 12.0
OverVotes 268 0.1

C&C HON CHARTER: REVISOR OF CHARTER
213 of 213 100.0

CORP COUNCIL REV YES 139735 48.0
CHARTER FOR REORG NO 115994 39.8
Blank Votes 35146 12.1
OverVotes 239 0.1

C&C HON CHARTER: 5-YR TERM POLICE CHIEF
213 of 213 100.0

PROVIDE 5-YEAR TERM YES 222384 76.6
FOR POLICE CHIEF NO 46908 16.1
Blank Votes 21055 7.2
OverVotes 167 0.1

C&C HON CHARTER: BUDGET AMENDMENT
213 of 213 100.0

EXTEND DATE COUNCIL YES 161211 55.4
TO PASS BUDGETS NO 99380 34.1
Blank Votes 30331 10.4
OverVotes 192 0.1

C&C HON CHARTER: COUNCILMEMBER TERMS
213 of 213 100.0

STAGGER TERMS OF YES 191273 65.7
COUNCIL MEMBERS NO 73257 25.2
Blank Votes 26387 9.1
OverVotes 197 0.1

HAWAII CTY CODE: IRRADIATION INITIATIVE
59 of 59 100.0

BAN COMMERCIAL USE YES 25020 46.6
RADIOACTIVE MATERIAL NO 25493 47.5
Blank Votes 3044 5.7
OverVotes 101 0.2

HAWAII CHARTER: EST DATA SYSTEM DEPT
59 of 59 100.0

CREATE NEW CABINET YES 24861 46.3
DEPARTMENT NO 21804 40.6
Blank Votes 6970 13.0
OverVotes 23 0.0

HAWAII CHARTER: COUNCIL TERM 2-4 YEARS
59 of 59 100.0

AMEND COUNCIL TERM YES 20830 38.8
FROM 2 TO 4 YEARS NO 29095 54.2
Blank Votes 3688 6.9
OverVotes 45 0.1

HAWAII CHARTER: PLANNING APPEAL PROC
59 of 59 100.0

BOARD'S MEMBERSHIP YES 38084 71.0
& JURISDICTION; ETC NO 9303 17.3
Blank Votes 6164 11.5
OverVotes 107 0.2

MAUI CHARTER: NON-PARTISAN ELECTIONS
41 of 41 100.0

MAYOR/COUNCIL NON- YES 20923 48.3
PARTISAN ELECTIONS NO 16781 38.7
Blank Votes 5595 12.9
OverVotes 22 0.1

MAUI CHARTER: COUNCIL VACANCY PROVISION
41 of 41 100.0

COUNCIL VACANCY YES 28927 66.8
PROVISIONS NO 8721 20.1
Blank Votes 5652 13.0
OverVotes 21 0.0

KAUAI CHARTER: BOARD OF WATER SUPPLY
20 of 20 100.0

INC NUMBER MEMBERS YES 8338 34.2
7 TO 9 : MAYOR APPT 6 NO 13964 57.3
Blank Votes 2046 8.4
OverVotes 18 0.1

KAUAI CHARTER: BID THRESHOLDS
20 of 20 100.0

CHGS COMPETITIVE- YES 13501 55.4
BIDDING THRESHOLDS NO 7811 32.1
Blank Votes 3038 12.5
OverVotes 16 0.1



OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, HAWAII 96793

CERTIFICATE OF RESULTS

I, Daryl T. Yamamoto, County Clerk of the County of Maui, State of Hawaii, do hereby certify that the following questions proposing amendments to the Revised Charter of the County of Maui (1983) were on the third day of November, 1998, duly adopted by a majority of votes cast:

1. Shall Sections 3-2 and 7-2 of the Revised Charter of the County of Maui (1983) be amended to provide that the Mayor and Council members shall be elected by two special non-partisan elections held in conjunction with the primary and general elections, provided that the candidate receiving the highest number of votes at the second special election shall be deemed elected?

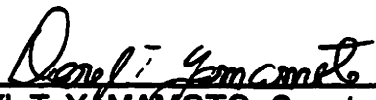
YES 20,923
NO 16,781

2. Shall Section 3-4 of the Revised Charter of the County of Maui (1983) be amended to provide that a vacancy in the office of any council member shall be filled for the remainder of the unexpired term in the following manner:

- a. If the unexpired term is less than fifteen (15) months, the remaining members of the council shall appoint a person by resolution adopted by a majority of its remaining members, provided that the appointee shall have the same qualifications required of a candidate elected by the voters.
- b. If the unexpired term is fifteen (15) months or more, the vacancy shall be filled by a special runoff election, in which the electors of the county shall elect a successor with requisite qualifications?

YES 28,927
NO 8,721

In Witness Whereof, I have hereunto set my hand and caused the Seal of the County of Maui to be affixed this twenty-fourth day of November, 1998.



DARYL T. YAMAMOTO, County Clerk
County of Maui, State of Hawaii.

Councilmember, Dist IV, Honolulu 28 of 28 100.0%	CON AMEND: FELONY PROSECUTIONS 351 of 351 100.0%	Maui: More Autonomy Dept of Water 43 of 43 100.0%
DJOU, Charles Kong 20,302 51.3%	YES 220,829 57.3%	YES 17,543 42.4%
FISHMAN, Robert J. 15,558 39.3%	NO 123,003 31.9%	NO 17,785 43.0%
BLANK VOTES 3,695 9.3%	BLANK VOTES 41,494 10.8%	BLANK VOTES 5,975 14.5%
OVER VOTES 8 0.0%	OVER VOTES 131 0.0%	OVER VOTES 45 0.1%
Councilmember, Dist VI, Honolulu 28 of 28 100.0%	Maui: Article 1 43 of 43 100.0%	Maui: Dept Water Under Mayor Adm 43 of 43 100.0%
TAM, Rod 14,893 48.5%	YES 29,852 72.2%	YES 21,568 52.2%
STEELQUIST, John A. 12,338 40.2%	NO 6,414 15.5%	NO 13,318 32.2%
BLANK VOTES 3,474 11.3%	BLANK VOTES 5,064 12.2%	BLANK VOTES 6,440 15.6%
OVER VOTES 1 0.0%	OVER VOTES 18 0.0%	OVER VOTES 22 0.1%
Councilmember, Dist IX, Honolulu 24 of 24 100.0%	Maui: Four Year Council Terms 43 of 43 100.0%	Maui: Create Cty Dept Transport 43 of 43 100.0%
GARCIA, Nestor 15,805 53.2%	YES 14,011 33.9%	YES 21,077 51.0%
NAKAMURA, Michael S. 11,074 37.3%	NO 24,059 58.2%	NO 14,526 35.1%
BLANK VOTES 2,836 9.5%	BLANK VOTES 3,257 7.9%	BLANK VOTES 5,731 13.9%
OVER VOTES 2 0.0%	OVER VOTES 21 0.1%	OVER VOTES 14 0.0%
OHA - At Large 351 of 351 100.0%	Maui: Responsibilities of Corp Counsel 43 of 43 100.0%	Maui: Staggered Terms Salary Comm 43 of 43 100.0%
STENDER, Oswald (Oz) 129,594 11.2%	YES 27,703 67.0%	YES 23,922 57.9%
AKANA, Rowena M. Noela 122,971 10.6%	NO 8,353 20.2%	NO 9,768 23.6%
WATHE'E, John D. IV 109,471 9.5%	BLANK VOTES 5,276 12.8%	BLANK VOTES 7,649 18.5%
ALONA, Darrow L. Kanak 97,633 8.4%	OVER VOTES 16 0.0%	OVER VOTES 9 0.0%
HANOAHANO, Mike (Happy) 54,289 4.7%	Maui: Rename Dept of Pub Work/Waste 43 of 43 100.0%	Maui: 1% Real Prop Tax Open Space 43 of 43 100.0%
BENHAM, Roy Ilikea 50,063 4.3%	YES 27,506 66.5%	YES 25,818 62.4%
NAKOA, Charles M.L.S. 48,659 4.2%	NO 9,690 23.4%	NO 9,596 23.2%
KAMALI'I, Adrian Kamal 41,960 3.6%	BLANK VOTES 4,138 10.0%	BLANK VOTES 5,923 14.3%
KAWELO, Frankie Kay 19,528 1.7%	OVER VOTES 14 0.0%	OVER VOTES 11 0.0%
KELIHOLOKAI, Demetriu 17,220 1.5%		
UNDER VOTES 464,413 40.2%		
OVER VOTES 190 0.0%		
OHA - Maui 351 of 351 100.0%	Maui: Rename Dept of Fire Control 43 of 43 100.0%	Maui: Mtgs Boards/Commissions 43 of 43 100.0%
MOSSMAN, Boyd P. 95,601 24.8%	YES 22,237 53.8%	YES 21,122 51.1%
WILCOX, Robert K., IV 56,583 14.7%	NO 14,066 34.0%	NO 14,462 35.0%
KAMIOLA, George Manulani 32,507 8.4%	BLANK VOTES 5,032 12.2%	BLANK VOTES 5,749 13.9%
KAHAIALII, Wilmont K., Jr. 25,483 6.6%	OVER VOTES 13 0.0%	OVER VOTES 15 0.0%
BLANK VOTES 174,982 45.4%	Maui: Responsibilities Dept of Planning 43 of 43 100.0%	Maui: Housekeeping Changes 43 of 43 100.0%
OVER VOTES 301 0.1%		
OHA - Oahu 351 of 351 100.0%	YES 23,003 55.6%	YES 25,364 61.3%
CARPENTER, Dante Keala 57,751 15.0%	NO 11,977 29.0%	NO 8,979 21.7%
ROSE, Charles (Kale Loke) 36,555 9.5%	BLANK VOTES 6,359 15.4%	BLANK VOTES 6,993 16.9%
KALIMA, Leona Mapuana 30,508 7.9%	OVER VOTES 9 0.0%	OVER VOTES 12 0.0%
SHIM, Marion Heen 29,732 7.7%	Maui: Role of Citizen Advisory Comm 43 of 43 100.0%	Maui: Public Record Requests 43 of 43 100.0%
CHANG, A.K.U. (Tony) 23,827 6.2%	YES 22,410 54.2%	YES 23,368 56.5%
FREEMAN, Jerry K.M. 16,552 4.3%	NO 12,887 31.2%	NO 10,337 25.0%
AGARD, Louis (Buzzy) 16,057 4.2%	BLANK VOTES 6,010 14.5%	BLANK VOTES 7,632 18.5%
REZENTES, M. Kehaulani 14,711 3.8%	OVER VOTES 41 0.1%	OVER VOTES 11 0.0%
KUPAU, Orrin 8,131 2.1%		
BLANK VOTES 150,181 39.0%	Maui: Role Citizen Adv Comm Alt 43 of 43 100.0%	Maui: Nomination Boards/Commission 43 of 43 100.0%
OVER VOTES 1,452 0.4%		
CON AMEND: CANDIDATE RESIDENCY 351 of 351 100.0%	YES 21,376 51.7%	YES 27,710 67.0%
YES 323,346 83.9%	NO 13,393 32.4%	NO 7,687 18.6%
NO 35,252 9.1%	BLANK VOTES 6,553 15.8%	BLANK VOTES 5,939 14.4%
BLANK VOTES 26,740 6.9%	OVER VOTES 26 0.1%	OVER VOTES 12 0.0%
OVER VOTES 119 0.0%	Maui: Powers Civil Serv Commission 43 of 43 100.0%	Maui: Initiative 43 of 43 100.0%
CON AMEND: NOT-FOR-PROFIT SCHOOLS 351 of 351 100.0%	YES 27,629 66.8%	YES 22,681 54.9%
YES 229,961 59.7%	NO 8,268 20.0%	NO 11,847 28.7%
NO 127,035 33.0%	BLANK VOTES 5,436 13.1%	BLANK VOTES 6,807 16.5%
BLANK VOTES 28,348 7.4%	OVER VOTES 15 0.0%	OVER VOTES 13 0.0%
OVER VOTES 113 0.0%		

NL = NATURAL LAW F = FREE ENERGY N = NON PARTISAN PAR = REPUBLICAN D = DEMOCRATIC G = GREEN PARTY L = LIBERTARIAN

The full text of the charter amendments covered by this ballot is available for inspection at your polling place.
Ask an Election Official for it, if you wish to see it.

1. Should the Article 1 of the Charter be amended to confirm the equal worth and dignity of every individual?

YES

NO

2. Should the terms of Councilmembers be lengthened from two (2) to four (4) years, with term limits of three (3) consecutive terms or twelve (12) consecutive years (whichever shall be longer), beginning in 2004, with terms to be staggered?

YES

NO

3. Should the responsibilities of the Corporation Counsel be clarified to state explicitly that the Corporation Counsel is the legal advisor and representative of the County of Maui, the Council, the Mayor, all county departments, and all boards and commissions, and to state that the Corporation Counsel shall perform additional duties "as may be incident to the department or required by law" instead of the current "as shall be assigned by the mayor"?

YES

NO

4. Should the name of the Department of Public Works and Waste Management be changed to be the "Department of Public Works and Environmental Management" and should its responsibilities be broadened to include supervision of environmental management and pollution, including solid waste collection, recycling, litter control, and protection of the unique beauty of Maui County?

YES

NO

5. (A) Should the name of the Department of Fire Control be changed to be the "Department of Fire and Public Safety," (B) should the name of the Public Safety Commission be changed to be the "Fire and Public Safety Commission," (C) should this Commission be given the responsibility to hire and fire the fire chief and the power to review the Department's budget, and (D) should the duties of the Fire Chief be clarified to include responsibilities over rescue and first-responder emergency services, public education, training, and monitoring the standards for construction and occupancy of buildings?

YES

NO

6. Should the planning process be clarified whereby (A) the duties of the Department of Planning would include long-range planning and management of cultural resources, (B) the Department would be required to enforce zoning ordinances, (C) the Planning Commissions would be required to review and take action on revisions to the General Plan and on amendments to land-use ordinances within 180 and 120 days respectively after the final public hearing, (D) the purpose and nature of the General Plan would be clarified by incorporating language from Section 226-58 of the Hawai'i Revised Statutes, (E) the Planning Director would be required to issue an annual report on the implementation and enforcement of the General Plan and the community plans, and (F) the County Council would be required to take action on revisions to the General Plan proposed by the Planning Director within one year and on proposed revisions to zoning and land-use ordinances within 180 days?

YES

NO

7. Should the role of the Citizen Advisory Committees be to review and recommend revisions to the community plans and to stay in existence until their recommended revisions are approved, modified, or rejected by the Council and the Mayor, and should the community plans once approved become part of the General Plan?

YES

NO

7A. Should the role of the Citizen Advisory Committees be to review and recommend revisions to the community plans, to monitor the implementation and enforcement of the general and community plans, and to review comprehensive revisions to the general and community plans at least every ten years, and shall these Citizen Advisory Committees be permanent for each community plan district?

YES

NO

8. Should the Civil Service Commission have the power to remove the Director of Personnel Services, but only after the Director has been given notice of charges and has been granted a hearing?

YES

NO

A SOH/M B 11/05/2002 C BT B 028: D/P 12: 1-7

Seq:0119 7.0.0.0 / 011002

VOTING INSTRUCTIONS

1 Review both sides of this card

Use a black ink pen to

<p>operate, whereby (A) the Department would have the authority to coordinate private water systems (while respecting existing property rights), and (B) the Department would have the responsibility to prepare water use and development plans for each community plan district and a long-range capital improvement plan (both of which would be updated every five years); whereby (C) the Board of Water Supply would be restructured so that the Directors of the Departments of Planning and Public Works become voting members of the Board and the other seven members would be appointed by the Mayor with approval by the Council for three-year terms (subject to being reappointed once), (D) the Board would be given the power to establish rules and set rates without further review, (E) the Board would be required to evaluate the Director annually, and (F) the Board could hire (using the Department's revenues) independent legal counsel by a two-thirds vote when necessary; and whereby (G) an independent audit would be conducted annually, after which the Council could make recommendations for changes?</p>	<p>YES</p> <p>NO</p>	<p>changes including (A) removing obsolete provisions, (B) using gender-neutral language throughout the Charter, (C) using Hawaiian language spellings for Hawaiian place names, (D) describing the Council residency areas in geographical terms (instead of by reference to voting precincts), (E) eliminating references to political parties to fill Council vacancies, (F) changing "crime of moral turpitude" to "felony" with reference to the disqualification of the Mayor, (G) clarifying restrictions on County employees appearing before boards and commissions, and (H) renumbering sections as appropriate in light of other amendments?</p> <p>YES</p> <p>NO</p>
<p>YES</p> <p>NO</p>	<p>11. Should the terms of the members of the Salary Commission be staggered so that two of the nine members would be appointed (or reappointed) each year (except that only one would be appointed or reappointed every fifth year)?</p> <p>YES</p> <p>NO</p>	<p>15. Should the Charter provision requiring the Council to route public record requests through the Mayor be deleted in conformity with the Uniform Information Practices Act?</p> <p>YES</p> <p>NO</p>
<p>9A. Should the Department and Board of Water Supply be restructured in a manner whereby (A) the Department would become a regular County agency subject to the Mayor's executive management and the Council's legislative oversight and (B) the Board would be recast as an advisory body (with the power to recommend budget proposals and rate adjustments), whereby (C) the Mayor would be assigned the power to appoint the Director (with the approval of the Council) and (D) the Mayor and Council would continue to have final approval of rates and regulations; whereby (E) the Department would have the responsibility to survey public and private water sources and (F) prepare and annually update a long-range capital improvement plan (subject to Council approval) and implement such approved plans, and whereby (G) the Council would have the power to issue general obligation bonds and provide appropriations for capital improvements of the water system?</p>	<p>12. Should a minimum of one percent (1%) of the real property tax revenues be put each fiscal year into the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund to be used for purchasing lands or other property entitlements to preserve open space, and should the unspent revenues in this Fund remain in the Fund, and not lapse, thereby accumulating from year to year?</p> <p>YES</p> <p>NO</p>	<p>16. Should the Council have the power to nominate and approve the appointment of an individual to fill a vacancy on a board or commission if the Mayor fails to submit the name of a nominee within the time period provided for by the Charter?</p> <p>YES</p> <p>NO</p>
<p>YES</p> <p>NO</p>	<p>13. Should boards and commissions be allowed to meet in accessible privately owned locations when publicly owned buildings are not available or appropriate for their meeting?</p> <p>YES</p> <p>NO</p>	<p>17. Should the process for proposing an ordinance by initiative be changed by: (A) increasing the time allowed to gather necessary signatures from 30 days to 180 days; (B) reducing the number of necessary signatures from 20% of registered voters to 20% of the total number of voters who cast ballots in the prior mayoral general election; and (C) submitting a proposed ordinance to the voters at a general election (instead of at a special election).</p> <p>YES</p> <p>NO</p>
<p>YES</p> <p>NO</p>	<p>YES</p> <p>NO</p>	<p>YES</p> <p>NO</p>
<p>SOH/M</p>	<p>11/05/2002</p>	<p>BT B 028: D/P 12: 1-7</p>

