

REQUEST FOR LEGAL SERVICES

Date: December 5, 2025
From: Nohelani U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

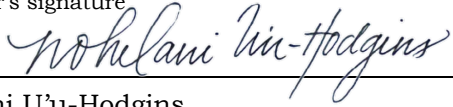
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Thomas Kolbe, Esq.

Subject: BILL 105, CD1 (2025), ON ALTERNATE MEMBERS OF BOARDS AND COMMISSIONS (GREAT-13)

Background Data: Please see attached CD1 version of Bill 105 (2025). Please submit your response to great.committee@mauicounty.us with a reference to GREAT-13.

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

Requestor's signature  Nohelani U'u-Hodgins	Contact Person <u>Kasie Apo Takayama or Peter Hanano</u> (Telephone Extension: <u>7665 or 8007, 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): December 10, 2025
REASON: For posting on the December 19, 2025, Council agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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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 _____

By _____
(Rev. 7/03)

great:ltr:013acc01:kmat

Attachment

ORDINANCE NO. _____

BILL NO. 105, CD1 (2025)

A BILL FOR AN ORDINANCE AMENDING TITLE 2, MAUI COUNTY CODE, ON ALTERNATE MEMBERS OF BOARDS AND COMMISSIONS

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

SECTION 1. The Council finds that several boards and commissions have alternate members, also referred to as alternates. Alternates on the Hāna Advisory Committee to the Maui Planning Commission may fill mid-term vacancies under procedures set in Section 2.28.050, Maui County Code. But alternates' status is not defined for other boards and commissions.

This Ordinance's purpose is to allow alternate members to fill mid-term vacancies on boards and commissions on an interim basis.

This Ordinance is intended to further the County's efforts to ensure boards and commissions have enough voting members to conduct business and to fulfill the Countywide Policy Plan's objective of promoting civic engagement.

SECTION 2. Section 2.28.050, Maui County Code, is amended by amending Subsection F to read as follows:

"F. Mid-term vacancies [in council-appointed seats will be filled by the council, and mid-term vacancies in mayor-appointed seats will be filled by the mayor; except that if an advisory committee has an alternate, the alternate] under charter section 13-2(18) will [fill] be filled by an alternate for the remainder of the departing member's term[;] until the council or mayor fills the vacancy on a permanent basis; and

if an advisory committee has two alternates, the advisory committee's chair will designate an alternate to fill the remainder of the departing member's term[.], until the council or mayor fills the vacancy on a permanent basis."

SECTION 3. Section 2.41.040, Maui County Code, is amended to read as follows:

"2.41.040 Notice of vacancy. The mayor must notify the council and chair of the board, commission, or committee in writing of any vacancy [due to] from death or resignation on a board, commission, or committee within [ten] 10 days of receipt of the notice of vacancy by the mayor's office. The chair of the board, commission, or committee will designate an alternate to fill the remainder of the departing member's term, until the council or mayor fills the vacancy on a permanent basis, if the board, commission, or committee has an alternate who meets requirements."

SECTION 4. 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 5. This Ordinance, on approval, takes effect retroactive to July 1, 2025.

APPROVED AS TO FORM AND
LEGALITY:

Department of the Corporation
Counsel
County of Maui

great:misc:013abill01:kmatt

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee", written over a horizontal line.

ALICE L. LEE