

RECEIVED

January 30, 2020

2020 JAN 30 PM 12:04

OFFICE OF THE
COUNTY COUNCIL

MEMO TO: GET - 40

F R O M: Michael J. Molina, Chair
Governance, Ethics and Transparency Committee



SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO AMENDING CHAPTER 2.41, MAUI COUNTY CODE, RELATING TO ATTENDANCE AT BOARD, COMMISSION, AND COMMITTEE MEETINGS BY APPOINTED MEMBERS (GET-40)**

The attached legislative proposal pertains to Item GET-40 on the Committee's agenda.

CM:MHP:outgoing_board_attend_bill_get40:grs

Attachment

cc:

ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.41,
MAUI COUNTY CODE, RELATING TO ATTENDANCE AT BOARD,
COMMISSION, AND COMMITTEE MEETINGS BY APPOINTED MEMBERS

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

SECTION 1. Chapter 2.41, Maui County Code, is amended by adding a
new section to be appropriately designated and to read as follows:

“2.41.090 Attendance at board, commission, and committee meetings by appointed members. A. It is vital to the proper function of County government that duly appointed members of all boards, commissions, and committees fully and faithfully serve and attend all duly noticed, regularly scheduled meetings of their respective boards, commissions, and committees.

B. It is the responsibility of departmental staff assigned to a respective board, commission, or committee to record and document the attendance of members at every duly noticed, regularly scheduled meeting.

C. Attendance of each member will be recorded and documented at every board, commission, or committee meeting as either present, absent or unexcused, or excused.

D. If a member is unable to attend a meeting of a board, committee, or commission of which they are a member, the member must notify the chairperson and departmental staff of the member’s non-attendance, including the reason for the non-attendance, at least forty-eight hours prior to the start of the meeting. Except in cases of an emergency, failure of a member to provide the requisite notice within the time period specified will result in the member’s non-attendance to be recorded and documented as unexcused or absent. In all other instances, it is the responsibility of the chairperson to determine whether a member’s non-attendance is excused.

E. Once a board, commission, or committee record reflects a member’s non-attendance of 50 percent or more meetings in any six-month period, within thirty days of the member’s last excused or unexcused absence, the chairperson of the board, commission, or committee must send a letter to the mayor, with a copy to the council, informing of the member’s attendance record, **and a recommendation that the member be removed.**

F. If any board, commission, or committee chairperson fails to submit the letter to the mayor as set forth in subsection E, departmental staff will submit the letter on the board, commission, or committee's behalf.

G. If the absence of members creates a lack of quorum for a regularly scheduled meeting, the absence will be counted as non-attendance for those members."

SECTION 2. This ordinance will take effect on approval.

APPROVED AS TO FORM AND
LEGALITY:

EDWARD S. KUSHI, JR.
Department of the Corporation Counsel
County of Maui

get:misc:board_attend_040abill01:ske/grs