VOTING INSTRUCTIONS

1. Review both sides of this card and all ballots before voting.

4. Use a black ink pen to completely darken the oval

Honolulu: Pedestrian and Bicycle Priority 217 of 217 YES 171,969 72.1% NO 49,656 20.8% Blank Votes: 16,853 7.1% Over Votes: 71 0.0%	Hawaii: Public Access, Open Space, and Natural Resources Preservation Fund 71 of 71 FOR 27,566 56.8% AGAINST 16,135 33.3% Blank Votes: 4,780 9.9% Over Votes: 20 0.0%	Kauai: Boards and Commissions Composition 21 of 21 YES 12,297 58.0% NO 6,038 28.5% Blank Votes: 2,876 13.6% Over Votes: 1 0.0%
Honolulu: Liquor Administrator Exempt 217 of 217 YES 90,640 38.0% NO 122,867 51.5% Blank Votes: 24,910 10.4% Over Votes: 132 0.1%	Maui: Department of Public Works and Environmental Management 43 of 43 YES 22,172 56.9% NO 12,022 30.9% Blank Votes: 4,753 12.2% Over Votes: 4 0.0%	Kauai: Boards and Commissions Members Terms 21 of 21 YES 12,866 60.7% NO 5,134 24.2% Blank Votes: 3,208 15.1% Over Votes: 4 0.0%
Honolulu: Emergency Services and Fire 217 of 217 YES 169,376 71.0% NO 41,950 17.6% Blank Votes: 27,170 11.4% Over Votes: 53 0.0%	Maui: Affordable Housing Fund 43 of 43 YES 24,471 62.8% NO 11,040 28.3% Blank Votes: 3,420 8.8% Over Votes: 20 0.1%	Kauai: Boards and Commissions Members Appointments 21 of 21 YES 10,505 49.5% NO 7,884 37.2% Blank Votes: 2,818 13.3% Over Votes: 5 0.0%
Honolulu: Capital Funds 217 of 217 YES 111,318 46.7% NO 100,008 41.9% Blank Votes: 27,156 11.4% Over Votes: 67 0.0%	Maui: Claim for Damage or Injury 43 of 43 YES 22,575 58.0% NO 11,945 30.7% Blank Votes: 4,416 11.3% Over Votes: 15 0.0%	Kauai: Fire Commission 21 of 21 YES 11,936 56.3% NO 6,594 31.1% Blank Votes: 2,673 12.6% Over Votes: 9 0.0%
Honolulu: Housekeeping and Public Notices 217 of 217 YES 153,256 64.2% NO 48,569 20.4% Blank Votes: 36,652 15.4% Over Votes: 72 0.0%	Kauai: Parks and Recreation Department 21 of 21 YES 12,162 57.3% NO 7,192 33.9% Blank Votes: 1,848 8.7% Over Votes: 10 0.0%	Kauai: Initiative and Referendum Petition Criteria 21 of 21 YES 6,376 30.1% NO 11,625 54.8% Blank Votes: 3,189 15.0% Over Votes: 22 0.1%
Hawaii: Department of Civil Service Name Changes 71 of 71 YES 22,028 45.4% NO 21,920 45.2% Blank Votes: 4,538 9.4% Over Votes: 15 0.0%	Kauai: Councilmember Term Limits 21 of 21 YES 13,377 63.1% NO 6,139 28.9% Blank Votes: 1,680 7.9% Over Votes: 16 0.1%	Kauai: Recall Petition Criteria 21 of 21 YES 6,131 28.9% NO 11,903 56.1% Blank Votes: 3,166 14.9% Over Votes: 12 0.1%
Hawaii: Fire Department Name Change 71 of 71 YES 33,150 68.3% NO 12,026 24.8% Blank Votes: 3,310 6.8% Over Votes: 15 0.0%	Kauai: Council Districting 21 of 21 YES 9,396 44.3% NO 9,557 45.1% Blank Votes: 2,247 10.6% Over Votes: 12 0.1%	Kauai: Code of Ethics Amendment 21 of 21 YES 14,607 68.9% NO 3,933 18.5% Blank Votes: 2,664 12.6% Over Votes: 8 0.0%
Hawaii: Terms of Board or Commission Members 71 of 71 YES 24,424 50.4% NO 19,153 39.5% Blank Votes: 4,909 10.1% Over Votes: 15 0.0%	Kauai: Charter Commission Term 21 of 21 YES 9,865 46.5% NO 7,997 37.7% Blank Votes: 3,344 15.8% Over Votes: 6 0.0%	Kauai: County Engineer Requirements 21 of 21 YES 4,752 22.4% NO 13,729 64.7% Blank Votes: 2,710 12.8% Over Votes: 21 0.1%
Hawaii: Impeachment Petitions 71 of 71 YES 27,521 56.7% NO 15,900 32.8% Blank Votes: 5,056 10.4% Over Votes: 24 0.0%	Kauai: Salary Commission Findings 21 of 21 YES 11,310 53.3% NO 6,693 31.6% Blank Votes: 3,201 15.1% Over Votes: 8 0.0%	Kauai: Administrative Assistant Title Change 21 of 21 YES 8,198 38.6% NO 9,860 46.5% Blank Votes: 3,150 14.9% Over Votes: 4 0.0%
Hawaii: Petitions for Initiative, Referendum; Recall; or Charter Amendment, Revision 71 of 71 YES 28,938 59.7% NO 15,058 31.0% Blank Votes: 4,483 9.2% Over Votes: 22 0.0%	Kauai: Boards and Commissions Administrator 21 of 21 YES 9,236 43.5% NO 9,056 42.7% Blank Votes: 2,914 13.7% Over Votes: 6 0.0%	

The full text of the constitutional amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

1. Shall the governor be required to select board of regents candidates from a pool of qualified candidates screened and proposed by a candidate advisory council for the board of regents of the University of Hawaii as provided by law?

<input type="radio"/>	YES
<input type="radio"/>	NO

2. Shall the Constitution be amended to provide for a salary commission to review and recommend salaries for justices, judges, state legislators, the governor, the lieutenant governor, the administrative director of the State, state department heads or executive officers of the executive departments, and the deputies or assistants to department heads of the executive departments, excluding the superintendent of education and the president of the University of Hawaii?

<input type="radio"/>	YES
<input type="radio"/>	NO

3. Shall the mandatory retirement age of seventy for all state court justices and judges be repealed?

<input type="radio"/>	YES
<input type="radio"/>	NO

4. Shall the Constitution of the State of Hawaii be amended to provide that in continuous sexual assault crimes against minors younger than fourteen years of age, the legislature may define: (1) What behavior constitutes a continuing course of conduct; and (2) What constitutes the jury unanimity that is required for a conviction?

<input type="radio"/>	YES
<input type="radio"/>	NO

5. Shall the State be authorized to issue special purpose revenue bonds and use the proceeds from the bonds to assist agricultural enterprises serving important agricultural lands?

<input type="radio"/>	YES
<input type="radio"/>	NO

The full text of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

1. Should the Department of Public Works and Environmental Management be divided to form two separate departments, a Department of Public Works and a Department of Environmental Management, and should the provisions of the Charter be modified by non-substantive "housekeeping" measures related to this amendment?

<input type="radio"/>	YES
<input type="radio"/>	NO

2. Should a minimum of two percent (2%) of the certified real property tax revenues for fiscal years 2008 through 2011 be appropriated into an affordable housing fund to be used for the provision and expansion of affordable housing and suitable living environments for persons of very low to moderate income?

<input type="radio"/>	YES
<input type="radio"/>	NO

3. Should the Charter provision relating to the filing of personal injury and property damage claims against the County of Maui be changed so as to require that notices of claims be filed "within the time period as provided by law" instead of within two years after the date of injury, to conform to controlling State law, which currently provides for a period of six months?

<input type="radio"/>	YES
<input type="radio"/>	NO

US Senator 40 of 40 (D) INOUE, Daniel K. 31,301 74.0% (R) CAVASSO, Cam 8,006 18.9% (G) BREWER, Jim 855 2.0% (L) MALLAN, Lloyd Jeffrey 398 0.9% (N) JARRETT, Jeff 345 0.8% Blank Votes: 1,388 3.3% Over Votes: 29 0.1%	2nd Departmental School Board Seat (Maui) 40 of 40 ROCHA-WILSON, Leona 20,500 48.4% HART, R. Ray 15,056 35.6% Blank Votes: 6,754 16.0% Over Votes: 12 0.0%	Councilmember (Makawao-Haiku-Paia) 39 of 39 WHITE, Mike 21,701 51.3% NISHIKI, Kai 16,008 37.8% Blank Votes: 4,559 10.8% Over Votes: 29 0.1%
US Representative, Dist 2 40 of 40 (D) HIRONO, Mazie 29,680 70.1% (R) WILLOUGHBY, John W. 9,174 21.7% (L) BROCK, Pat 660 1.6% (N) VON SONN, Andrew Vsevolod 447 1.1% Blank Votes: 2,330 5.5% Over Votes: 31 0.1%	"At Large" Trustee 40 of 40 Number To Vote For: 3 WAIHEE, John IV 15,673 12.3% AKANA, Rowena M. N. 15,132 11.9% KALIMA, Leona Mapuana 8,194 6.5% STENDER, Oswald (Oz) 7,910 6.2% MAKEKAU, Kealii J. 6,603 5.2% MEYERS, William (Willy) 5,662 4.5% HOPKINS, Kama 3,901 3.1% LEWIS, Joseph Kuhio 3,471 2.7% ODEGAARD, Michael Malulani 1,555 1.2% Blank Votes: 58,817 46.3% Over Votes: 16 0.0%	Councilmember (Upcountry) 39 of 39 BAISA, Gladys Coelho 29,067 68.7% Blank Votes: 13,230 31.3% Over Votes: 0 0.0%
Governor and Lieutenant Governor 40 of 40 (D) ABERCROMBIE / SCHATZ 25,516 60.3% (R) AIONA / FINNEGAN 16,024 37.9% (N) POLLARD / KAMA 199 0.5% (F) CUNNINGHAM / SPENCE 197 0.5% Blank Votes: 364 0.9% Over Votes: 22 0.1%	Oahu Resident Trustee 40 of 40 APO, Peter 10,879 25.7% BURKE, Jackie Kahookole 6,700 15.8% HEEN, Walter Meheula 5,784 13.7% Blank Votes: 18,948 44.8% Over Votes: 11 0.0%	Councilmember (Lanai) 39 of 39 HOKAMA, Riki 20,842 49.3% MANO, Matthew J. K. (Matt) 12,356 29.2% Blank Votes: 9,087 21.5% Over Votes: 12 0.0%
State Senator, Dist 4 13 of 13 (D) TSUTSUI, Shan S. 10,931 73.7% (R) SEIBERT, Eric 3,113 21.0% Blank Votes: 772 5.2% Over Votes: 8 0.1%	Maui Resident Trustee 40 of 40 MOSSMAN, Boyd Poki 28,311 66.9% Blank Votes: 14,011 33.1% Over Votes: 0 0.0%	Councilmember (Molokai) 39 of 39 MATEO, Danny A. 28,283 66.9% Blank Votes: 14,014 33.1% Over Votes: 0 0.0%
State Representative, Dist 8 7 of 7 (D) SOUKI, Joe 5,686 71.8% (R) SCHMUCKER, Dean 1,694 21.4% Blank Votes: 542 6.8% Over Votes: 0 0.0%	Mayor, County of Maui 39 of 39 ARAKAWA, Alan M. 24,195 57.2% TAVARES, Charmaine 16,944 40.1% Blank Votes: 1,143 2.7% Over Votes: 15 0.0%	CON AMEND: Relating to the Board of Education 40 of 40 YES 18,432 43.6% NO 21,208 50.1% Blank Votes: 2,649 6.3% Over Votes: 33 0.1%
State Representative, Dist 9 6 of 6 (D) KEITH-AGARAN, Gil S. Coloma 4,884 70.8% (R) HOYLMAN, Jeff 1,307 18.9% Blank Votes: 708 10.3% Over Votes: 3 0.0%	Councilmember (East Maui) 39 of 39 CARROLL, Robert (Bob) 17,253 40.8% MEDEIROS, Bill (Kauakea) 17,194 40.7% Blank Votes: 7,839 18.5% Over Votes: 11 0.0%	CON AMEND: Relating to the Tax Rebate Requirement 40 of 40 YES 25,887 61.2% NO 12,001 28.4% Blank Votes: 4,404 10.4% Over Votes: 30 0.1%
State Representative, Dist 10 6 of 6 (D) MCKELVEY, Angus L.K. 3,191 61.0% (R) MADDEN, Ramon Kitaichi 1,773 33.9% Blank Votes: 264 5.0% Over Votes: 0 0.0%	Councilmember (West Maui) 39 of 39 COCHRAN, Elle 20,265 47.9% FUKUYAMA, Alan 16,179 38.3% Blank Votes: 5,844 13.8% Over Votes: 9 0.0%	MAUI: Affordable Housing Fund 39 of 39 YES 24,893 58.9% NO 13,830 32.7% Blank Votes: 3,552 8.4% Over Votes: 22 0.1%
State Representative, Dist 11 4 of 4 (R) FONTAINE, George R. 3,051 48.9% (D) BERTRAM, Joseph III 2,879 46.1% Blank Votes: 309 5.0% Over Votes: 0 0.0%	Councilmember (Wailuku-Waihee-Waikapu) 39 of 39 VICTORINO, Michael (Mike) 26,887 63.6% GAPERO, Lisa 9,784 23.1% Blank Votes: 5,615 13.3% Over Votes: 11 0.0%	MAUI: Financial Disclosure Statements of Candidates for Elective County Office 39 of 39 YES 33,953 60.3% NO 4,723 11.2% Blank Votes: 3,597 8.5% Over Votes: 24 0.1%
State Representative, Dist 12 6 of 6 (D) YAMASHITA, Kyle 6,242 69.9% (R) RINALDI, Laurie 2,134 23.9% Blank Votes: 543 6.1% Over Votes: 5 0.1%	Councilmember (Kahului) 39 of 39 PONTANILLA, Joe 28,309 66.9% Blank Votes: 13,988 33.1% Over Votes: 0 0.0%	MAUI: Budget Ordinance and Capital Program Ordinance 39 of 39 YES 23,398 55.3% NO 12,552 29.7% Blank Votes: 6,329 15.0% Over Votes: 18 0.0%
State Representative, Dist 13 11 of 11 (D) CARROLL, Mele 5,058 71.2% (R) AKUNA, Meiling K. 1,491 21.0% Blank Votes: 553 7.8% Over Votes: 5 0.1%	Councilmember (South Maui) 39 of 39 COUCH, Don 20,824 49.2% NISHIKI, Wayne K. 17,306 40.9% Blank Votes: 4,142 9.8% Over Votes: 25 0.1%	

10002650200036

CONSTITUTION PROPOSED BY THE
TWENTY-FIFTH LEGISLATURE

The full text of the constitutional amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

CON AMEND: RELATING TO THE
BOARD OF EDUCATION

Shall the Board of Education be changed to a board appointed by the Governor, with the advice and consent of the Senate, as provided by law?

☐ YES
☐ NO

CON AMEND: RELATING TO THE TAX
REBATE REQUIREMENT

Shall the legislature be provided with the choice, when the state general fund balance at the close of each of two successive fiscal years exceeds five per cent of the general fund revenues for each of the two fiscal years, to provide a tax refund or tax credit to the taxpayers of the State, or to make a deposit into one or more funds, as provided by law, which shall serve as temporary supplemental sources of funding for the State in times of an emergency, economic downturn, or unforeseen reduction in revenue?

☐ YES
☐ NO

MAUI COUNTY CHARTER
PROPOSED BY THE
MAUI COUNTY COUNCIL

The full text of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

MAUI: PERTAINING TO THE
AFFORDABLE HOUSING FUND

Should a minimum of two percent (2%) of the certified real property tax revenues for fiscal years 2008 through 2015 be appropriated into an affordable housing fund to be used for the provision, protection, and expansion of affordable housing and suitable living environments for persons of very low to gap income?

☐ YES
☐ NO

MAUI: RELATING TO FINANCIAL
DISCLOSURE STATEMENTS OF
CANDIDATES FOR ELECTIVE COUNTY
OFFICE

Should candidates for elective County office be required to file financial disclosure statements concurrently with the filing of nomination papers, instead of allowing financial disclosures to be filed within 15 days of filing nomination papers?

☐ YES
☐ NO

MAUI: RELATING TO THE BUDGET
ORDINANCE AND CAPITAL PROGRAM
ORDINANCE

Should the Charter be revised, effective as of January 1, 2011, to: (1) Reduce by ten days the amount of time the mayor has to veto budget and capital program ordinances; (2) Extend by ten days, to March 25 of each year, the deadline for the mayor to submit to council annual budget and capital program ordinance proposals; and (3) Extend by ten days, to June 10 of each year, the date by which Council must pass annual budget and capital program ordinances?

☐ YES
☐ NO

FACSIMILE

1533031166



TOP

OFFICIAL BALLOT

GENERAL ELECTION

Tuesday, November 5, 1974

APPOINTMENT OF A CHARTER COMMISSION

FOR THE COUNTY OF MAUI.

COUNTY OF MAUI

STATE OF HAWAII

THE CHARTER OF THE COUNTY OF MAUI PROVIDES THAT SIX YEARS AFTER ITS ADOPTION, THE COUNCIL SHALL SUBMIT TO THE VOTERS WHETHER OR NOT A CHARTER COMMISSION SHOULD BE APPOINTED TO PROPOSE AMENDMENTS TO THE CHARTER.

VOTE BOTH SIDES (OVER)

This stub shall be removed by the ballot box clerk only.

VOTE YOUR CHOICE ON THE QUESTION BELOW.

**SHALL A CHARTER COMMISSION BE APPOINTED
TO PROPOSE AMENDMENTS TO THE CHARTER?**

(If this proposal is adopted, the mayor, with the approval of the council, shall appoint a charter commission composed of eleven members to study and review the operation of the government of the county of Maui. The commission may propose amendments to this charter or draft a new charter.)

YES	+
NO	+

BB2 VOTE BOTH SIDES (OVER)

GENERAL ELECTION - STATE OF HAWAII - NOVEMBER 2, 1976

11/06/76 SUMMARY REPORT

TIME = 10:27:30

COUNCIL KAUAI	(7)	100.0	AMEND KAUAI CHARTER NO.3	100.0
I (D) YUKIMURA, JOANN A	8,987	56.7	I YES	9,251 58.5
I (R) SARITA, EDDIE LABEZ	7,792	49.2	I NO	2,259 14.2
I (D) YOTSUDA, ROBERT K	7,672	48.4		
I (D) FERNANDES, JILLY E	7,275	45.9	AMEND KAUAI CHARTER NO.4	100.0
I (D) HEW, JEROME	7,155	45.2		
I (D) TSUCHIYA, BURT K	6,899	43.6	I YES	8,802 55.6
I (D) GONSALVES, LOUIE	6,643	41.9	I NO	1,745 11.0
I (D) BAPTISTE, STANLEY L	6,518	41.1		
I (R) MEDEIROS, ABEL	6,165	38.9	AMEND KAUAI CHARTER NO.5	100.0
I (R) MCDONALD, JOHN	2,879	18.1		
I (R) MCELGUNN, GLORIA E	1,844	11.6	I YES	8,634 54.6
I (I) MC CARTHY, TOM	1,305	8.2	I NO	2,396 15.1
I (I) LOBAN, VINCENT	1,205	7.6		
I (R) HAY, FRANK O	1,012	6.3	AMEND KAUAI CHARTER NO.6	100.0
I AMEND STATE CONSTITUTION		100.0	I YES	9,468 59.9
I YES	200,787	64.9	I NO	1,353 8.5
I NO	69,623	22.5	REGISTRATION AND TURNOUT	
I STATE CONSTITUTION CONV		100.0		
I YES	199,831	64.6	VOTES CAST AT PRECINCT	295,591
I NO	69,264	22.4	ABSENTEE VOTES CAST	13,434
			TOTAL REG'D VOTES CAST	309,025
			REGISTERED VOTERS	363,045
			OVERSEAS VOTES CAST	40
			NON-RESIDENT VOTES CAST	24
			TOTAL VOTES CAST	309,089
AMEND HAWAII CHARTER		100.0		
I FOR	10,550	30.5		
I AGAINST	15,838	45.8		
ADOPT REV MAUI CHARTER		100.0		
I YES	11,610	47.4		
I NO	8,980	36.7		
TERM FOR MAUI COUNCILMEN		100.0		
I TWO YEAR TERM	15,719	64.2		
I FOUR YEAR TERM	3,254	13.2		
AMEND KAUAI CHARTER NO.1		100.0		
I YES	7,530	47.6		
I NO	3,336	21.1		
AMEND KAUAI CHARTER NO.2		100.0		
I YES	4,848	30.6		
I NO	6,392	40.4		



OFFICIAL BALLOT
GENERAL ELECTION

TUESDAY, NOVEMBER 2, 1976

COUNTY OF MAUI

VOTE BOTH SIDES (OVER)

This stub shall be removed by the Election Official only.

VOTE ON EACH OF THE TWO ITEMS BELOW.

SHALL THE REVISED CHARTER OF THE
COUNTY OF MAUI BE ADOPTED?

