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By Dept. of the Corporation Counsel at 10:32 am, Sep 15, 2020

REQUEST FOR LEGAL SERVICES

Date: September 15, 2020
From: Kelly Takaya King, Chair
Climate Action and Resilience Committee

TRANSMITTAL
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Richelle Thomson, Esq.

Subject: Membership Requirements for Lanai, Maui, and Molokai Planning Commissions and Hana Advisory Committee (CAR-28)

Background Data: Please see the attached revised proposed bill.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature <u>Kelly T. King</u> Kelly Takaya King	Contact Person <u>Nicole Siegel or Kasie Apo Takayama</u> (Telephone Extension: <u>8008 or 7665, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): 4:30 p.m. on September 16, 2020
REASON: For posting on September 25, 2020 Council meeting

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>RMT</u>	ASSIGNMENT NO. <u>2020-0005</u>	BY: <u>GMR</u>
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date 9/17/20

By [Signature]

(Rev. 7/03)

car:ltr:028acc02:nas

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.28.070, MAUI COUNTY CODE, RELATING TO PLANNING COMMISSION AND ADVISORY COMMITTEE MEMBERSHIP REQUIREMENTS

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

SECTION 1. Section 2.28.070, Maui County Code, is amended to read as follows:

“2.28.070 Planning commission and advisory committee membership requirements. A. At least one member of each planning commission and [Hana] advisory committee [shall] must have demonstrated expertise in native Hawaiian traditional and customary practices, as evidenced by one or more of the following credentials:

1. A college degree in a relevant field, such as Hawaiian studies, native Hawaiian law, native Hawaiian traditional and customary practices, including traditional environmental practices, or related subject area.

2. Work history that demonstrates an appropriate level of knowledge in native Hawaiian traditional and customary practices, including traditional environmental practices.

3. Substantial experience as a native Hawaiian traditional and customary practitioner.

B. At least one member of each planning commission, except the Lanaʻi planning commission, and each advisory committee must have a background in conservation, natural resources, or climate change, as evidenced by one or more of the following credentials:

1. A college degree in a relevant field, including forestry, wildlife conservation, geology, environmental science, or marine biology.

2. Work history sufficient to demonstrate an appropriate level of knowledge in land and natural resources, including parks and recreation, public lands management, natural area reserves, aquatic resources, boating and

recreation, forestry and wildlife, water resources management, or conservation and resources.

3. A dedicated leadership position in a nonprofit organization sufficient to demonstrate an appropriate level of knowledge in land and natural resources, including parks and recreation, public lands management, natural area reserves, aquatic resources, boating and recreation, forestry and wildlife, water resources management, or conservation and resources.

C. The member who satisfies subsection A's requirement must not be the member who satisfies subsection B's requirement."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This Ordinance takes effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



Department of the Corporation Counsel
County of Maui

car:misc:028abill02