

ORDINANCE NO. \_\_\_\_\_

BILL NO. 27, FD1 (2025)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.41.050, MAUI COUNTY  
CODE, ON VACANCIES FOR COUNTY BOARDS, COMMISSIONS, AND  
COMMITTEES

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. The Council finds that Charter Commission Proposal 10, approved by the electorate in 2022, established new standards for board, commission, and committee appointments in Charter Section 13-2. The Council further finds that the Charter Commission's intent was not to leave certain boards, commissions, and committees with long-term vacancies, as seen in Charter Subsection 13-2(3), which states: "Any vacancy occurring on any board or commission shall be filled for the unexpired term." But long-term vacancies are the effect of Charter Section 13-2's procedures when nomination and appointment deadlines are missed in some circumstances. This Ordinance's purpose is to close gaps in Charter Section 13-2 by providing a mechanism to fill all board and commission vacancies.

SECTION 2. Section 2.41.050, Maui County Code, is amended to read as follows:

**“2.41.050 Nomination and appointment by council. A.**

In accordance with section 13-2, Revised Charter of the County of Maui (1983), as amended, should the mayor fail to submit the name of a nominee within the times provided for by law[,] for a seat requiring council confirmation, the council may[,] within [sixty] 60 days [after the expiration of the times so provided,] nominate and approve the appointment of an individual to fill a vacancy. [If the mayor submits the name of a nominee within the sixty-day period, the mayor's submittal shall be deemed invalid.]

[B.] Any member of the council may nominate one individual per vacancy by transmitting the information required under section 2.41.020 to the council or appropriate council committee.

[C.] Upon receipt of the required information, the council may approve or disapprove the nomination.

B. If the council misses its deadline to make a unilateral appointment under subsection A, then the mayor may within 30 days fill the vacancy without council confirmation. If the mayor fails to do so, subsection A's process is triggered again. The process must continue until the seat is filled.

C. A missed appointment deadline for a seat over which either the mayor or the council is the sole appointing authority triggers charter subsection 13-2(20)'s process. The process must continue until the seat is filled.”

SECTION 3. New material is underscored. Deleted material is bracketed.

In printing this bill, the County Clerk need not include the underscoring or bracketed material.

SECTION 4. This Ordinance takes effect on approval.

paf:mkm:25-006c

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

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ALICE L. LEE

DIGEST

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This bill proposes to close gaps in Charter Section 13-2 by providing a mechanism to fill all board and commission vacancies.

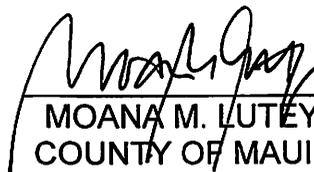
I, MOANA M. LUTEY, County Clerk of the County of Maui, State of Hawaii, DO  
HEREBY CERTIFY that the foregoing BILL NO. 27, FD1 (2025) was passed on First  
Reading by the Council of the County of Maui, State of Hawaii, on the 21st day of  
February, 2025, by the following vote:

AYES: Councilmembers Tom Cook, Tamara A. M. Paltin, Shane M.  
Sinenci, Nohelani U'u-Hodgins, Vice-Chair Yuki Lei K. Sugimura,  
and Chair Alice L. Lee.

NOES: None.

EXCUSED: Councilmembers Gabriel Johnson, Natalie A. Kama, and Keani  
N.W. Rawlins-Fernandez.

DATED at Wailuku, Maui, Hawaii, this 24th of February, 2025.

  
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MOANA M. LUTEY, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County  
Clerk, County of Maui, for use and examination by the public.