YES +

NO +

IF THE REVISED CHARTER IS ADOPTED,
I VOTE FOR ONE OF THE OPTIONS BELOW:

OPTION ONE:

TWO (2) YEAR TERM FOR COUN-
CILMEN



+

OPTION TWO:

FOUR (4) YEAR TERM FOR COUN-
CILMEN



+

BB 1

VOTE BOTH SIDES (OVER)

GENERAL ELECTION - STATE OF HAWAII - NOVEMBER 7, 1978

PAGE 5

FINAL REPORT

PRINTED ON 11/08/78 AT 18.56.56

I	CON-CON PART B -VOTES-	100.0	I	AMEND HON. CHARTER NO.2	100.0	I	AMEND KAUAI CHARTER	100.0
I	I	I	I	I	I	I	I	I
I	31. PREAMBLE: STATE YES 175844 60.1 I YES	95951 43.7 I	I	I	I	I	I	I
I	BOUNDARIES MOITO NO 76382 26.1 I NO	81065 36.9 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	BLNK= 21547/ 7.3 OVR= 18833/ 6.4 I	BLNK= 42369/ 19.3 OVR= 133/ 0.0 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	CON-CON PART B -VOTES-	100.0	I	AMEND HON. CHARTER NO.3	100.0	I	KAUAI INITIATIVE PROP	100.0
I	I	I	I	I	I	I	I	I
I	32. LIMITS ADVERSE YES 148107 50.6 I YES	140019 63.7 I	I	I	I	I	I	I
I	POSSESSION NO 104119 35.5 I NO	34870 15.8 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	BLNK= 21547/ 7.3 OVR= 18833/ 6.4 I	BLNK= 44534/ 20.2 OVR= 95/ 0.0 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	CON-CON PART B -VOTES-	100.0	I	AMEND HON. CHARTER NO.4	100.0	I	REGISTRATION AND TURNOUT	I
I	I	I	I	I	I	I	I	I
I	33. MISCELLANEOUS YES 178632 61.0 I YES	114890 52.3 I	I	I	I	I	I	I
I	REVISIONS NO 73594 25.1 I NO	62012 28.2 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	BLNK= 21547/ 7.3 OVR= 18833/ 6.4 I	BLNK= 42522/ 19.3 OVR= 94/ 0.0 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	CON-CON PART B -VOTES-	100.0	I	AMEND HON. CHARTER NO.5	100.0	I	PRECINCT TURNOUT.....	280821 71.0
I	I	I	I	I	I	I	I	I
I	34. TECHNICAL & YES 175032 59.8 I YES	131430 59.8 I	I	I	I	I	I	I
I	STYLE CHANGES NO 77194 26.3 I NO	43040 19.6 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	BLNK= 21547/ 7.3 OVR= 18833/ 6.4 I	BLNK= 44946/ 20.4 OVR= 102/ 0.0 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	AMEND MAUI CHARTER NO.1	100.0	I	AMEND HON. CHARTER NO.6	100.0	I	ABSENTEE TURNOUT.....	11869 3.0
I	I	I	I	I	I	I	I	I
I	YES 12251 50.9 I YES	107517 48.9 I	I	I	I	I	I	I
I	NO 7805 32.4 I NO	63290 28.8 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	BLNK= 3983/ 16.5 OVR= 24/ 0.0 I	BLNK= 48629/ 22.1 OVR= 82/ 0.0 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	AMEND MAUI CHARTER NO.2	100.0	I	AMEND HON. CHARTER NO.7	100.0	I	OVERSEAS BALLOTS CAST	I
I	I	I	I	I	I	I	I	I
I	YES 13590 56.4 I YES	137976 62.8 I	I	I	I	I	I	I
I	NO 6124 25.4 I NO	37189 16.9 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	BLNK= 4333/ 18.0 OVR= 16/ 0.0 I	BLNK= 44280/ 20.1 OVR= 73/ 0.0 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	AMEND HON. CHARTER NO.1	100.0	I	AMEND HON. CHARTER NO.8	100.0	I	1ST CONGRESSIONAL..	I
I	I	I	I	I	I	I	I	I
I	YES 97846 44.5 I YES	127170 57.9 I	I	I	I	I	I	I
I	NO 87011 39.6 I NO	52961 24.1 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I
I	BLNK= 34540/ 15.7 OVR= 121/ 0.0 I	BLNK= 39296/ 17.9 OVR= 91/ 0.0 I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I



TOP

C

OFFICIAL BALLOT
GENERAL ELECTION

TUESDAY, NOVEMBER 7, 1978

AMENDMENTS TO THE CHARTER
OF THE COUNTY OF MAUI AS PROPOSED
BY THE COUNTY COUNCIL

094650

This stub shall be removed by the Election Official only.

The full text of each of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

**SHALL THE REVISED CHARTER OF THE
COUNTY OF MAUI BE AMENDED TO AU-
THORIZE THE COUNCIL AND THE MAYOR
TO ESTABLISH A CHARTER COMMISSION
PRIOR TO SIX YEARS AFTER THE ADOP-
TION OF THE CHARTER?**

(If this proposal is adopted, it will enable the county to establish a charter commission prior to six years after the adoption of the charter, while continuing the mandatory review procedures as identified in the current charter.)

YES +

NO +

**SHALL THE REVISED CHARTER OF THE
COUNTY OF MAUI BE AMENDED TO AU-
THORIZE THE COUNTY TO MAKE APPRO-
PRIATIONS FOR CAPITAL IMPROVEMENT
PROJECTS OF THE DEPARTMENT OF
WATER SUPPLY FROM SOURCES OTHER
THAN REVENUES DERIVED BY THE
DEPARTMENT?**

(If this proposal is adopted, it will enable the county to appropriate funds for capital improvement projects for the department of water supply. The existing provision prohibits the Council from making appropriations to the department of water supply in excess of the revenues derived by the department.)

YES +

NO +

301

0616

PRINTED ON 11/08/80 AT 11.28 AM PAGE 6

SUMMARY REPORT

SUMMARY R

SUMMARY R

AMEND MAUI CHARTER - 16		100.0/100.0 30/30/30		AMEND KAUAI CHARTER - 02		100.0/100.0 13/13/13		AMEND KAUAI CHARTER - 08		100.0/100.0 13/13/13	
SEC 10-2.2 BOARD OF ETHICS	YES	10846	39.8	REDUCE RESIDENCY REQUIREMENT - MAYOR	YES	3794	21.2	INCREASE PURCHASING REQUIREMENTS	YES	4128	23.1
BLANK VOTES	NO	9758	35.8	BLANK VOTES	NO	10458	58.5	BLANK VOTES	NO	7838	43.9
OVER VOTES		6603	24.2	OVER VOTES		3590	20.1	OVER VOTES		5881	32.9
		2	0.0			10	0.0			5	0.0
AMEND MAUI CHARTER - 17		100.0/100.0 30/30/30		AMEND KAUAI CHARTER - 03		100.0/100.0 13/13/13		AMEND KAUAI CHARTER - 09		100.0/100.0 13/13/13	
SEC 10-4 CIVIL SERV COMM SUSPEND/REMOVE	YES	8397	30.8	EXTEND YRS & LIMIT NUM TERMS - MAYOR	YES	6185	34.6	CODE OF ETHICS DISCLOSURE	YES	8031	44.9
BLANK VOTES	NO	12082	44.4	BLANK VOTES	NO	8604	48.1	BLANK VOTES	NO	4099	22.9
OVER VOTES		6729	24.7	OVER VOTES		3053	17.1	OVER VOTES		5716	32.0
		1	0.0			10	0.0			6	0.0
AMEND CITY CHARTER - 01		100.0/100.0 145/145/145		AMEND KAUAI CHARTER - 04		100.0/100.0 13/13/13		AMEND KAUAI CHARTER - 10		100.0/100.0 13/13/13	
SEC 3-102 CHANGE COUNCIL COMPOSITION	YES	85172	36.3	MAYORS VACANCY FILLED BY COUNCIL MEM	YES	6928	38.8	DISCLOSE CONFLICT OF INTEREST	YES	6725	37.6
BLANK VOTES	NO	101747	43.4	BLANK VOTES	NO	5910	33.1	BLANK VOTES	NO	5204	29.1
OVER VOTES		21960	9.3	OVER VOTES		5005	28.0	OVER VOTES		5911	33.1
		25129	10.7			9	0.0			12	0.0
		114	0.0								
IF YES, OPTION 1 OR 2		100.0/100.0 145/145/145		AMEND KAUAI CHARTER - 05		100.0/100.0 13/13/13		AMEND KAUAI CHARTER - 11		100.0/100.0 13/13/13	
OPT. 1: 4 DIST, 5 AT LGE	YES	57802	67.8	ASSIGN REAL PROPERTY TAX TO FIN DEPT	YES	7129	39.9	TERMS OF BOARDS & COMMISSIONS	YES	8383	46.9
OPT. 2: 11 DIST	NO	27370	32.1	BLANK VOTES	NO	5267	29.5	BLANK VOTES	NO	4021	22.5
BLANK VOTES		0	0.0	OVER VOTES		5449	30.5	OVER VOTES		5441	30.4
OVER VOTES		0	0.0			7	0.0			7	0.0
AMEND CITY CHARTER - 02		100.0/100.0 145/145/145		AMEND KAUAI CHARTER - 06		100.0/100.0 13/13/13		AMEND KAUAI CHARTER - 12		100.0/100.0 13/13/13	
SEC 3-103.1 CHANGE REAPPORTION YEARS	YES	67249	28.7	COUNCIL ADOPT BUDGET DEADLINE	YES	6546	36.6	QUALIFICATIONS FOR FIRE CHIEF	YES	9462	53.0
BLANK VOTES	NO	98442	42.0	BLANK VOTES	NO	6107	34.2	BLANK VOTES	NO	3332	18.6
OVER VOTES		68374	29.2	OVER VOTES		5189	29.0	OVER VOTES		5054	28.3
		57	0.0			10	0.0			4	0.0
AMEND KAUAI CHARTER - 01		100.0/100.0 13/13/13		AMEND KAUAI CHARTER - 07		100.0/100.0 13/13/13		AMEND KAUAI CHARTER - 13		100.0/100.0 13/13/13	
COUNCIL MEETINGS	YES	6209	34.7	MAYORS BUDGET SUBMISSION DATE	YES	8003	44.8	QUALIFICATIONS FOR PUB WKS ENGINEER	YES	8959	50.1
BLANK VOTES	NO	7734	43.3	BLANK VOTES	NO	4737	26.5	BLANK VOTES	NO	3493	19.5
OVER VOTES		3894	21.8	OVER VOTES		5107	28.6	OVER VOTES		5394	30.2
		15	0.0			5	0.0			6	0.0

**E**

OFFICIAL BALLOT

GENERAL ELECTION

TUESDAY, NOVEMBER 4, 1980

AMENDMENTS TO THE MAUI
CHARTER PROPOSED BY THE
COUNTY COUNCIL

084600

VOTE BOTH SIDES (OVER)

This stub shall be removed by the Election Official only.

The full text of each of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

1	Shall Section 3-3 of the Revised Charter of the County of Maui be amended to prescribe a ninety-day residency requirement prior to the filing of nomination papers for candidates seeking council office?		
	YES		+
	NO		+
2	Shall Sections 3-7 and 13-10 of the Revised Charter of the County of Maui be amended to require that all rules and regulations having the force and effect of law, including service rates or fees, license fees and other charges be enacted by ordinance?		
	YES		+
	NO		+
3	Shall Section 4-1 of the Revised Charter of the County of Maui be amended to delete the provision permitting the transfer of funds within the same department by resolution, thus requiring that such transfer be effected by ordinance?		
	YES		+
	NO		+
4	Shall Section 4-2.9 of the Revised Charter of the County of Maui be amended to authorize a succeeding Council to act upon matters initiated by the current council?		
	YES		+
	NO		+
5	Shall Section 4-3.1 of the Revised Charter of the County of Maui be amended to clarify that the County Clerk "certifies" rather than "authenticates" bills?		
	YES		+
	NO		+
6	Shall Section 6-2 of the Revised Charter of the County of Maui be amended to clarify procedures on organization and reorganization of the executive branch?		
	YES		+
	NO		+

EF501

VOTE BOTH SIDES (OVER)

0515

I HAVE VOTED, HAVE YOU?**VOTE BOTH SIDES (OVER)**

This stub shall be removed by the Election Official only.

The full text of each of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

7	Shall Section 7-2 of the Revised Charter of the County of Maui be amended to prescribe a ninety-day residency requirement prior to the filing of nomination papers for candidates seeking the office of mayor and to substitute the word "felony" for the phrase "crime involving moral turpitude"?		
	YES		+
	NO		+
8	Shall Section 7-5 of the Revised Charter of the County of Maui be amended to provide that in the event of a vacancy in the Office of Mayor the vacancy shall be filled at the next scheduled primary and general elections, and to provide for an administrative succession pending the election of a new mayor?		
	YES		+
	NO		+
9	Shall Section 8-1 of the Revised Charter of the County of Maui be amended to incorporate the Office of the Managing Director under the Office of the Mayor, to require Council confirmation of the Managing Director, and to delete reference to provisions relating to Civil Service?		
	YES		+
	NO		+
10	Shall Section 8-2.2 and Section 8-3.2 of the Revised Charter of the County of Maui be amended to increase the number of years of experience required as part of the necessary qualifications for the Corporation Counsel and the Prosecuting Attorney?		
	YES		+
	NO		+
11	Shall Sections 8-2.4 and 8-3.3 of the Revised Charter of the County of Maui be amended to change the word "appointees" to "deputies" in reference to deputies of the Corporation Counsel and the Prosecuting Attorney and to substitute the term "special prosecuting attorney" for the term "private counsel" to clarify that such attorney's function as one who prosecutes for crimes and violations?		
	YES		+
	NO		+

EB502

VOTE BOTH SIDES (OVER)

OFFICIAL BALLOT
GENERAL ELECTION

TUESDAY, NOVEMBER 4, 1980

AMENDMENTS TO THE MAUI
CHARTER PROPOSED BY THE
COUNTY COUNCIL

084600

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The full text of each of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

12	Shall Section 8-5.3 of the Revised Charter of the County of Maui be amended to clarify the duties of the Director of Public Works?
	YES +
	NO +
13	Shall Section 8-8.2 of the Revised Charter of the County of Maui be amended to require Council confirmation of the Planning Director?
	YES +
	NO +
14	Shall Sections 8-11.2 and 8-11.3 of the Revised Charter of the County of Maui be amended to delete references to the sanitary sewerage system as part of the duties and functions of the Department and Board of Water Supply and to clarify the Board's advisory role in establishing service rates or fees and other charges in addition to water rates?
	YES 4
	NO +
15	Shall Sections 9-5.2 and 9-6.4 of the Revised Charter of the County of Maui be amended to move the Council deadline for the adoption of the budget and capital program from June 15 to June 1?
	YES +
	NO +
16	Shall Section 10-2.2 of the Revised Charter of the County of Maui be amended to specify that financial disclosures be submitted to the Board of Ethics?
	YES +
	NO +
17	Shall Section 10-4 of the Revised Charter of the County of Maui be amended to clarify that the power to suspend or remove personnel for violations of the Code of Ethics is vested in the Civil Service Commission and not the Board of Ethics?
	YES +
	NO +

FF601

0515



OFFICIAL BALLOT
GENERAL ELECTION

TUESDAY, NOVEMBER 2, 1982

REVISED CHARTER OF
THE COUNTY OF MAUI
PROPOSED BY
THE CHARTER COMMISSION

This stub shall be removed by the Election Official only.

The full text of the revised charter covered by this ballot is available for inspection at your polling place. Ask the Voter Assistance Official, if you wish to see it.

Shall a new charter be adopted by the People of the County of Maui in the form proposed by the Charter Commission of the County of Maui?

YES

+

NO

+

GENERAL ELECTION - STATE OF HAWAII - STATEWIDE

PAGE 7
PRINTED ON 11/10/84 AT 09:08 AMNOVEMBER 6, 1984
FINAL REPORT
REPORT NUMBER 1

AMEND MAUI CHARTER - 01	100.0/100.0 35/35/35	AMEND MAUI CHARTER - 07	100.0/100.0 35/35/35	AMEND KAUAI CHARTER - 06	100.0/100.0 18/18/18
SEC3-2 COUNCIL TERM FROM 2 TO 4 YRS. BLANK VOTES OVER VOTES	8306 17119 3960 19	SEC3-1 & 3-3 APP REAPPORTIONMENT BLANK VOTES OVER VOTES	10545 11071 5607 19	REMOVE ELECTIVE BY RECALL PROCEDURE BLANK VOTES OVER VOTES	12406 2808 4116 7
AMEND MAUI CHARTER - 02	100.0/100.0 35/35/35	AMEND KAUAI CHARTER - 01	100.0/100.0 18/18/18	AMEND KAUAI CHARTER - 07	100.0/100.0 18/18/18
SEC3-5 EST. SALARY COMMISSION BLANK VOTES OVER VOTES	12427 11919 5134 14	POWER TO DECLARE AN EMERGENCY / DISASTER NO BLANK VOTES OVER VOTES	13744 2670 2012 11	AMEND MAYORS TERM OF OFFICE BLANK VOTES OVER VOTES	6416 9313 3595 11
AMEND MAUI CHARTER - 03	100.0/100.0 35/35/35	AMEND KAUAI CHARTER - 02	100.0/100.0 18/18/18	AMEND KAUAI CHARTER - 08	100.0/100.0 18/18/18
SEC4-2 DEPT. HEAD TERM OF OFFICE BLANK VOTES OVER VOTES	13312 11496 4669 17	CO CONTINGENCY FUND YES USED FOR STATE BLANK VOTES OVER VOTES	11756 3746 3927 8	AMEND COUNCILMEMBERS TERM OF OFFICE BLANK VOTES OVER VOTES	3646 12003 3683 5
AMEND MAUI CHARTER - 04	100.0/100.0 35/35/35	AMEND KAUAI CHARTER - 03	100.0/100.0 18/18/18	AMEND KAUAI CHARTER - 09	100.0/100.0 18/18/18
SEC7-5/9-18 AMEND CONTRACT SIGNATURES BLANK VOTES OVER VOTES	15020 7702 6760 12	OPTION OF 1ST MEET- ING OF THE COUNCIL BLANK VOTES OVER VOTES	11746 3482 4103 6	AMEND REQUIREMENTS TO BE MAYOR BLANK VOTES OVER VOTES	3678 12388 3260 8
AMEND MAUI CHARTER - 05	100.0/100.0 35/35/35	AMEND KAUAI CHARTER - 04	100.0/100.0 18/18/18	AMEND KAUAI CHARTER - 10	100.0/100.0 18/18/18
SEC8-7.3 RESCUE WITH FIRE CONTROL DEPT. BLANK VOTES OVER VOTES	15456 7402 6625 11	AMEND TERM OF OFFICE YES TO START DECEMBER BLANK VOTES OVER VOTES	9260 7329 3742 6	MAYORAL VETO POWER FOR APPROP MONEY BLANK VOTES OVER VOTES	7128 7855 4349 2
AMEND MAUI CHARTER - 06	100.0/100.0 35/35/35	AMEND KAUAI CHARTER - 05	100.0/100.0 18/18/18	AMEND KAUAI CHARTER - 11	100.0/100.0 18/18/18
SEC9-11 AMEND LAPSE/ ABANDONMENT OF CIP BLANK VOTES OVER VOTES	12616 8646 8224 8	PAST DUE ACCT TO COUNTY ATTORNEY BLANK VOTES OVER VOTES	10325 4033 4975 4	DEPT HEAD SALARY LEVEL BLANK VOTES OVER VOTES	8134 7074 4117 9

ENGLISH FACSIMILE BALLOT

FD07

SIDE 1

SIDE 2

STATE OF HAWAII



D

OFFICIAL BALLOT GENERAL ELECTION

TUESDAY, NOVEMBER 6, 1984

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE COUNTY COUNCIL

VOTE BOTH SIDES (OVER)

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1

SHALL SECTION 3-2 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PROVIDE THAT THE TERMS OF COUNCIL MEMBERS SHALL BE CHANGED FROM TWO YEARS TO FOUR YEARS, SUCH TERM TO BE CONCURRENT WITH THE TERM OF THE MAYOR?

YES ►

+

NO ►

+

2

SHALL SECTION 3-5 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO ESTABLISH A SALARY COMMISSION FOR ELECTED COUNTY OFFICIALS?

YES ►

+

NO ►

+

3

SHALL SECTION 6-2 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PROVIDE THAT THE TERM OF OFFICE FOR ALL DEPARTMENT HEADS (EXCEPT POLICE, LIQUOR AND PERSONNEL) SHALL END WITH THE TERM OF OFFICE FOR THE MAYOR?

YES ►

+

NO ►

+

503

VOTE BOTH SIDES (OVER)

D

4

SHALL SECTIONS 7-5 AND 9-18 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO REQUIRE THAT CONTRACTS SHALL BE SIGNED BY THE MAYOR, THE DIRECTOR OF FINANCE OR THE CHAIRMAN OF THE COUNCIL, DEPENDING ON THE TYPE OF CONTRACT?

YES ►

+

NO ►

+

5

SHALL SECTION 8-7.3 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PLACE THE PRIMARY RESPONSIBILITY FOR RESCUE OPERATIONS WITH THE DEPARTMENT OF FIRE CONTROL?

YES ►

+

NO ►

+

6

SHALL SECTION 9-11 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PROVIDE FOR THE LAPSE OR ABANDONMENT OF CAPITAL IMPROVEMENT APPROPRIATIONS IN ONE AND ONE-HALF YEARS OR LESS, TO THE EXTENT THE APPROPRIATION IS NOT SPENT OR ENCUMBERED BY WRITTEN CONTRACT?

YES ►

+

NO ►

+

502

VOTE BOTH SIDES (OVER)

D

ENGLISH FACSIMILE BALLOT

FE07

SIDE 1

SIDE 2

STATE OF HAWAII



E

OFFICIAL BALLOT
GENERAL ELECTION

TUESDAY, NOVEMBER 6, 1984

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE REAPPORTIONMENT COMMISSION

This stub shall be removed by the Election Official only.

The full text of the Reapportionment Commission's proposals on Composition and Qualification of council members covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

1

SHOULD SECTIONS 3-1 AND 3-3 OF THE CHARTER OF THE COUNTY OF MAUI REGARDING COMPOSITION OF THE COUNCIL AND QUALIFICATIONS OF ITS COUNCIL MEMBERS BE AMENDED AND CHANGED AS RECOMMENDED BY THE CHARTER REAPPORTIONMENT COMMISSION IN ITS "PROPOSAL OF THE REAPPORTIONMENT COMMISSION OF THE COUNTY OF MAUI" DATED FEBRUARY 23, 1984?

YES ►

+

NO ►

+

601

E

I HAVE VOTED, HAVE YOU?

(OVER)

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124

(OVER)

MAUI COUNCIL EAST	100.0/100.0 36/36/36	1ST SB DIST--4TH DIST	100.0/100.0 178/178/178	AMEND STATE CONSTITUTION	100.0/100.0 284/284/284
(R) MORROW, TOM	13181	42.4	MC MILLLEN, FRANCIS	102514	40.5
(D) OTA, CHARLES S	13045	42.0	AMAND, REEF	60558	23.9
BLANK VOTES	4780	15.4	BLANK VOTES	89467	35.3
OVER VOTES	10	0.0	OVER VOTES	549	0.2
MAUI COUNCIL MOLOKAI	100.0/100.0 36/36/36	1ST SB DIST--6TH DIST	100.0/100.0 178/178/178	PROPOSED CONST CONVEN	100.0/100.0 284/284/284
(D) KAHANO, PATRICK S	16809	54.1	PENEBACKER, JOHN R	136799	54.0
(R) PEABODY, GEORGE G	6912	22.2	KNAPP, PAUL	46133	18.2
BLANK VOTES	7289	23.5	BLANK VOTES	69804	27.5
OVER VOTES	6	0.0	OVER VOTES	352	0.1
MAUI COUNCIL LANAI	100.0/100.0 36/36/36	1ST SB DIST--NDR	100.0/100.0 178/178/178	HAWAII COUNTY REFERENDUM	100.0/100.0 51/51/51
(D) HOKAMA, GORO	14948	48.1	NORWOOD, CHUCK	80141	31.6
(R) OLIVA, HENRY	9915	31.9	KAWAHARA, HATSUKO F	53797	21.2
BLANK VOTES	6143	19.8	ARAKI, MAKO	49464	19.5
OVER VOTES	10	0.0	FUNAKOSHI, ELAYNE	42266	16.7
KAUAI COUNCIL	100.0/100.0 18/18/18	1ST SB DIST--NDR	100.0/100.0 36/36/36	AMEND MAUI CHARTER - 01	100.0/100.0 36/36/36
(D) YUKIMURA, JOANN A	13455	69.1	HO, PETER H P	29416	11.6
(D) ASING, BILL	12423	63.8	MASUI, STANFORD H	22506	8.8
(D) CORREA, MAXINE	9997	51.4	SUTTON, WARNER K	21745	8.5
(D) FUKUSHIMA, JESSE	9416	48.4	MATSUMOTO, MITCHELL	20540	8.1
(D) KOUCHI, RONALD	8421	43.3	HUGHES, JAMES	20062	7.9
(D) MUNECHIKA, MAURICE A	8374	43.0	SATO, RON	19954	7.8
(D) TEHADA, JIMMY	8210	42.2	CHONG, HOWARD K O, JR	19617	7.7
(R) MEDEIROS, ABEL	7428	38.1	WOODS, WILLIAM E	18093	7.1
(R) CHILDS, PATRICK J	5122	26.3	DOMINGO, P C	16877	6.6
(R) PA, CHAUNCEY W K	4838	24.8	DILLINGER, PAJL	16625	6.5
(R) ZABLAN, LLEWELLA N	2962	15.2	MELLER, CHRISTINA	12835	5.0
(R) KEKAHU, JOHN, III	2326	11.9	KAM, THOMAS K Y	12189	4.8
(R) MCLEGGUN-DUARTE, G	2293	11.7	UWAIINE, CLIFFORD T	12101	4.7
(R) HOUSTON, JOHN C	1865	9.5	ARRE, TOY	10770	4.2
BLANK VOTES	347	1.7	LOO, ANDREW	10458	4.1
OVER VOTES	48	0.2	INN, EVALYN K S	10154	4.0
2ND SB DIST--2ND DIST	100.0/100.0 106/106/106	1ST SB DIST--NDR	100.0/100.0 36/36/36	AMEND MAUI CHARTER - 03	100.0/100.0 36/36/36
UEOKA, MEYER M	43251	47.7	MAGALDI, JOE	9279	3.6
ARBOR, KELLY	28692	31.6	WINTERS, WILLIAM K	8605	3.4
BLANK VOTES	18606	20.5	MON, VICTOR	8402	3.3
OVER VOTES	87	0.0	YOUNGQUIST, ARVID T	7087	2.8
			SOUTHARD, RONALD W	5538	2.1
			SHORBA, JOE	3537	1.3
			BLANK VOTES	30359	11.9
			OVER VOTES	3411	1.3

NOVEMBER 4, 1986

FINAL REPORT

REPORT NUMBER 2

PRINTED ON 11/20/86 AT 07.12 PM PAGE 6

AMEND MAUI CHARTER - 04	100.0/100.0 36/36/36	AMEND HON. CHARTER - 04C	100.0/100.0 178/178/178	OHA RES MAUI	100.0/100.0 284/284/284
SEC 8-7.1/8-15.1 YES	15181	EST. CONTINGENCY YES	79703	KAHAIALII, MANU	19124
EST. PUBL SAFETY COMM NO	7607	FUND FOR PROSC ATTNY NO	119375	TERUYA, CHRISTINE K	9059
BLANK VOTES	8169	BLANK VOTES	54071	BLANK VOTES	19227
OVER VOTES	11	OVER VOTES	47	OVER VOTES	10
AMEND HON. CHARTER - 01	100.0/100.0 178/178/178	AMEND KAUAI CHARTER	100.0/100.0 18/18/18	OHA RES OAHU	100.0/100.0 284/284/284
AMEND CHARTER TO YES	85281	ALLOW MAYOR/COUNCIL YES	8452	CHING, CLARENCE F T	9669
MODIFY NEIGHBOR COMM NO	134800	TO SHR EQ APPT POWER NO	7181	DELANEY, LINDA L	8343
BLANK VOTES	32978	BLANK VOTES	3740	SERRAO, JOSEPH F	5133
OVER VOTES	137	OVER VOTES	5	SOLLER, S C TONY K	3474
AMEND HON. CHARTER - 02	100.0/100.0 178/178/178	ORD BY INITIATIVE - HON.	100.0/100.0 178/178/178	SING, ALBERT K	2853
PROVIDE PLANNING YES	112980	PRESERVE FT DERUSSY/ YES	90392	SELLERS, R LUNALILO	2722
COMM EXEC SECRETARY NO	109158	PREVENT CONV. CENTER NO	149285	EPSTEIN, PEARL K	2627
BLANK VOTES	30965	BLANK VOTES	13521	BLANK VOTES	11311
OVER VOTES	93	OVER VOTES	119	OVER VOTES	1288
AMEND HON. CHARTER - 03	100.0/100.0 178/178/178	OHA AT LARGE (3)	100.0/100.0 284/284/284		
ANNUAL BUDGET ORD. YES	128021	DESOTO, A FRENCHY	14118		
BE PRESCRIBED BY LAW NO	70079	BURGESS, ROD K	14026		
BLANK VOTES	55043	MAHOE, KEVIN M K	12608		
OVER VOTES	53	RITTE, WALTER, JR	11859		
AMEND HON. CHARTER - 04A	100.0/100.0 178/178/178	KEALOHA, GARD	10537		
ALLOW PROSC ATTORNEY YES	80452	DELA CRUZ, LINDA K	6176		
TO HIRE EXEC ASSIST. NO	119989	CHUN, KALIKO B	5297		
BLANK VOTES	52692	KEKIPI, VELMA P	5105		
OVER VOTES	63	KINNEY, RICHARD P	4301		
AMEND HON. CHARTER - 04B	100.0/100.0 178/178/178	KAPANA, ABRAHAM	4091		
ELECT PROSC ATTORNEY YES	123020	*HOLT, ROBIN	3802		
AS NON-PARTISAN NO	78339	CLARK, MELVIN K	3466		
BLANK VOTES	51795	MOKIAO, MYRTLE M	3463		
OVER VOTES	42	KANUI-GILL, RITA K	3085		
		KEPOO, ARTHUR	3066		
		HIGA, ODETTA M	2888		
		STUDEBAKER, VIOLA K	2436		
		FULLER, ROBERT	2381		
		DE Ocampo, MARY K	2314		
		REIS, HERMAN	2004		
		PREJEAN, KAWAIPUNA	1710		
		ROWLAND, JAMES P, JR	1683		
		KIPILII, FRANKLIN	1022		
		BLANK VOTES	2366		
		OVER VOTES	346		

* WITHDRAWN

*** WITHDRAWN**

ENGLISH FACSIMILE BALLOT

FE07

SIDE 1

SIDE 2

STATE OF HAWAII

**E**

OFFICIAL BALLOT
GENERAL ELECTION

TUESDAY, NOVEMBER 4, 1986

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE COUNTY COUNCIL

VOTE BOTH SIDES (OVER)

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1

SHALL SECTION 7-4 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO BE CONSISTENT WITH THE 1984 CHARTER AMENDMENT TO SECTION 3-5, WHICH PROVIDES THAT THE SALARY OF THE MAYOR SHALL BE DETERMINED BY THE SALARY COMMISSION?

YES ►

+

NO ►

+

2

SHALL SECTION 9-4 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PROVIDE THAT THE COUNCIL SHALL HOLD A PUBLIC HEARING ON THE PROPOSED BUDGET AND CAPITAL PROGRAM FOR THE ENSUING FISCAL YEAR NO SOONER THAN THE FIRST DAY OF APRIL AND NO LATER THAN THE THIRTIETH DAY OF APRIL INSTEAD OF NO SOONER THAN THE TWENTIETH DAY OF APRIL AND NO LATER THAN THE THIRTIETH DAY OF APRIL OF THE YEAR OF SUBMISSION?

YES ►

+

NO ►

+

503

VOTE BOTH SIDES (OVER)**E****3**

SHALL SECTION 9.5-2 AND SECTION 9-6.4 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PROVIDE THAT THE COUNCIL SHALL PASS THE BUDGET AND CAPITAL PROGRAM ON OR BEFORE THE THIRTY-FIRST DAY OF MAY INSTEAD OF ON OR BEFORE THE FIFTEENTH DAY OF MAY OF THE FISCAL YEAR CURRENTLY ENDING?

YES ►

+

NO ►

+

4

SHALL SECTION 8-7.1 AND SECTION 8-15.1 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED AND A NEW SECTION 8-7.4 BE ADDED TO ESTABLISH A PUBLIC SAFETY COMMISSION, WHICH SHALL REVIEW THE OPERATIONS OF THE DEPARTMENT OF FIRE CONTROL AND THE CIVIL DEFENSE AGENCY?

YES ►

+

NO ►

+

502
143**VOTE BOTH SIDES (OVER)****E**

GENERAL ELECTION - STATE OF HAWAII - STATEWIDE

PRINTED ON 11/15/88 AT 06:29 PM

PAGE 6

NOVEMBER 8, 1988

FINAL REPORT
REPORT NUMBER 5

VOTING AGE QUALIFICATION	100.0/100.0 289/289/289	LAND ACROSS SANDY BEACH	100.0/100.0 183/183/183	COST OF GOVT COMM (COG)	100.0/100.0 36/36/36
ALLOW TO VOTE IF 18 IN CALENDAR YEAR BLANK VOTES OVER VOTES	YES 164407 44.6 NO 156681 42.5 46963 12.7 136 0.0	REZONE LAND TO PRESERVATION BLANK VOTES OVER VOTES	YES 164007 60.7 NO 85210 31.5 20667 7.6 76 0.0	REPEAL COG COMM REVIEW OF SALARIES BLANK VOTES OVER VOTES	YES 12604 38.9 NO 11634 35.9 8156 25.1 7 0.0
STUDENT BOE MEMBER	100.0/100.0 289/289/289	LAND ACROSS HAPUNA BEACH	100.0/100.0 51/51/51	GRANT REVENUES	100.0/100.0 36/36/36
ALLOW STUDENT ON BOARD OF EDUCATION BLANK VOTES OVER VOTES	YES 212174 57.6 NO 103961 28.2 51996 14.1 56 0.0	REZONE LAND FROM RESORT TO OPEN AGAINST BLANK VOTES OVER VOTES	FOR 18186 41.1 23455 53.0 2524 5.7 11 0.0	CERTIFY REVENUE NOT YET RECEIVED BLANK VOTES OVER VOTES	YES 14678 45.3 NO 10962 33.8 6733 20.7 12 0.0
REAPPORTIONMENT BASIS	100.0/100.0 289/289/289	MANAGING DIRECTOR	100.0/100.0 36/36/36	DEADLINE FOR AUDITOR	100.0/100.0 36/36/36
CHANGE BASIS TO POPULATION BASE BLANK VOTES OVER VOTES	YES 165896 45.0 NO 132133 35.8 70100 19.0 58 0.0	DESIGNATE DIRECTOR TO ACT AS MAYOR BLANK VOTES OVER VOTES	YES 18891 58.3 NO 7937 24.4 5562 17.1 11 0.0	EXTEND FROM 30 DAYS TO 6 MONTHS BLANK VOTES OVER VOTES	YES 13205 40.7 NO 12183 37.6 6987 21.5 10 0.0
ADVISORY COMMISSION	100.0/100.0 183/183/183	VARIANCES/APPEAL BOARD	100.0/100.0 36/36/36	BOARDS AND COMMISSIONS	100.0/100.0 36/36/36
ESTABLISH CIVIL DEFENSE COMMISSION BLANK VOTES OVER VOTES	YES 160085 59.2 NO 76055 28.1 33746 12.5 74 0.0	CONFER AUTHORITY TO ANOTHER AGENCY BLANK VOTES OVER VOTES	YES 15779 48.6 NO 9372 28.9 7238 22.3 12 0.0	CHANGE START DATE AND STAGGER TERMS BLANK VOTES OVER VOTES	YES 17801 54.9 NO 5742 17.7 8826 27.2 16 0.0
CHARTER VIOLATIONS	100.0/100.0 183/183/183	PLANNING COMMISSION	100.0/100.0 36/36/36	NUMBER OF VOTES TO PASS	100.0/100.0 36/36/36
PUNISH VIOLATIONS BY CIVIL FINES BLANK VOTES OVER VOTES	YES 165648 61.3 NO 59743 22.1 44510 16.4 59 0.0	ESTABLISH SEPARATE COMMISSION BLANK VOTES OVER VOTES	YES 14794 45.6 NO 10010 30.8 7591 23.4 6 0.0	CHANGE TO MAJORITY OF MEMBERSHIP BLANK VOTES OVER VOTES	YES 16963 52.3 NO 7165 22.1 8249 25.4 8 0.0
COUNCIL DISTRICTS	100.0/100.0 183/183/183	WATER SUPPLY	100.0/100.0 36/36/36	TERM OF MAYOR	100.0/100.0 18/18/18
REAPPORTION DIST EVERY 10 YEARS BLANK VOTES OVER VOTES	YES 167478 62.0 NO 57992 21.4 44447 16.4 43 0.0	AUTHORITY TO BOARD OF WATER SUPPLY BLANK VOTES OVER VOTES	YES 14818 45.7 NO 10042 30.9 7532 23.2 9 0.0	EXTEND TERM FROM 2 TO 4 YEARS BLANK VOTES OVER VOTES	YES 10644 49.2 NO 9182 42.5 1765 8.1 10 0.0

SIDE 1

SIDE 2

STATE OF HAWAII



D

OFFICIAL BALLOT
GENERAL ELECTION

TUESDAY, NOVEMBER 8, 1988

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE COUNTY COUNCIL

VOTE BOTH SIDES (OVER)

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1	SHALL SECTION 7-6.2 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO AUTHORIZE THE MAYOR TO DESIGNATE THE MANAGING DIRECTOR, OR IN THE MANAGING DIRECTOR'S ABSENCE OR UNAVAILABILITY, THE FINANCE DIRECTOR, TO ACT AS MAYOR IN THE EVENT OF THE TEMPORARY LEAVE OR THE TEMPORARY ABSENCE OF THE MAYOR FROM THE COUNTY?	YES <input checked="" type="checkbox"/>	+
		NO <input type="checkbox"/>	+
2	SHALL SECTION 8-5.4 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PROVIDE THAT THE JURISDICTION RELATING TO CONSTRUCTION MATERIALS, METHODS, ETC., AND THE DEPARTMENT OF WATER SUPPLY'S DENIAL OF THE USE OF NEW OR ALTERNATE MATERIALS, TYPES OF CONSTRUCTION, EQUIPMENT, DEVICES OR APPLIANCES MAY BE CONFERRED TO A COUNTY AGENCY OTHER THAN THE BOARD OF VARIANCES AND APPEALS?	YES <input checked="" type="checkbox"/>	+
		NO <input type="checkbox"/>	+

503

VOTE BOTH SIDES (OVER) D

I HAVE VOTED, HAVE YOU?

VOTE BOTH SIDES (OVER)

This stub shall be removed by the Election Official only.

The full text of each of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

3	SHALL ARTICLE 8, CHAPTER 8 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO ESTABLISH A SEPARATE PLANNING COMMISSION WHOSE JURISDICTION WOULD ENCOMPASS THE ISLAND OF MOLOKAI AND ALL OTHER ISLANDS LYING WITHIN THREE NAUTICAL MILES OF ITS SHORES, AND THE WATERS ADJACENT THERETO, EXCEPT FOR THAT PORTION OF THE ISLAND KNOWN AS KALAUPAPA, KALAWAO AND WAIKOLU, COMMONLY KNOWN AS THE KALAUPAPA SETTLEMENT?	YES <input checked="" type="checkbox"/>	+
		NO <input type="checkbox"/>	+
4	SHALL ARTICLE 8, CHAPTER 11 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO CHANGE THE DEPARTMENT OF WATER SUPPLY FROM A COUNTY DEPARTMENT TO A DEPARTMENT UNDER THE JURISDICTION OF THE BOARD OF WATER SUPPLY?	YES <input checked="" type="checkbox"/>	+
		NO <input type="checkbox"/>	+
5	SHALL SECTION 8-14.2 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO REPEAL THE PROVISION REQUIRING THE COST OF GOVERNMENT COMMISSION'S REVIEW OF SALARIES OF ELECTED OFFICIALS?	YES <input checked="" type="checkbox"/>	+
		NO <input type="checkbox"/>	+

504

VOTE BOTH SIDES (OVER) D

ENGLISH FACSIMILE BALLOT

FD206

SIDE 1

SIDE 2

STATE OF HAWAII



D2

OFFICIAL BALLOT

GENERAL ELECTION

TUESDAY, NOVEMBER 8, 1988

AMENDMENTS TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
PROPOSED BY THE COUNTY COUNCIL

VOTE BOTH SIDES (OVER)

This stub shall be removed by the Election Official only.

The full text of each of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

6 SHALL SECTION 9-9 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO ALLOW THE MAYOR TO CERTIFY THE AVAILABILITY OF GRANT REVENUES WHICH ARE NOT ACTUALLY RECEIVED, BUT WHICH ARE TO BE REIMBURSED AFTER THE COUNTY ADVANCES PROGRAM COSTS?

YES ☐ +

NO ☐ +

7 SHALL SECTION 9-13 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO CHANGE THE DEADLINE FOR DESIGNATING AN INDEPENDENT AUDITOR FOR THE COUNTY FROM THIRTY DAYS TO SIX MONTHS AFTER THE BEGINNING OF EACH FISCAL YEAR?

YES ☐ +

NO ☐ +

505

VOTE BOTH SIDES (OVER) D2

The full text of each of the charter amendments covered by this ballot is available for inspection at your polling place. Ask an Election Official for it, if you wish to see it.

8 SHALL SECTION 13-2 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO PROVIDE THAT TERMS OF MEMBERS OF BOARDS AND COMMISSIONS SHALL COMMENCE ON APRIL 1ST AND END ON MARCH 31ST, THAT MEMBERS OF NEW BOARDS AND COMMISSIONS SHALL BE APPOINTED WITH STAGGERED TERMS, AND THAT NEW BOARDS AND COMMISSIONS ESTABLISHED BY CHARTER SHALL CONSIST OF NINE MEMBERS?

YES ☐ +

NO ☐ +

9 SHALL SECTION 13-2 OF THE REVISED CHARTER OF THE COUNTY OF MAUI BE AMENDED TO CHANGE THE NUMBER OF AFFIRMATIVE VOTES REQUIRED FOR ANY ACTION OF A BOARD OR COMMISSION FROM A MAJORITY OF THOSE PRESENT TO A MAJORITY OF ITS ENTIRE MEMBERSHIP?

YES ☐ +

NO ☐ +

506

VOTE BOTH SIDES (OVER) D2

Charter Commission - [Possible SPAM] Charter Commission and Term Limits

From: Al Rabold <arabold@hawaii.rr.com>
To: Maui County Charter Commission <charter.commission@co.maui.hi.us>, The Maui News <letters@mauinews.com>
Date: 10/13/2011 1:31 PM
Subject: [Possible SPAM] Charter Commission and Term Limits

I'm very concerned about the musings of the Charter Commission. They seem to be under the impression that just because this is Maui the wheel must forever be reinvented and the voters lack sufficient intellect to make decent decisions.

First, the United States Senate has operated on two year terms for 300 years as have the Senates of most states. If our newly elected candidates cannot figure out the politics and operations of a simple 9 person council in less than a year, we should probably get new candidates. Ditto, the amount of time spent to get reelected!

Second, term limits are truly needed but four two year terms is more than enough. It is not the function of the council to provide political careers for anyone. As a matter of fact, the sooner we turn them over the fresher the thinking will be.

Third, a return to partisan politics is terrific if done in the same way as the state elections. But, without changing to true district voting it and the above items are meaningless. And no, district voting does not deny one man, one vote. Get over it.

Finally, the number of charter amendments on the ballot should be the number necessary to meet the needs of the times and the demands of the voters. If Mr. Hidani, and unidentified others, think 15 or 20 ballot questions are too confusing, I would suggest writing clearer proposals and eliminating variants of the same topics – or getting better commissioners!

Al Rabold
Kula, HI
878-8525

102411 - Item No. II.C. pg 1-1

JEFFREY T. KUWADA
County Clerk



LANCE TAGUCHI
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

October 14, 2011

Mr. Joshua A. Stone, Chair
Charter Commission
County of Maui
c/o Department of the Corporation Counsel
200 South High Street
Wailuku, Hawaii 96793

RECEIVED
CORPORATION COUNSEL
2011 OCT 14 PM 3:09

Dear Chair Stone:

SUBJECT: October 24, 2011 Charter Commission Meeting

Via E-mail dated Thursday, October 13, 2011, I was asked whether I was available to attend the October 24, 2011 meeting of the Charter Commission (hereafter, "Commission").

Unfortunately, I will be on Oahu attending a meeting of the county clerks concerning the 2012 elections. Therefore, I will not be available to attend the Charter Commission meeting on October 24th.

Should the Commission have questions for me, I respectfully request that you transmit them to me in writing, and I will respond in kind.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey T. Kuwada", is written over a horizontal line.

JEFFREY T. KUWADA
County Clerk

102411 - Item No. II, D. pg 1-1

James F Boulton
47 Nohokai St
Kihei, HI 96753-8243
Ph: 879-0459 Fx: 875-0992
Email: jboult@maui.net

RECEIVED
CORPORATION COUNSEL
2011 OCT 17 PM 2:28

10/14/2011

Maui County Charter Commission
C/O Corporation Counsel
200 High Street, 3rd Floor
Wailuku, HI 96793

ATT Joshua Stone, Chairman

In regards to the formation of a new Division of Sustainability and Environmental Protection, after studding this I am having a hard time trying to figure out what it will do for our county other than just cost ME and other tax payers more money. I am against this as it seams like the Obama administration just appointing another Czar I am asking you to stop this redundant division and please use Our Tax money on a project that we can all benefit from. If we have so much money to just waste lets repave HANSE ROAD so all of us Tax Payers can benefit.

Sincerely:



James F. Boulton
Tea Party Member

CC to Alan Arakawa

102411 - Item No. II. E. pg 1-1

JON M. VAN DYKE
Attorney-at-Law
4191 Round Top Drive
Honolulu, Hawai'i 96822
Tel: 808-265-6789
jonmvandyke@gmail.com

October 17, 2011

Chair Joshua A. Stone and Charter Commission Members
Maui County Charter Commission
200 High Street, 3rd Floor
Wailuku, HI 96793

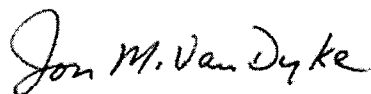
Dear Chair Stone and Members of the Charter Commission:

I am writing with regard to questions that have been raised regarding my role in the preparation of the flyer distributed to the residents of Maui in the spring of 2010 entitled "What Is District Voting?" This publication was put together on behalf of the North Beach-West Maui Benefit Fund Inc., and I was asked to draft the text and maps of this flyer in order to explain possible options available with regard to election of the members of the Maui County Council. It was my understanding that this publication was designed to provide information. My work on this project was completed in March 2010.

With regard to the constitutional issues that might be raised by the use of at-large elections for a multi-member body such as the Maui County Council, the U.S. Supreme Court in *Mobile v. Bolden*, 446 U.S. 55 (1980), has upheld the use of at-large elections, but the use of this approach has occasionally challenged on the ground that it can dilute the voting power of members of minority ethnic groups. In *Thornburg v. Gingles*, 478 U.S. 30 (1986), for instance, the U.S. Supreme Court said that at-large elections for candidates in a multi-member district could be challenged only if the challengers could show that a majority of the district voting as a bloc would usually be able to defeat candidates supported by a politically cohesive, geographically insular minority group. This standard is difficult to meet, and it is unlikely to be met in the ethnically diverse population we have in Hawaii. Hawaii has a long history using multi-member districts and at-large voting, and such schemes have not faced any serious judicial challenge. The election for Trustees of the Office of Hawaiian Affairs are, for instance, conducted at-large on a statewide basis, with residency requirements, similar to the approach used by Maui County, and this OHA approach has not been challenged.

Please let me know if there are any further questions regarding this matter.

Sincerely yours,



Jon M. Van Dyke, Esq.

10/24/11 - Item No. II. F. pg 1-1

**Sherry P. Broder
Jon M. Van Dyke**

Attorneys at Law
Seven Waterfront Plaza, Suite 400
500 Ala Moana Blvd.
Honolulu, Hawai'i 96813
Tel: 808-531-1411
sherrybroder@sherrybroder.com
jonmvandyke@gmail.com

October 17, 2011

Chair Joshua A. Stone and Charter Commission Members
Maui County Charter Commission
200 High Street, 3rd Floor
Wailuku, HI 96793

Dear Chair Stone and Charter Commission Members:

This letter is written to follow up on the work of the Charter Commissioners at the October 10, 2011 meeting. We have listed the new proposals made at the meeting. All of these new proposals have not been considered yet for possible inclusion on the Active Matrix. We have also responded to requests for additional information from the Commissioners.

1. NEW PROPOSALS PRESENTED AT OCTOBER 10, 2011 MEETING

#2.2 – Proposal to amend Article 2-2, Exercise of Powers to add the following sentence:
The application of such power shall be guided by the principle that individuals possess equal worth and dignity.

#7.5 – Proposal to Amend Article 7, Office of the Mayor, Section 7-5, Powers, Duties and Functions:

Add the following sentence to Section 7-5.3, Further, that establishment of an Office or division of a department must be approved by ordinance, by two thirds vote of a majority of the council.

and Delete Section 7-5.10, [Assign powers, duties, and functions that are not already assigned or enumerated in Article 8, to and between the departments.]

#8.8.15 – Proposal to Amend Article 8-8.4(3) regarding the requirement that the appropriate planning commission must transmit its findings and recommendations on proposed land use ordinances and amendments that are unrelated to the general plan to the council within 120 days

102411 - Item No. III.C. pgs 1-4

after the final public hearing but rather after receipt of the referral and make other changes to time frames in the Department of Planning to eliminate any inconsistencies.¹

2. DRAFT CHARTER AMENDMENTS ATTACHED

Staff has drafted language for consideration of possible charter amendments. The drafts of the following three possible charter amendments are attached to this letter. Deputy Corporation Counsel will be submitting a possible charter amendment on partisan elections in a separate transmittal.

Amend Article 3, County Council, Section 3-2 (5), Term of Office to Three Four-Year Terms, Staggered, and With Transition

Amend Article 8, County Departments, Chapter 3, Prosecuting Attorney, to conform to state and county laws

Amend Article 8, County Departments, Chapter 9, Personnel Services, to conform to state and county laws

3. QUERY REGARDING RESIDENCY REQUIREMENTS

The Hawai'i Supreme Court recently addressed issues relating to a person's residence. In *Dupree v. Hiraga*, 121 Hawai'i 297, 219 P.3d 1084 (Hawai'i, 2009), 12 residents from Lāna'i sent a letter to the Clerk of Maui Hiraga to complain that Kaho'ohalahala was not a Lāna'i resident. The Maui Clerk subsequently found that Kaho'ohalahala was a Lāna'i resident when he registered to vote there in July 2008. Dupree appealed to the Board of Registration which concluded that Kaho'ohalahala was in fact a resident of Lahaina rather than Lāna'i. Both sides appealed the November 1, 2008 decision of the Board of Registration for Maui County (Board) to the Hawai'i Supreme Court which determined that Kaho'ohalahala was not a resident of Lāna'i for purposes of the November 2008 election.

In 2006, Kaho'ohalahala changed his voter registration to Lahaina, where he was living and working at the time. The Board found that by so doing, he lost his residency on Lāna'i and the Hawai'i Supreme Court upheld the finding and explained that "[b]y registering to vote in Lahaina, Kaho'ohalahala represented that it was his place of residence. See HRS § 11-13 ("there can be only one residence for an individual"); HRS § 11-15 (a citizen seeking to register to vote must submit an affidavit including a declaration of his residence). That statement of intent, together with his habitation on Maui, established Maui as his residence. HRS §§ 11-13(1) & (4).

¹See also #8.8.9 – Proposal to Provide Adequate Time for Planning Commissions to Act and #8.8.10 – Proposal to Provide Adequate Time for Planning Commissions to Act also addressed the issue of timing for the Planning Commission to transmit findings and recommendations to the Council but neither proposal was specifically moved to the Active Matrix. However, a general discussion of Boards and Commissions and a number of proposals relating to Article 13 were moved to the Active Matrix under Article 13, General Provisions, Section 2, Boards and Commissions.

The Hawai'i Supreme Court pointed out that "[a]lthough someone who has established residency in a place can maintain that residency despite being physically absent as long as he or she intends to return and acts consistently with that intent, . . . different considerations apply once a person has established a new residence elsewhere."

The Hawai'i Supreme Court found that there was substantial evidence in the record to establish, that Kaho'ohalahala did not own or work for a business on Lāna'i, and did not own or rent a house or keep a car on the island. These facts were relevant because they supported an inference that Kaho'ohalahala had not established the necessary physical presence on Lāna'i. In addition there was no evidence in the record establishing that Kaho'ohalahala had abandoned his established residence on Maui. Rather, the record showed that he continued to work there, as did his wife, and they continued to stay at their home in Lahaina.

Thus the issue of residency for registration to vote has been exhaustively dealt with by the Hawai'i Supreme Court. In addition there is an extensive statutory scheme with definitions set forth in HRS Chapter 11.

The issue of residency for candidates for office has not been finally decided by the courts.

4. SIGNIFICANCE OF RECENT HAWAII COUNTY DECISION REGARDING VOTING REGISTRATION IN THE DISTRICT 90 DAYS IN ADVANCE OF THE PRIMARY ELECTION.

The Third Circuit Court for the State of Hawaii, in the case of *Goodenow v. David*, Civil No. 10-1-226 (Sept. 23, 2010), decided a case that involved the constitutionality of a provision in the Charter of Hawaii County requiring that candidates for office have both resided in and have registered to vote in the geographical district that they seek to represent 90 days prior to the primary election that they are competing in. The candidate, Maile David, had resided in the district she sought to represent for two years prior to the election, but registered in the district only 86 days prior to the primary election. On July 15, 2010, the Hawaii Supreme Court issued a writ of mandamus stating that nomination papers should be given to Ms. David. Then, on September 23, 2010, Circuit Judge Glenn S. Hara ruled that in the context of these facts, where Ms. David had lived in the district for more than a year and a half, the 90-day voter registration requirement "places an additional requirement on Defendant" and "is an unreasonable burden on Defendant's ability to be a representative of Council District Number Six and is therefore invalid and not applicable to Defendant." An appeal of this decision was filed by the County of Hawaii, but it is unclear from the written record what the present status of that appeal is.

We do not believe that this decision changes the analysis we provided to the Commission in Section 3 on "Residency Requirements for Candidates for Council" of our letter dated October 3, 2011. The decision did not challenge the Hawaii County's requirement that candidates for the Council be residents of the district in which they are running at least 90 days prior to the election, but only the requirement that the candidate have registered to vote in that district 90 days prior to the primary election. Judge Hara characterized that second requirement as an

“additional” one and ruled that it placed an “unreasonable burden” on the candidate. He did not question the legitimacy of reasonable residency requirements for candidates.

5. QUERY REGARDING VIDEO CONFERENCING FOR PUBLIC MEETINGS

The Sunshine Law, HRS Section 92-3.5 (a), provides that “[a] board may hold a meeting by videoconference; provided that the videoconference system used by the board shall allow both audio and visual interaction between all members of the board participating in the meeting and the public attending the meeting, at any videoconference location.”

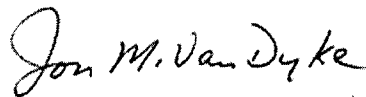
The Sunshine Law is clear that full participation of members is allowed at meetings conducted videoconferencing. “Any board member participating in a meeting by videoconference shall be considered present at the meeting for the purpose of determining compliance with the quorum and voting requirements of the board.”

Thus members and individuals from the public may be present in different locations and all may fully participate, in accordance with the noticed agenda, and it is considered one meeting for all conducted via videoconferencing.

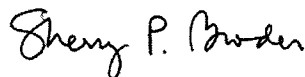
6. QUERY WHETHER THE 26TH AMENDMENT THAT GUARANTEES THE RIGHT TO VOTE TO 18-YEAR-OLDS ALSO GUARANTEES THEIR RIGHT TO BE CANDIDATES FOR OFFICE.

Generally the courts have upheld statutory minimum age requirements for holding office and have rejected the contention that the Twenty-Sixth Amendment, conferring the right to vote on 18-year olds, also lowered the minimum age for public office. Courts have reasoned that the 26th Amendment, which on its face applied only to the right to vote, said nothing about the right to hold office, and thus did not lead to the result that all persons 18 years of age or older were entitled to run for and hold office.

Sincerely yours,



Jon M. Van Dyke, Esq.



Sherry P. Broder, Esq.

cc: Lisa Kahuhu, Supervising Law Technician
Edward S. Kushi, Jr., Deputy Corporation Counsel

MATRIX
PROPOSALS FOR SUBSTANTIVE CHANGES TO THE
MAUI COUNTY CHARTER

September 2, 2011

September 25, 2011

October 3, 2011

October 17, 2011

Sherry P. Broder, Esq. and Jon M. Van Dyke, Esq.

Preamble

#0.1 - Proposal to amend the Purpose Clause

Amend Preamble to add a general statement about the purpose of establishing a County Government and to include the following: preserve and protect the rights of persons and property, to protect the beauty of Maui, to provide recreational facilities, to provide adequate and safe water, among other things

Article 1, Incorporation and Geographical Limits

#1.1 - Amend Section 1-2, Geographical limits to include the area known as the Kalaupapa Settlement as part of the County of Maui.

Article 2, Powers of the County

#2.1 - Create a new section to declare that the Maui County government is non-partisan

Article 3, County Council

#3.1 - Proposal to Establish an Apportionment Commission to create a new nine-district Council Election system based on equally proportioned districts.

This would replace the language in Section 3.1, Composition, that establishes the current at-large election system composed of nine equally proportioned single-member districts.

#3.2 - Proposal to Implement Single Member Districts

Amend Section 3-1, Composition, to change the composition of the Maui County Council to Nine Single Member Districts

#3.3 - Single Member Districts Proposal with Lanai and Molokai in Separate Districts

Amend Section 3-1, Composition, to change the composition of the Maui County Council to Nine Single Member Districts but do not place Lanai and Molokai in the same council district

#3.4 - Single Member Districts Proposal with Self-Rule for Lanai and Molokai

Amend Section 3-1, Composition, to change the composition of the Maui County Council to Nine Single Member Districts and grant Lanai and Molokai self-rule

#3.5 - Proposal to Create 3 Single Member Districts and 3 Geographic Districts for Lanai, Molokai and Maui

#3.6 - Proposal to create Island Boards for the Islands of Lanai and Molokai.
These would be elected bodies of five (Lanai) to seven (Molokai) members who would (1) replace and would take on the responsibilities of the appointed planning commissions (2) and in addition have authority over all other land use approvals on the island, including zoning and variances. These bodies would also (3) be the official voice of their communities, at the County, State and national levels.

#3.7 - Single Member Districts Proposal with Lanai, Molokai and Hana in one district together

Amend Section 3-1, Composition, to change the composition of the Maui County Council to Nine Single Member Districts and grant Lanai and Molokai self-rule

#3.8 - Proposal to Retain At-large Districts with Geographic Residency

Do not amend Article 3, County Council, Section 3-1, Composition

#3.9 - Proposal to Expand the Number of Council Members to 13

#3.10 - Proposal to have 3 council members in each of 3 districts

#3.11 - Proposal to have 6 council districts with equal population plus 3 at large council districts

#3.12 - Proposal to Delete Subsections 1), (2), (3), and (4) of Article 3, County Council, Sections 3-2 Election of Council and Term of Office, and Add new language to enact Instant Run-Off Voting, similar to San Francisco, California

Instant-runoff voting (IRV), also known as preferential voting, the alternative vote and ranked choice voting, is a voting system used to elect one winner. Voters rank candidates in order of preference, and their ballots are counted as one vote for their first choice candidate. If a candidate secures a majority of votes cast,

that candidate wins. Otherwise, the candidate with the fewest votes is eliminated. A new round of counting takes place, with each ballot counted as one vote for the advancing candidate who is ranked highest on that ballot. This process continues until the winning candidate receives a majority of the vote against the remaining candidates.

#3.13 - Proposal to Return to a Closed Primary System

#3.14 - Proposal to Abolish Nonpartisan Elections for County Council

Amend Article 3, County Council, Section 3-2, Election of Council and Term of Office, to delete nonpartisan elections and implement a system of partisan elections in the primary and general elections

#3.15 - Residency Requirements for County Council Members Proposal;

Amend Section 3-3, Qualifications, to require that candidates have lived in and voted in the district in the previous election for which they are currently running

Amend Section 3-3, Qualifications to require that candidates have lived in the district for one year

#3.16 - Proposal to adopt a Five-Year Residency Requirement for County Council Members Proposal

Amend Section 3-3, Qualifications, to require that candidates have lived in the district for which they are running for at least 5 years.

#3.17 - Proposal for Eight-Year Term Limits

Amend Section 3-2 (5), Election of Council and Term of Office, to limit a council member to 2 terms of 4 years or 4 terms of 2 years for a total of 8 years altogether and, after the 8 years have been exhausted, to prohibit the individual from ever serving on the Council again

#3.18 - Three-Term 4 year Term Limits Proposal

Amend Section 3-2 (5), Election of Council and Term of Office, to limit a council member to 3 terms of 4 years

#3.19 - Two-Term 4 year Term Limits Proposal

#3.20 - One-Term 4 year Term Limit Proposal

#3.21 - Proposal to change the present system of five two year terms of council members to three full four year terms, whether consecutive or not and require that terms of council members to be staggered.

#3.22 - Proposal to Amend Term of Office for Council Members from a Two (2) Year Term to a Four (4) Year Term, Stagger the Terms, and Limit the Number of Terms

Amend Section 3-2, Election of Council and Term of Office from a two (2) year term to a four (4) year term, stagger the terms by implementing for the first election the highest 4 vote getters will serve 4 year terms and the bottom 5 vote getters will serve 2 year terms, limit the terms to 2 consecutive terms and a total of 12 years or 3 full terms.

#3.23 - Proposal to Retain Article 3, Section 3-2 (5), Term of Office for Council Members for a 2 year term

#3.33 - Proposal to Amend Section 3-6, Powers of the Council to Require that the Council approve the appointments of all department heads

In the alternative, require that the Council approve the appointments of Planning Director and the Director of the Department of Finance

#3.34 - Proposal to Establish an Office of Legislative Attorney for the County Council

Amend Article 3, County Council, to add a new section to establish a separate Office of Legislative Attorney assigned solely to the County Council

#3.35 - Proposal to Require an Apportionment Commission Every 10 Years

Amend Article 3, County Council, to add a new section to establish a county reapportionment commission to establish district boundaries, to consist of 9 members appointed by the Mayor and confirmed by the Council, to be constituted in 2011 and every 10 years thereafter, to be composed of members selected from House Districts with no more than a bare majority from one political party, to have services from the County Clerk, and to have specific criteria in the establishment of the boundaries of the council districts

#3.36 - Proposal to delete Section 3.3-8 (because the Council approves the appointments of the Mayor).

Article 5, County Clerk

#5.1 - Proposal to Designate County Clerk to be the Official Custodian of all County records

Amend Article 5, County Clerk, Article 5-3, Powers, Duties and Functions, to add a new section to make the County Clerk the official custodian of records of the County of Maui, including but not limited to the financial reports of elected officials

Article 7, Office of the Mayor

#7.1 - Proposal to Require Transparency in Appointments to Boards and Commissions

Amend Section 7-5, Powers, Duties and Functions, to require the Mayor to make the public the names of those who have volunteered to serve on Boards and Commissions

#7.2 - Proposal to Make the Office of the Mayor Ceremonial and Implement an Appointed County Manager as Chief Executive Officer

Amend Section 7-5, Powers, Duties and Functions, to change the powers of the Mayor to be ceremonial, to include accepting service of process and to be recognized by the Governor for civil defense and military purposes and to allow the County Council to appoint an interim mayor in the event of a vacancy

Amend Article 8, County Departments, Chapter 1, Department of the Management, Section 8-1.1 Organization, [1] to change the title of this section to Office of the County Manager, [2] to provide that the County Manager will be selected by the County Council, [3] to require that the County Manager have proven administrative qualifications, [4] to require residency in Maui only after selection, [5] to set forth a procedure for removal from office that includes the conduct of a hearing, and [6] to provide the County Council with final authority for removal and [7] to Amend Section 8-1.3, Powers, Duties and Functions, to enumerate the duties of the County Manager and make other conforming changes in Article 8

#7.3 - Proposal to Require the Mayor to include a balance sheet in the Mayor's Annual Report

Amend Section 7-5, Powers, Duties and Functions to require the Mayor to include a balance sheet in the Mayor's Annual Report

Article 8, County Departments

Chapter 1, Department of Management

#8.1.1 - Proposal to Amend Section 8-1.1, Organization, to specify that there shall be a deputy managing director

#8.1.2 - Proposal to Amend Section 8-8.3(6) to require an audit every 5 years of projects that received conditional zoning approval

Chapter 3, Department of Prosecuting Attorney

#8.3.1 - Proposal to Section 8-3.3 Powers, Duties and Functions, to clarify that the investigators in the prosecuting attorney's office have all the powers and privileges of a police officer of the county

#8.3.2 - Proposal to Section 8-3.3 Powers, Duties and Functions, to clarify that the County Prosecuting Attorney prosecutes offenses against the law of the State of Hawaii under the authority of the Attorney General of the State of Hawaii.

Chapter 4, Department of Finance

#8.4.1 - Proposal to Require all Finance Reports to Be Available to the Public

Amend Section 8-4.3, Power, Duties and Functions, to add a new section that requires the Director to make available to the public all financial reports in an electronic form on the county website

Chapter 5, Department of Public Works and Environmental Management

#8.5.1 - Proposal to Require Expeditious Processing of Building Permits

Amend Section 8-5.3, Powers, Duties and Functions, to add a new subsection to require the Department of Planning to process building permit applications within 90 days or less

#8.5.2 – Proposal to Amend Section 8-14.1, Department of Transportation, to delete the section and merge the department of transportation to be under the powers duties and function fo the director of public works – see section 8-5.3

Chapter 7, Department of Fire and Public Safety

#8.7.1 - Proposal to Abolish Department of Fire and Public Safety, Require Fire Chief to Report to Mayor, and Set Minimum Qualifications for Fire Chief and Other High Ranking Fire Officials

Delete Section 8-7.2 Fire and Public Safety Commission, and amend Section 8-7.3, Fire Chief, to give the Mayor the authority rather than the Fire and Public Safety Commission to appoint the Fire Chief, and require the Fire Chief and

Assistant Chief to have a 4 year college degree and the Battalion Chief to have a 2 year college degree as one of the minimum requirements

#8.7.2 - Proposal to give the Mayor the authority to in the selection and removal of the Fire Chief.

Amend Section 8-7.3 to require approval of the Commission recommendation by the Mayor

Amend Section 8-7.3 to require that the Mayor initiate and the Commission approve the request to remove by a majority vote

#8.7.3 - Proposal to Amend Chapter 7, Department of Fire and Public Safety, to change the name of the Department of Fire and Public Safety and delete the term Public Safety in order to more accurately reflect the duties of the Fire Department, and to conform other provisions of the charter to reflect the new name

Suggested new name - Fire Protection and Prevention and Rescue

#8.7.5 - Proposal to Amend Chapter 7, Department of Fire and Public Safety, Section 8-7.2, Fire and Public Safety Commission, to delete the current language and to add new language on a Statement of Policy as follows:

It is hereby declared to be the purpose of this chapter of the charter to establish in the county a system of fire protection and prevention, emergency rescue, and emergency services which shall be based on qualified and professional leadership and personnel In order to achieve this purpose, the Maui County INSERT NEW NAME OF DEPARTMENT shall be operated in accordance with the following:

The goal of the county shall be to have qualified and professional leadership and personnel in this department

Standards for recruitment shall be designed to attract into the department persons with high degrees of education, intelligence, and personal stability

Promotions and other personnel actions shall be in accordance with all applicable laws and based upon fair and appropriate standards of merit, ability and work performance

Appropriate training shall be provided to the maximum extent possible and practicable

#8.7.6 - Proposal to Amend Section 8-7.2, Fire and Public Safety Commission to have one member from each council district, to expand the powers of the commission to appoint such staff as it needs and to engage consultants as necessary for the performance of its duties and to add that the appointment of commission members appointed by the mayor and confirmed by the council to be done so in the manner prescribed in Section 13-2.

#8.7.7 - Proposal to Amend Section 8-7.2, Fire and Public Safety Commission to expand and clarify the powers, duties and functions of the commission to do one or more of the following:

Expand the authority of the commission to review rules for the administration of the department.

Add to subsection 4 - publish a summary of the charges filed against officers and the disposition of each charge to be included in the annual report of the commission.

Review personnel actions within the department for conformance with the policies under the statement of policy.

Review and recommend on the strategic plan for the fire department or other similar type of plans

Add to subsection 5 regarding the annual evaluation of the fire chief that the commission shall at least annually compare the actual achievements in the strategic or other similar types of plans or latest update submitted by the fire chief

Submit and annual report to the mayor and the council on its activities.

#8.7.8 - Proposal to Amend Section 8-7.2, Powers, Duties and Functions of the commission to require that a summary of the charges filed and their disposition shall be included in the annual report of the commission.

#8.7.9 - Proposal to Amend Section 8-7.4, Fire Chief, Powers, Duties and Functions to add the following:

Prepare and, when deemed necessary, update a strategic or other similar type of plan of goals and objectives for the Maui County NEW NAME OF FIRE DEPARTMENT. The chief shall submit the plan and each update to the commission for review and recommendations.

#8.7.10 - Proposal to Amend Section 8-7.4 (4), Powers, Duties, and Functions to Add and Assign Ocean Safety and Rescue to the Department of Fire and Public Safety

#8.7.11 - Proposal to Amend Section 8-7.4 (4), Powers, Duties, and Functions to Clarify that Reserve Fire Fighters and Emergency Rescue Personnel can be trained and utilized, when needed.

#8.7.12 - Proposal to Delete Section 8-7.2 to eliminate the Fire and Public Safety Commission

Chapter 8, Department of Planning

#8.8.1 – Proposal to Change Planning and Variance Process to Create Elected Community Boards for Every Community Plan Area on Maui, Molokai and Lanai

Amend Chapter 8, Department of Planning, to require Planning Commission members to be elected by Community Board Members and to include one nonvoting representative on the Maui Planning Commission appointed to represent Kahoolawe

#8.8.2 - Proposal to Create Planning Commissions for Each Community

Amend Chapter 8, Department of Planning, to require that each island have its own planning commission, Each of the 6 community plan districts on Maui Island shall have its own permanent advisory board (such as the advisory board that already exists in Hana). The 6 Advisory boards would make recommendations to the County Council, the Maui Planning commission and where applicable to other county boards and commissions. Each Advisory Board shall have 11 members. Members selected by the Mayor and one selected by each council member. Members will serve to 3 years, and may be reappointed twice.

#8.8.3 - Proposal to Amend Chapter 8, Department of Planning, Section 8-8.1, Organization, to add a new section to establish a Hana Planning Commission

#8.8.4 - Proposal to retain Hana Advisory Committee and make no changes to Chapter 8, Department of Planning.

#8.8.5 - Proposal to amend Section 8-8.1, Organization, to reduce the number of commissioners for the Molokai and Lanai Planning Commissions from 9 to 7 members.

#8.8.6 - Proposal to amend Section 8-8.4, Planning Commission, to allow outgoing board members of the Molokai Planning Commission to retain their membership on the board until their terms expire or their replacement member is confirmed, whichever is later.

#8.8.7 - Proposal to Amend Section 8-8.4, Planning Commissions, to expand the jurisdiction and powers of the Molokai Planning Commission

Amend Section 8-8.4, Planning Commissions, to expand the jurisdiction and powers of the Molokai Planning Commission so that it will have all the powers of the Board of Variances and Appeals for Molokai, to grant all permits (SMA, building, business, etc.) and provide that appeals from any variance granted shall be heard and determined by the Maui County Council, provided that a 2/3rds vote would be required to overturn any variance granted within 30 days

#8.8.8 - Proposal to Make No Changes to Planning Commission

Retain Article 8, County Departments, Chapter 8, Department of Planning, Section 8-8.4, Planning Commission in its current form

#8.8.9 - Proposal to Provide Adequate Time for Planning Commissions to Act

Amend Section 8-8.4, Planning Commission, Second Subsection 3, to extend the time from 120 days to 180 days for the Planning Commissions to transmit findings and recommendations of ordinances to the Council

#8.8.10 - Proposal to Provide Adequate Time for Planning Commissions to Act

Amend Section 8-8.6, Adoption of General Plan and Other Land Use Ordinances, Subsection 2, to give the Planning Commissions 180 days after the final public hearing to transmit ordinances with their findings and recommendations to the Council

#8.8.11 - Proposal to Combine Board of Code Appeals with Board of Variances and Appeals

Delete Section 8-8.7, Board of Variances and Appeals, to combine the Board of Code appeals and all its functions and powers with the Board of Variances and Appeals

#8.8.12 - Proposal to Protect the Right of Citizens to Use Their Residence for Economic Activity

Amend Article 8, County Departments, Chapter 8, Department of Planning, to add a new section to provide that the use of the home for small business or rental for any period of time shall not be infringed upon except in cases of health, safety, welfare and nuisance

#8.8.13 Proposal to Establish Elected Island Boards for Molokai and Lanai

Amend Article 8, County Departments, Chapter 8, Department of Planning to add a new section for Elected Island Boards for Molokai and Lanai, to have 5 or 7 members, to replace the Planning Commissions and all their functions and take over the variance and zoning functions of the County Council for those islands

#8.8.14 - Proposal to create an Implementation Unit within the Department of Planning's Long-Range Division

Amend Article 8, County Departments, to add a new section for an Implementation Unit within the Department of Planning's Long-Range Division to proactively implement and coordinate the General Plan and coordinate with the Enforcement Unit to vigorously enforce the provisions of these plans.

Chapter 9, Department of Personnel Services

#8.9.1 - Proposal to Amend Article 8, County Departments, Chapter 9, Department of Personnel Services, Section 9.4, Civil Service Commission with a housekeeping measure to align the Maui County Charter with the Hawaii Revised Statutes regarding recent changes to the civil service law .

Chapter 11, Department of Water Supply

#8.11.1 - Proposal to Eliminate the Board of Water Supply

Delete Section 8-11.3, Board of Water Supply and Section 8-11.4 Powers Duties and Functions, in order to eliminate the Board of Water Supply.

#8.11.2 - Proposal to Amend Article 8, County Departments, Chapter 11, Department of Water Supply, Section 8-11.3 Board of Water Supply and Section 8-11.4 Powers Duties and Functions to Strengthen the independence of the Board of Water Supply and to Establish It as a Semi-autonomous Entity and to have some or all of the following powers:

issue revenue bonds

hire its own legal counsel and not use the Corporation Counsel

set rates

promulgate rules and regulations

set its own budget

appoint the Director of the Department of Water Supply

use model of the provisions in the Charter of the City and County of Honolulu

use model it after the provision proposed by the 2001 Maui County Charter Commission

complete and independent authority for rules, budget, fees and rates

#8.11.3 - Proposal to amend Section 8-11.5, Powers Duties and Functions [of Director of Water Supply] to increase his or her powers

report to either the council or the board of water supply on all issues to eliminate piecemeal authority

#8.11.4 Proposal to delete the requirement in Sec. 8.11 -5 that Director of Water Supply be confirmed by the County Council

Chapter 12, Department of Police

#8.12.1 - Proposal to Establish Mayor as Appointing Authority for Police Chief

Amend Section 8-12.3, Chief of Police, to have the Mayor appoint and remove the Chief of Police at will and delete the power of the Police Commission to do so, and to add the requirements of a notice and hearing

#8.12.2 - Proposal to Make No Changes to Article 8, County Departments, Chapter 12, Department of Police

#8.12.3 - Proposal to Amend Article 8, County Departments, Chapter 12, Department of Police, Section 8-12.4 (4), Powers, Duties, and Functions of the Chief of Police to Clarify that Reserve Police Officers can be trained and utilized, when needed.

#8.12.4 - Proposal to amend Section 8-12.2, Police Commission, to add a new subsection to require that the Police Commission hold public meetings in truly public venues in different parts of the County four times a year.

Chapter 13, Department of Liquor Control

#8.13.1– Proposal to Abolish the Liquor Adjudication Board

Amend Article 8, County Departments, Chapter 13, Department of Liquor Control, to abolish the Liquor Control Adjudication Board and Transfer its Function to the Liquor Control Commission

#8.13.2 - Proposal to make no changes to Liquor Adjudication Board

Chapter 14 – Department of Transportation

#8.14.1– Delete Department of Transportation

#8.14.2 - Delete Department of Transportation and create a Deputy Transportation position in the Department of Public Works

Chapter 15 – Department of Environmental Management [2006 Charter Amendment]

#8.15.1 - Proposal to Amend Article 8, County Departments, Chapter 15, Department of Environmental Management to Add the Function of Sustainability to the Department of Environmental Management and change the name of the department to Department of Sustainability and Environmental Management, create a new department entitled the Department of Sustainability and Environmental Management :

Add specific language to include the function of sustainability as follows:

Guide efforts to maximize opportunities for natural resource protection, conservation, and restoration.

Coordinate and develop policies and initiatives that integrate sustainable resource development, support local food and energy production, and establish partnerships with agencies and organizations to implement programs, policies, and projects that promote sustainability.

Chapter 16 –Cost of Government Commission

#8.16.1 - Proposal to Amend Article 8-16.2, Cost of Government Commission, to require that annual appropriation not be less than the year before, and that the commission decide the compensation of elected officials, appointed directors and deputy directors of all departments, consulting with the boards and commissions which have appointing authority for department heads.

#8.16.2 - Proposal to Amend Article 8-16.3, Term of Commission from a Two (2) Year Term to a Four (4) Year Term and Limit the Number of Terms

#8.16.3 – Proposal to Amend Article 8-16.3, Term of Commission from a two (2) year term to a five (5) year term and limit the terms to 2 consecutive terms for a total of 10 years.

#8.16.4 – Proposal to Amend Article 8-16.3, Term of Commission from a two (2) year to a six (6) year term and must be a resident of Maui for at least one year preceding the filing of nomination papers and have voted in the last election and must continue to reside on Maui for his or her elected term. Vacancy in office shall be filled at the next

special election, unless it is more than 6 months before, and then the Mayor shall make the appointment to serve until the next special election.

#8.16.5 – Proposal to Amend Article 8-16.3, Term of Commission to have 3 members, elected for 6 years, whose terms shall be staggered every 2 years. Longest serving commissioner shall serve as temporary chair until the commission elects a permanent chair.

#8.16.6 – Proposal to Amend Article 8-16.3, Term of Commission to have commission members elected in a nonpartisan special election, with a second special election where necessary.

Chapter 18 – Salary Commission

#8.18.1 - Proposal to Amend Section 8-17.1 to add the following language:
Notwithstanding any law to the contrary, in setting the salary of each appointed department head, the salary of each appointed department head shall not be less than any base salary of any of the appointed department head's subordinate; and the salary of any first deputy for first assistant to the appointed department head of any department shall not exceed a sum equal to ninety-five percent of the salary of such appointed department head, pursuant to HRS sec 4-24, as amended.

New Chapters to be designated in Article 8, County Departments

#8.New.1 - Proposal to Establish an Independent Office of County Hearings Officers

Amend Article 8, County Departments, to add a new section establishing an Independent Office of County Hearings Officers to conduct all contested cases and to make findings and to recommend action to officials, boards, and commissions, to be administered by the Office of Finance

#8.New.2 – Proposal to establish Elected Community Boards

Amend Article 8, County Departments, to add a new section for Communities and Community Boards and mandate that each Community Plan Area have an elected Community Board of nine at-large members, whereby each member would run in a nonpartisan special elections conducted at the same time as the special election for Council and the two candidates receiving the most votes would run in the General Election, with the terms limited to two four-year terms, designating a separate Community Board for Maui, Molokai and Lanai, with additional conforming amendments regarding vacancies, the conduct and

scheduling of meetings, the powers of the Board, the replacement of Citizen Advisory Committees, with Community Boards in the Community Plan Process and the authority to appoint a member to the Board of Variances and Appeals

#8.New.3 - Proposal to Create an Office of Independent Counsel for Boards and Commissions

Amend Article 8, County Departments, to add a new section to create an Office of Independent Counsel separate from the Department of Corporation Counsel to provide independent legal advice to County Boards and Commissions

Article 9, Financial Procedures

#9.1 - Proposal to Amend Article 9, Financial Procedures, Section 9-2, Preparation and Submission of Budget and Capital Program to Change from an Annual Budget to a Biennial Budget to Commence in a Non-election Year.

#9.2 - Proposal to Amend Article 9, Financial Procedures, Section 9-2, Preparation and Submission of Budget and Capital Program to Change from an Annual Budget in odd years for the operating budget and even years for the CIP budget.

#9.3 - Proposal to Amend Article 9, Financial Procedures, Section 9-13, Audit, to shorten the time for each department to prepare its reports from 6 months to 3 months after the close of the year.

#9.4 - Proposal to Delete Section 9-20, Affordable Housing Program [amended 2010].

#9.5 - Proposal to Add a New Section to Prohibit the County from Giving Money to Non-profits.

Article 10, Code of Ethics

#10.1– Proposal to Require Simultaneous Filing of Candidate Financial Disclosures

Amend Article 10, Code of Ethics, Section 10-3, Financial Disclosures, to add a provision that requires [1] the filing of a financial disclosure statement with the County Clerk at the time a candidate files his or her nomination papers for office, [2] the submission of the financial disclosure statement to the Mayor by the County Clerk and from the Mayor to the Ethics Commission, and [3] the convening of a public meeting by the Ethics Commission to discuss any conflicts of interest entries on the form

NOTE – Corporation Counsel indicated at the June 27, 2011 meeting, Transcript page 99, that “there is nothing for the Commission to do” on the issue of

concurrent filing of a financial statement and that “State law has been changes and we changed the Charter, now we’re changing the ordinance”.

#10.2 – Proposal to Define Ethics to Prohibit Making False Statements

Amend Article 10, Code of Ethics, Section 10-1, Declaration of Policy, to add a provision to define “ethics” to prohibit the making of false statements

#10.3 - Proposal to Amend Article 10, Code of Ethics, Section 10-3 (1), Financial Disclosure to specify that financial disclosure be as required by provisions of Article 10 of the Maui County Charter, Maui County Code and Maui County Rules of the Board of Ethics.

#10.4 - Proposal to Amend Article 10, Code of Ethics, Section 10-4, Prohibitions, subsection 2 (a), to extend the time from one year to a longer time after termination of service of employment with the county for former county employees, Mayors and Councilmember before one can appear for compensation before any agency of the county.

#10.5 - Proposal to penalize those candidates who do not file timely financial statements by disqualifying them for County office.

Article 11, Initiative

#11.1 - Proposal to Reduce Number of Signatures Required for Initiative Petition

Amend Section 11-3(2), Petitions, to reduce the percentage of signatures required from 20% to 10% of voters, and to amend the definition of voters from those that were registered to those that voted

#11.2 - Proposal to Require Explanation of the Effect of Blank Votes on Ballot Initiative

Amend Article 11-6(2), Action on Petitions, to add a new section to require an explanation on the ballot itself of the consequence of leaving the vote blank

Article 12, Recall

#12.1– Proposal to Reduce Number of Signatures Required for Recall Petition

Amend Section 12-3(2), Petitions, to reduce the percentage of signatures required from 20% to 10% of voters, and to amend the definition of voters from those that were registered to those that voted

#12.2 - Proposal to Extend Time to File Papers for Recall Petition

Amend Section 12-4, Filing and Certification, to extend the date for filing all papers comprising a recall petition from 30 days to 180 days after the affidavit filing (the same as an initiative requirement).

#12.3 - Proposal to Reduce Number of Votes Required to Recall

Amend Section 12-6, Recall Election, to change the definition of voters from those that were registered to those that voted

#12.4 – Proposal to Require Explanation of Blank Vote on Ballot for Recall

Amend Section 12.7, Ballots, to add a new section to require an explanation on the ballot itself of the consequence of leaving the vote blank

Article 13 – General Provisions

#13.1 - Proposal to Amend Section 13-2 (16), Subsection 17 to clarify that the 30 days for the Mayor to submit to the Council the name of the Mayor's nominee to fill the vacancy commences upon the date of informing the Council of a vacancy.

#13.2 - Proposal to Remove the Council's power to nominate and approve Board and Commission Members under Sections 13.2-16 and 13.2-17

#13.3 - Proposal to Require Interactive Communications Access for the Public to All County Public Meetings and to County Departments

Amend Article 13, General Provisions, to add a new section to require interactive communications access for the public to all County Public Meetings and to County Departments

#13.4 - Proposal to Add a New Paragraph to require that all county boards and commissions post on the county website [1] the minutes of any public meeting or hearing within a certain number of days after the meeting and [2] any and all internal policies of any and all departments

#13.5 - Proposal to Amend Article 13, General Provisions to create a new section to require Telecommunications Access for the Hana, Lanai and Molokai residents to all County Public Hearings with the capability for Hana, Lanai and Molokai residents to testify remotely at all County Public Hearings

#13.6 - Proposal to Amend Article 13, General Provisions Create a new section to establish a Blue Ribbon Committee to make recommendations to the Mayor for Appointments to Boards and Commissions

Amend Article 13, General Provisions, to add a new section to require the creation of a Blue Ribbon Committee to make recommendations to the Mayor for Appointments to Boards and Commissions, 3 to be appointed by the Mayor and 3 to be appointed by the Council, to serve for 2 year terms that can be renewed one time. Recommendations shall be revealed to the Mayor only and the Mayor shall make every effort to utilize the Committee's recommendations.

#13.7 - Proposal to Amend Article 13, General Provisions, to add a new section entitled reports to make available all reports required by Charter, Code or Ordinance to be posted and available to the public at no cost.

#13.8 - Proposal to delete Section 13.2, Boards and Commissions, Subsection 2, which requires that no more than a majority of the members of a board or commission can belong to the same political party

#13.9 - Proposal to Amend Section 13-2 (3) Boards and Commissions to require that each board or commission include a qualified resident of Lanai and Molokai.

Article 14, Charter Amendments

#14.1– Proposal to Delete Power of County Council to Amend Maui Charter

Amend Sections 14-1, Initiation of Amendments, Subsections (1) and (2), to remove power of the County Council to amend the Maui Charter on its own, and to make conforming changes

#14.2 - Proposal to Delete Power of County Council to Amend Maui Charter

Amend Sections 14-1, Initiation of Amendments, Subsections (1) and (2), to completely remove power of the County Council to amend the Maui Charter

#14.3 - Proposal to Amend Article 14, Charter Amendment, Sections 14-1, Initiation of Amendments, Subsections (1) and (2), to delete Power of County Council to Amend Maui Charter during the time that a Charter Commission is constituted

Amend Sections 14-1, Initiation of Amendments, Subsections (1) and (2), to remove power of the County Council to amend the Maui Charter on its own, and to make conforming changes

#14.4 - Proposal to Amend the Charter Commission Appointment Process, Sec. 14.3, so that it follows the time requirements for regular Maui County boards and commissions in Sec. 13.2 -16.

#14.5 - Proposal to Reduce the Number of Votes Required for Charter Amendment Petition

Amend Section 14-2(3), Initiation of Amendments, to reduce from 20% to 10% the percentage of voters required to sign a petition to change the County Charter, and amend the definition of voters from those that were registered to those that voted

#14.6 – Proposal to Require a Charter Commission Every 10 Years

Amend Article 14 Charter Amendment, Section 14-3, Mandatory Review, and delete the section which refers only to a Charter Commission appointed in 2001 and draft a new section mandating the appointment of a Charter Review Commission every 10 years

#14.7 – Proposal to Require an Estimated Cost on the Ballot for Every Charter Amendment

Amend Article 14, Charter Amendment, to add a new section to require that every charter amendment proposed to the voters include an estimated cost on the ballot

#14.8 – Proposal to Eliminate the Charter Commission

Delete Article 14, Charter Amendment, Section 14-3, Mandatory Review

NEW ARTICLES PROPOSED

A. Proposal to Establish an Office of County Auditor to establish an Office of County Auditor to include or not include none or one or more of the following:

- *independent of both the Mayor and Council/complete autonomy
- *perform all financial and operational audit functions
- *coordinate with the COGC or otherwise work with COGC
- * complete discretion to prioritize assignments
- *administrative assigned to the Council
- *possible appointment by the Judiciary
- *possible appointment by a committee

*county auditor could be removed only by a 2/3rds vote of the council [as in Honolulu Charter]

* model powers and duties after the Auditor for the City and County of Honolulu

B. Proposal to Establish a new office of Hearings Officers.

SEPTEMBER 25, 2011

Additional Proposals listed in September 25, 2011 Letter from Sherry P. Broder and Jon M. Van Dyke

#3.37 – Proposal for Single Member Districts with Self-Rule for Molokai and Lanai through the creation of Island Boards,

#3.38 – Proposal for Four Year Council Terms, limited to 3 consecutive terms and staggered election dates,

#7.4 – Proposal to Establish a Selection Commission for Boards and Commissions,

#8.11.5 Proposal to Amend Article 8, County Departments, Chapter 11, Department of Water Supply, Section 8-11 [lengthy proposal affecting many sections],

#8.16.7 - Proposal to Amend Article 16, Cost of Government Commission, Section 16.3, Term of Commission to Conform the Term of the Cost of Government Commissioners to be the same as the terms and timetables as other Commissions as provided in the Charter Article 13, and

#14.9 – Proposal to Extend Term of Charter Commissioners to 18 months,

#14.10 – Proposal to Require that the Charter be republished each time it is amended, with a significant amendment.

OCTOBER 3, 2011

Additional Proposals listed in October 3, 2011 Letter from Sherry P. Broder and Jon M. Van Dyke

#3.39 – Proposal to Amend Section 3-1, Composition, to move the jurisdiction of Kahoolawe from District 2 West Maui residency to District 5 South Maui residency, and to clarify the relationship for the Maui County Council and the Kahoolawe Island Reserve Commission which is created by state law, see HRS Chapter 6K.

#3.40 – Proposal for Amend Section 3-1, Composition, to have three districts and three Council persons from each district, and have the districts organized as follows: (1)

Lanai, Lahaina, and part of South Maui; (2) Molokai, Kahului, and maybe Paia, and (3) part of South Maui, Upcountry, and Hana.

#8.7.13 – Proposal to add to #8.7.2 to include the following language: Four out of the nine members of the fire and public safety commission shall be nominated to the mayor by the fire fighters labor union. The fire fighters labor union shall submit names of nominees for up to four out of the nine fire and public safety commissioners that shall be appointed by the mayor and confirmed by the council in the matter prescribed in Section 13-2.

#8.7.14 – Proposal to change the names to Fire Department and Fire Commission and to amend section 8-7.1 to provide that the Fire Department shall consist of the Fire Chief, Fire Commission and the necessary staff.

#8.16.8 – Proposal to establish an Independent Office of County Auditor, to have the Commission on Government be attached to the Office of County Auditor, and to have the Commission on Government have the power to hire and fire the County Auditor.

#13.10 – Proposal to amend Article 13, General Provisions, Section 2, Boards and Commissions, to add provisions requiring the county to indemnify and fund the legal representation of members of Boards and Commissions in the event of civil action as a result of the lawful performance of their duties.

#8.7.15 – Proposal to amend Sections 8-9.4, 8-12.2, 8-13.2, and 8-13.4 to create consistency in the powers and duties of the Fire and Public Safety, Police, Liquor, and the Civil Service Commissions and the due process afforded directors of these departments in the event of dismissal.

OCTOBER 17, 2011

Additional Proposals listed in October 17, 2011 Letter from Sherry P. Broder and Jon M. Van Dyke

#2.2 – Proposal to amend Article 2-2, Exercise of Powers to add the following sentence: The application of such power shall be guided by the principle that individuals possess equal worth and dignity.

#7.5 – Proposal to Amend Article 7, Office of the Mayor, Section 7-5, Powers, Duties and Functions:

Add the following sentence to Section 7-5.3, Further, that establishment of an Office or division of a department must be approved by ordinance, by two thirds vote of a majority of the council.

And Delete Section 7-5.10, [Assign powers, duties, and functions that are not already assigned or enumerated in Article 8, to and between the departments.]

#8.8.15 – Proposal to Amend Article 8-8.4(3) regarding the requirement that the appropriate planning commission must transmit its findings and recommendations on proposed land use ordinances and amendments that are unrelated to the general plan to the council within 120 days after the final public hearing but rather after receipt of the referral and make other changes to time frames in the Department of Planning to eliminate any inconsistencies.¹

¹See also #8.8.9 – Proposal to Provide Adequate Time for Planning Commissions to Act and #8.8.10 – Proposal to Provide Adequate Time for Planning Commissions to Act also addressed the issue of timing for the Planning Commission to transmit findings and recommendations to the Council but neither proposal was specifically moved to the Active Matrix. However, a general discussion of Boards and Commissions and a number of proposals relating to Article 13 were moved to the Active Matrix under Article 13, General Provisions, Section 2, Boards and Commissions.

ACTIVE PROPOSALS FOR SUBSTANTIVE CHANGES TO THE MAUI COUNTY CHARTER

October 17, 2011

Sherry P. Broder, Esq. and Jon M. Van Dyke, Esq.

Article 3, County Council

Subject Matter – District Elections

Discussed at prior meetings and additional information requested

#3.2 - Amended Proposal to have a general discussion on proposals of Single Member Districts

#3.3 – Amended Proposal to have as part of a general discussion on Single Member Districts – Single Member District Proposal with Lanai and Molokai in Separate Districts

Amend Section 3-1, Composition, to change the composition of the Maui County Council to Nine Single Member Districts but without placing Lanai and Molokai in the same council district

#3.4 - Amended Proposal to have as part of a general discussion on Single Member Districts - Single Member Districts Proposal with Self-Rule for Lanai and Molokai

Amend Section 3-1, Composition, to change the composition of the Maui County Council to Nine Single Member Districts and grant Lanai and Molokai self-rule

#3.5 - Amended Proposal to have as part of a general discussion on Single Member Districts - Proposal to Create Three Single Member Districts and Three Geographic Districts for Lanai, Molokai and Maui

#3.6 - Amended Proposal to have as part of a general discussion on Single Member Districts - Proposal to create Island Boards for the Islands of Lanai and Molokai.

These would be elected bodies of five (Lanai) to seven (Molokai) members who would (1) replace and would take on the responsibilities of the appointed planning commissions and (2) in addition have authority over all other land use approvals on the island, including zoning and variances. These bodies would also (3) be the official voice of their communities, at the County, State and national levels.

#3.7 - Amended Proposal to have as part of a general discussion on Single Member Districts Proposal with Lanai, Moloka'i, and Hana in one district together

Amend Section 3-1, Composition, to change the composition of the Maui County Council to Nine Single Member Districts and grant Lanai and Molokai self-rule

#3.8 - Amended Proposal to have as part of a general discussion on Proposal to Retain At-large Districts with Geographic Residency

Do not amend Article 3, County Council, Section 3-1, Composition

#3.9 - Amended Proposal to have as part of a general discussion on Proposal to Expand the Number of Council Members to 13

#3.10 - Amended Proposal to have as part of a general discussion on Proposal to have three Council members in each of three districts

#3.11 - Amended Proposal to have as part of a general discussion on Proposal to have six Council districts with equal population plus three at-large Council districts

Subject Matter -- Nonpartisan elections

Possible amendment language to be drafted by staff

#3.13 - Proposal to Return to a Closed Primary System

#3.14 - Proposal to Abolish Nonpartisan Elections for County Council

Amend Article 3, County Council, Section 3-2, Election of Council and Term of Office, to delete nonpartisan elections and implement a system of partisan elections in the primary and general elections

Subject Matter – Residency Requirements

Possible amendment language to be drafted by staff

#3.15 - Proposal for Residency Requirements for County Council Members

Amend Section 3-3, Qualifications, to require that candidates have lived in and voted in the district in the previous election for which they are currently running

Amend Section 3-3, Qualifications, to require that candidates have lived in the district for one year

#3.16 - Proposal to adopt a Five-Year Residency Requirement for County Council Members

Amend Section 3-3, Qualifications, to require that candidates have lived in the district for which they are running for at least five years.

Subject Matter – Term Limits

Possible amendment - language to be drafted by staff

#3.17 - Proposal for Eight-Year Term Limits

Amend Section 3-2 (5), Election of Council and Term of Office, to limit a council member to two terms of four years or four terms of two years for a total of eight years altogether and, after the eight years have been exhausted, to prohibit the individual from ever serving on the Council again

#3.18 - Three-Term Four-Year Term Limits Proposal

Amend Section 3-2 (5), Election of Council and Term of Office, to limit a council member to 3 terms of 4 years

#3.19 - Two-Term Four-Year Term Limits Proposal

#3.20 - One-Term Four-Year Term Limit Proposal

#3.21 - Proposal to change the present system of five two-year terms of Council members to three full four-year terms, whether consecutive or not, and to require that terms of Council members to be staggered.

#3.22 - Proposal to Amend Term of Office for Council Members from a Two-Year Term to a Four-Year Term, to Stagger the Terms, and to Limit the Number of Terms

Amend Section 3-2, Election of Council and Term of Office, from a two-year term to a four-year term, stagger the terms by implementing for the first election the highest four vote getters who will serve four-year terms and the next highest five vote getters will serve two year terms, limit the terms to two consecutive terms and a total of 12 years or three full terms.

#3.23 - Proposal to Retain Article 3, Section 3-2 (5), Term of Office for Council Members, for a two-year term

Subject Matter – Council Power

Removed from active list

~~#3.33— Proposal to Amend Section 3-6, Powers of the Council, to require that the Council approve the appointments of all department heads~~

~~In the alternative, require that the Council approve the appointments of the Planning Director and the Director of the Department of Finance~~

Subject Matter – Structure of Office of the Executive

Removed from active list

~~#7.2— Proposal to Make the Office of the Mayor Ceremonial and Implement an Appointed County Manager as Chief Executive Officer~~

~~Amend Section 7-5, Powers, Duties and Functions, to change the powers of the Mayor to be ceremonial, to include accepting service of process and to be recognized by the Governor for civil defense and military purposes and to allow the County Council to appoint an interim mayor in the event of a vacancy~~

~~Amend Article 8, County Departments, Chapter 1, Department of the Management, Section 8-1.1 Organization, [1] to change the title of this section to Office of the County Manager, [2] to provide that the County Manager will be selected by the County Council, [3] to require that the County Manager have proven administrative qualifications, [4] to require residency in Maui only after selection, [5] to set forth a procedure for removal from office that includes the conduct of a hearing, [6] to provide the County Council with final authority for removal and [7] to Amend Section 8-1.3, Powers, Duties and Functions, to enumerate the duties of the County Manager and make other conforming changes in Article 8~~

Article 8, County Departments

Chapter 1, Department of Management

Removed from active list

~~#8.1.1— Proposal to Amend Section 8-1.1, Organization, to specify that there shall be a deputy managing director~~

Chapter 3, Department of Prosecuting Attorney

Possible amendment - language to be drafted by staff

#8.3.1 - Proposal to Section 8-3.3 Powers, Duties and Functions, to clarify that the investigators in the prosecuting attorney's office have all the powers and privileges of a police officer of the county

#8.3.2 - Proposal to Section 8-3.3 Powers, Duties and Functions, to clarify that the County Prosecuting Attorney prosecutes offenses against the law of the State of Hawaii under the authority of the Attorney General of the State of Hawaii.

Chapter 7, Department of Fire and Public Safety

Defer to October 24, 2011 meeting

#8.7.1 - Proposal to Abolish the Department of Fire and Public Safety, to Require the Fire Chief to Report to the Mayor, and to Set Minimum Qualifications for Fire Chief and Other High-Ranking Fire Officials

Delete Section 8-7.2 Fire and Public Safety Commission, and amend Section 8-7.3, Fire Chief, to give the Mayor the authority rather than the Fire and Public Safety Commission to appoint the Fire Chief, and require the Fire Chief and Assistant Chief to have a four-year college degree and the Battalion Chief to have a two-year college degree as one of the minimum requirements

#8.7.2 - Proposal to give the Mayor the authority to in the selection and removal of the Fire Chief.

Amend Section 8-7.3 to require approval by the Mayor of the Commission's recommendation to remove the Fire Chief

Amend Section 8-7.3 to require that the Mayor initiate and the Commission approve the request to remove the Fire Chief by a majority vote

#8.7.3 - Proposal to Amend Chapter 7, Department of Fire and Public Safety, to change the name of the Department of Fire and Public Safety and delete the term Public Safety in order to more accurately reflect the duties of the Fire Department, and to conform other provisions of the Charter to reflect the new name

Suggested new name - Fire Protection and Prevention and Rescue

#8.7.5 - Proposal to Amend Chapter 7, Department of Fire and Public Safety, Section 8-7.2, Fire and Public Safety Commission, to delete the current language and to add new language on a Statement of Policy as follows:¹

¹ For the working purposes of the Commission, corrections to this proposal have been made and are as follows in the next #8.7.5 corrected proposal.

It is hereby declared to be the purpose of this chapter of the charter to establish in the county a system of fire protection and prevention, emergency rescue, and emergency services which shall be based on qualified and professional leadership and personnel In order to achieve this purpose, the Maui County INSERT NEW NAME OF DEPARTMENT shall be operated in accordance with the following:

The goal of the county shall be to have qualified and professional leadership and personnel in this department

Standards for recruitment shall be designed to attract into the department persons with high degrees of education, intelligence, and personal stability

Promotions and other personnel actions shall be in accordance with all applicable laws and based upon fair and appropriate standards of merit, ability and work performance

Appropriate training shall be provided to the maximum extent possible and practicable

#8.7.5 *Corrected* - Proposal to Amend Chapter 7, Department of Fire and Public Safety, Section 8-7.2, Fire and Public Safety Commission, ²to add new language on a Statement of Policy as follows:

It is hereby declared to be the purpose of this chapter of the charter to establish in the county a system of fire protection and prevention, emergency rescue, and emergency services which shall be based on qualified and professional leadership and personnel In order to achieve this purpose, the Maui County INSERT NEW NAME OF DEPARTMENT shall be operated in accordance with the following:³

Standards for recruitment shall be designed to attract into the department persons with high degrees of education, intelligence, and personal stability

² The exiting charter language was just being moved to a different section and not completely deleted.

³ This language was removed as being duplicative: The goal of the county shall be to have qualified and professional leadership and personnel in this department

Promotions and other personnel actions shall be in accordance with all applicable laws and based upon fair and appropriate standards of merit, ability and work performance

Appropriate training shall be provided to the maximum extent possible and practicable

#8.7.6 - Proposal to Amend Section 8-7.2, Fire and Public Safety Commission, to have one member from each council district, to expand the powers of the Commission to appoint such staff as it needs and to engage consultants as necessary for the performance of its duties and to add that the Commission members be appointed by the Mayor and confirmed by the Council in the manner prescribed in Section 13-2.

#8.7.7 - Proposal to Amend Section 8-7.2, Fire and Public Safety Commission, to expand and clarify the powers, duties and functions of the Commission to do one or more of the following:

Expand the authority of the Commission to review rules for the administration of the Department.

Add to subsection 4 - publish a summary of the charges filed against members⁴ and officers and the disposition of each charge to be included in the annual report of the Commission.

Review personnel actions within the Department for conformance with the policies under the statement of policy.

Review and recommend on the strategic plan for the Fire Department or other similar type of plans

Add to subsection 5 regarding the annual evaluation of the fire chief that the Commission shall at least annually compare the actual achievements in the strategic or other similar types of plans or latest update submitted by the fire chief

Submit an annual report to the mayor and the council on its activities.

#8.7.8 - Proposal to Amend Section 8-7.2, Powers, Duties and Functions of the Commission, to require that a summary of the charges filed and their disposition shall be included in the annual report of the Commission.

⁴ Added the term "members" to reflect intent to include all employees of the department

#8.7.9 - Proposal to Amend Section 8-7.4, Fire Chief, Powers, Duties and Functions to add the following:

Prepare and, when deemed necessary, update a strategic or other similar type of plan of goals and objectives for the Maui County [NEW NAME OF FIRE DEPARTMENT]. The chief shall submit the plan and each update to the Commission for review and recommendations.

#8.7.10 - Proposal to Amend Section 8-7.4 (4), Powers, Duties, and Functions, to add and assign ocean safety and rescue to the Department of Fire and Public Safety

#8.7.11 - Proposal to Amend Section 8-7.4 (4), Powers, Duties, and Functions, to clarify that reserve fire fighters and emergency rescue personnel can be trained and utilized, when needed.

#8.7.12 - Proposal to Delete Section 8-7.2 to eliminate the Fire and Public Safety Commission

Subject Matter – Housekeeping: Chapter 9, Department of Personnel Services

Possible amendment - language to be drafted by staff

#8.9.1 - Proposal to Amend Article 8, County Departments, Chapter 9, Department of Personnel Services, Section 9.4, Civil Service Commission, with a housekeeping measure to align the Maui County Charter with the Hawaii Revised Statutes regarding recent changes to the civil service law.

Subject Matter – Water Supply Department and Board

Chapter 11, Department of Water Supply

Removed from active list

~~#8.11.1 – Proposal to Eliminate the Board of Water Supply~~

~~Delete Section 8-11.3, Board of Water Supply and Section 8-11.4 Powers Duties and Functions, in order to eliminate the Board of Water Supply.~~

~~#8.11.2 – Proposal to Amend Article 8, County Departments, Chapter 11, Department of Water Supply, Section 8-11.3 Board of Water Supply and Section 8-11.4 Powers Duties and Functions, to strengthen the independence of the Board of Water Supply and to establish it as a semi-autonomous entity and to have some or all of the following powers:~~

- ~~* issue revenue bonds~~
- ~~* hire its own legal counsel, so that it does not need to the Corporation Counsel~~
- ~~* set rates~~
- ~~* promulgate rules and regulations~~
- ~~* set its own budget~~
- ~~* appoint the Director of the Department of Water Supply~~
- ~~* use as a model the provisions in the Charter of the City and County of Honolulu~~
- ~~* use as a model the provision proposed by the 2001 Maui County Charter Commission~~
- ~~* complete an independent authority for rules, budget, fees, and rates~~

~~#8.11.3 Proposal to amend Section 8-11.5, Powers Duties and Functions [of Director of Water Supply], to increase his or her powers~~

~~report to either the Council or the Board of Water Supply on all issues to eliminate piecemeal authority~~

~~#8.11.4 Proposal to delete the requirement in Sec. 8.11-5 that the Director of the Department of Water Supply be confirmed by the County Council~~

Chapter 12, Department of Police

Removed from active list

~~#8.12.4 Proposal to amend Section 8-12.2, Police Commission, to add a new subsection to require that the Police Commission hold public meetings in truly public venues in different parts of the County four times a year.~~

Chapter 15 – Department of Environmental Management [current section was in the 2006 Charter Amendment]

Defer to October 24, 2011 meeting and additional information requested

#8.15.1 - Proposal to Amend Article 8, County Departments, Chapter 15, Department of Environmental Management, to add the function of sustainability to the Department of Environmental Management and change the name of the department to Department of Sustainability and Environmental Management, and thus to create a new department entitled the Department of Sustainability and Environmental Management :

Add specific language to include the function of sustainability as follows:

Guide efforts to maximize opportunities for natural resource protection, conservation, and restoration.

Coordinate and develop policies and initiatives that integrate sustainable resource development, support local food and energy production, and establish partnerships with agencies and organizations to implement programs, policies, and projects that promote sustainability

Chapter 16 –Cost of Government Commission [formerly section 15 in 2003 edition of the Charter]

#8.16.1 - Proposal to Amend Article 8-16.2, Cost of Government Commission, to require that its annual appropriation not be less than the year before, and that the Commission decide the compensation of elected officials, appointed directors, and deputy directors of all departments, consulting with the boards and commissions which have appointing authority for department heads.

#8.16.2 - Proposal to Amend Article 8-16.3, Term of Commission, from a two-year term to a four-year term and to limit the number of terms

#8.16.3 – Proposal to Amend Article 8-16.3, Term of Commission, from a two-year term to a five-year term and to limit the terms to two consecutive terms for a total of ten years

#8.16.4 – Proposal to Amend Article 8-16.3, Term of Commission, from a two-year to a six-year term and to require that members must have been a resident of Maui for at least one year preceding the filing of nomination papers and have voted in the last election, and must continue to reside on Maui for his or her elected term. Vacancy in office shall be filled at the next special election, unless it is more than six months before, and then the Mayor shall make the appointment to serve until the next special election

#8.16.5 – Proposal to Amend Article 8-16.3, Term of Commission, to have three members, elected for six years, whose terms shall be staggered every two years. The longest serving commissioner shall serve as temporary chair until the Commission elects a permanent chair

#8.16.6 – Proposal to Amend Article 8-16.3, Term of Commission, to have Commission members elected in a nonpartisan special election, with a second special election where necessary

#8.16.7 - Proposal to Amend Article 8, Section 16.3, Term of Commission, to conform the term of the Cost of Government Commissioners to be the same as the terms and the timetables of other commissions as provided in the Charter in Article 13, General Provisions, Section 13.2, Boards and Commissions.

Subject Matter - Independent Counsel for Boards and Commissions [new section]

#8.New.3 – Amended Proposal to Create an Office of Independent Counsel for Boards and Commissions – General Discussion of Independent Counsel for Boards and Commissions

Amend Article 8, County Departments, to add a new section to create an Office of Independent Counsel separate from the Department of Corporation Counsel to provide independent legal advice to County boards and commissions

Subject Matter - Article 9, Financial Procedures

#9.1 - Proposal to Amend Article 9, Financial Procedures, Section 9-2, Preparation and Submission of Budget and Capital Program to change from an annual budget to a biennial budget to commence in a non-election year.

#9.2 - Proposal to Amend Article 9, Financial Procedures, Section 9-2, Preparation and Submission of Budget and Capital Program, to change from an annual budget in odd years for the operating budget and even years for the CIP budget.

Subject Matter – Discussion on Voter-Initiated Ballot Measures

Article 11, Initiative

#11.1 - Proposal to Reduce Number of Signatures Required for Initiative Petition

Amend Section 11-3(2), Petitions, to reduce the percentage of signatures required from 20% to 10% of voters, and to amend the definition of "voters" from those who were registered to those who voted

#11.2 - Proposal to Require Explanation of the Effect of Blank Votes on Ballot Initiative

Amend Article 11-6(2), Action on Petitions, to add a new section to require an explanation on the ballot itself of the consequence of leaving the vote blank

Article 12, Recall

#12.1– Proposal to Reduce Number of Signatures Required for Recall Petition

Amend Section 12-3(2), Petitions, to reduce the percentage of signatures required from 20% to 10% of voters, and to amend the definition of voters from those who were registered to those who voted

#12.2 - Proposal to Extend Time to File Papers for Recall Petition

Amend Section 12-4, Filing and Certification, to extend the date for filing all papers comprising a recall petition from 30 days to 180 days after the filing of the affidavit (to conform to the initiative requirements).

#12.3 - Proposal to Reduce Number of Votes Required to Recall

Amend Section 12-6, Recall Election, to change the definition of voters from those who were registered to those who voted

#12.4 – Proposal to Require Explanation of Blank Vote on Ballot for Recall

Amend Section 12.7, Ballots, to add a new section to require an explanation on the ballot itself of the consequence of leaving the vote blank

#14.5 - Proposal to Reduce the Number of Votes Required for Charter Amendment Petition

Amend Section 14-2(3), Initiation of Amendments, to reduce from 20% to 10% the percentage of voters required to sign a petition to change the County Charter, and amend the definition of voters from those who were registered to those who voted

Subject Matter – General Discussion on Boards and Commissions

Article 13 – General Provisions

#13.1 - Proposal to Amend Section 13-2 (16), Subsection 17, to clarify that the 30 days for the Mayor to submit to the Council the name of the Mayor's nominee to fill the vacancy commences upon the date of informing the Council of a vacancy.

#13.2 - Proposal to Remove the Council's power to nominate and approve Board and Commission Members under Sections 13.2-16 and 13.2-17

#13.3 - Proposal to Require Interactive Communications Access for the Public to All County Public Meetings and to County Departments

Amend Article 13, General Provisions, to add a new section to require interactive communications access for the public to all County Public Meetings and to County Departments

#13.4 - Proposal to Add a New Paragraph to require that all county boards and commissions post on the county website [1] the minutes of any public meeting or hearing within a certain number of days after the meeting and [2] any and all internal policies of all departments

#13.5 - Proposal to Amend Article 13, General Provisions, to create a new section to require telecommunications access for Hana, Lānaʻi, and Molokai residents to all County Public Hearings with the capability for Hana, Lānaʻi, and Molokai residents to testify remotely at all County Public Hearings

#13.6 - Proposal to Amend Article 13, General Provisions, to create a new section to establish a blue ribbon committee to make recommendations to the Mayor for appointments to boards and commissions

Amend Article 13, General Provisions, to add a new section to require the creation of a blue ribbon committee to make recommendations to the Mayor for appointments to Boards and Commissions, with three members to be appointed by the Mayor and three to be appointed by the Council, to serve for two-year terms that can be renewed one time. Recommendations shall be revealed to the Mayor only and the Mayor shall make every effort to utilize the Committee's recommendations.

#13.7 - Proposal to Amend Article 13, General Provisions, to add a new section entitled reports to make available all reports required by Charter, Code or Ordinance to be posted and available to the public at no cost.

#13.8 - Proposal to delete Section 13.2, Boards and Commissions, Subsection 2, which requires that no more than a majority of the members of a board or commission can belong to the same political party

#13.9 - Proposal to Amend Section 13-2 (3) Boards and Commissions to require that each board or commission include a qualified resident of Lanai and Molokai

Article 14, Charter Amendments

#14.3 - Proposal to Amend Article 14, Charter Amendment, Sections 14-1, Initiation of Amendments, Subsections (1) and (2), to delete the power of County Council to amend the Maui Charter during the time that a Charter Commission is constituted

#14.4 - Proposal to Amend the Charter Commission Appointment Process, Sec. 14.3, so that it follows the time requirements for regular Maui County boards and commissions in Sec. 13.2-16.

#14.9 – Proposal to Extend the Term of Charter Commissioners to 18 months

#14.10 – Proposal to require that the Charter be republished each time it is amended, with a significant amendment

New Article – Office of County Auditor

A. Proposal to Establish an Office of County Auditor to include one or more of the following:

- * be independent of both the Mayor and Council/complete autonomy
- * perform all financial and operational audit functions
- * coordinate with the COG or otherwise work with COG
- * complete discretion to prioritize assignments
- * administrative assigned to the Council
- * possible appointment by the Judiciary
- * possible appointment by a committee
- * county auditor could be removed only by a 2/3rds vote of the council [as in Honolulu Charter]
- * model powers and duties after the Auditor for the City and County of Honolulu

PROPOSALS ADDED TO THE ACTIVE LIST AT OCTOBER 10, 2011 MEETING

#3.40 – Proposal to Amend Section 3-1, Composition, to have three districts and three Council persons from each district, and have the districts organized as follows: (1) Lanai, Lahaina, and part of South Maui; (2) Molokai, Kahului, and maybe Paia, and (3) part of South Maui, Upcountry, and Hana.

#8.7.13 – Proposal to add to #8.7.2 to include the following language: Four out of the nine members of the fire and public safety commission shall be nominated to the mayor by the fire fighters labor union. The fire fighters labor union shall submit names of nominees for up to four out of the nine fire and public safety commissioners that shall be appointed by the mayor and confirmed by the council in the matter prescribed in Section 13-2.

#8.7.14 – Proposal to change the names to Fire Department and Fire Commission and to amend section 8-7.1 to provide that the Fire Department shall consist of the Fire Chief, Fire Commission and the necessary staff.

#8.7.15 – Proposal to amend Sections 8-9.4, 8-12.2, 8-13.2, and 8-13.4 to create consistency in the powers and duties of the Fire and Public Safety, Police, Liquor, and the Civil Service Commissions and the due process afforded directors of these departments in the event of dismissal.

#8.16.8 – Proposal to establish an Independent Office of County Auditor, to have the Commission on Government be attached to the Office of County Auditor, and to have the Commission on Government have the power to hire and fire the County Auditor.

#13.10 – Proposal to amend Article 13, General Provisions, Section 2, Boards and Commissions, to add provisions requiring the county to indemnify and fund the legal representation of members of Boards and Commissions in the event of civil action as a result of the lawful performance of their duties.

Maui County Charter
Article 3
County Council Term Limits
Proposed Charter Amendment

[added material is underlined, deleted material is bracketed.]

Amend Section 3-2. Election of Council and Term of Office, Paragraph 5. as follows:

The term of office of council members shall be for [two (2) years] four (4) years, beginning at twelve o'clock meridian on the second day of January following their election. No member of the county council shall serve more than [five consecutive] three full terms of office, whether consecutive or not consecutive. The terms shall be staggered.

The staggering of the terms of councilmembers shall commence on January 2, 2015 and be implemented in accordance with this section.

The five councilmembers who have received the highest number of votes shall be elected to four year terms. The remaining four council members shall be elected to two-year regular terms commencing on the same date.

Questions on details

How many years at the time of implementing this staggered system can a person who is elected to the two year term serve? Should it be two or three additional terms – ten or fourteen years?

How many additional terms currently elected council members should have in this staggered system? Should these council members have the time served count toward the twelve year limit? Under the current system, council members do not have to count time already served, so long as it is not consecutive. Should that same rule apply if these proposed new limits are submitted to and adopted by the voters? In other words, should a break in time allow the candidate to start all over again?

102411- Item No. IV. B. pg 1-1

Maui County Charter

Article 8

County Departments

Chapter 9

Department of the Personnel Services

Proposed Charter Amendment

[added material is underlined, deleted material is bracketed.]

Amend Section 8-9.3. Powers, Duties, and Functions. The director of personnel services shall:

Add a new paragraph as follows:

4. Adopt rules having the force and effect of law to carry out the provisions of the civil service laws of the state.

Amend Section 8-9.4. Civil Service Commission. The civil service commission shall consist of five members appointed by the mayor with the approval of the council.

The civil service commission shall:

1. Adopt rules having the force and effect of law to carry out [the] applicable provisions of the civil service laws [of the state] as prescribed by the Hawaii Revised Statutes.

102411 - Item No. IV.C. pg 1-1

Maui County Charter

Article 3

County Departments

Chapter 8

Department of the Prosecuting Attorney

Proposed Charter Amendment

Amend Section 8-3.3. Powers, Duties and Functions as follows [added material is underlined, deleted material is bracketed.]

The prosecuting attorney shall:

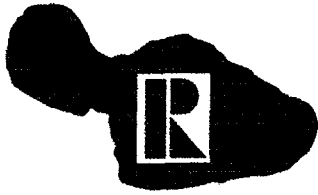
1. Appoint such deputy prosecuting attorneys and necessary staff, including investigators who shall have all the powers and privileges of a police officer of the county, as shall be authorized by the council. Deputy prosecuting attorneys shall be exempt from civil service and shall serve at the pleasure of the prosecuting attorney.

and

Add a new paragraph 8.

8. Prosecute offenses against the laws of the State under the authority of the attorney general of the State.

102411 - Item No. IV. D. pg 1-1



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.

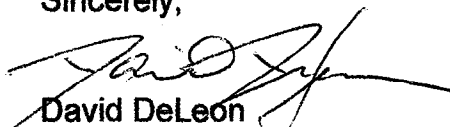
The survey results speak for themselves and do validate the position taken by the association's board and presented to this commission at its October 10, 2011 meeting. Asked if they:

- 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. Allows all voters to elect all nine Council Members. **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 ?