

Resolution

No. 26-86

PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF
THE COUNTY OF MAUI (1983), AS AMENDED, TO ESTABLISH A
COMPREHENSIVE STAGGERED TERM SYSTEM FOR MEMBERS
OF THE COST OF GOVERNMENT COMMISSION

WHEREAS, Section 3-9.3 of the Revised Charter of the County of Maui (1983), as amended, establishes the Cost of Government Commission as a nine-member body tasked with reviewing the cost of government and recommending improvements; and

WHEREAS, the Cost of Government Commission's current structure has four members' terms expiring on March 31, 2028, and five members' terms expiring on March 31, 2029; and

WHEREAS, establishing a more comprehensive staggered term system ensures continuity, stability, and the preservation of institutional knowledge, resulting in greater efficiency and consistent oversight of government expenditures and operations; and

WHEREAS, Section 14-1(1) of the Charter allows the County Council to initiate amendments to the Charter through a resolution adopted after two separate readings and passed by a vote of six or more members of the Council; and

WHEREAS, the Council finds that the voters should decide if the Charter should be amended to establish a more comprehensive staggered term system for the Cost of Government Commission; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That, in accordance with Section 14-1(1) of the Revised Charter of the County of Maui (1983), as amended, it proposes Charter Section 3-9.3 be amended to read as follows, with deleted material in brackets and new material underscored:

“Section 3-9.3. Cost of Government Commission. 1.

For the purpose of carrying out the policy [set forth] in section 3-9, in accordance with section 13-2, the mayor with the approval of council [shall] will appoint a cost of government commission consisting of nine members. The terms of the commission members must be staggered as follows: two members for two years; two members for three years; two members for four years; and three members for five years. Regardless of section 13-2(5), a member may serve additional terms consecutively. The commission is advisory to the county auditor.

2. The commission has the power and duty to:

[1.] a. Study and investigate the organizations and methods of operations of all departments, commissions, boards, offices, and other instrumentality of all branches of the county government and determine what changes, if any, may be desirable to accomplish the policy set forth in section 3-9.

[2.] b. Secure directly from any department, commission, board, office, or any other instrumentalities of all branches of the County government or from any individual officer or employee of the County, information, suggestions, estimates, and statistics necessary to carry out its duties.

[3.] c. Submit an annual report of its findings and recommendations to the mayor, council, and county auditor

[4. For the purpose of this section, the following definitions apply:]

3. For purposes of this section, the following definitions apply:

“Agency or operation of the County” includes any executive agency, semi-autonomous agency, council office, and other establishment of County government supported, in whole or in part, by County or public funds.

“Council office” includes the council itself, the office of a councilmember and the councilmember’s immediate staff, the office of the county clerk, and the office of council services. This definition [shall] must not be construed as excluding the office of the county auditor from the legislative branch.

“Record” includes any account, book, paper, and document, and any financial affair, notwithstanding whether any of the preceding is stored on paper or electronically.”

2. That, under Charter Section 14-1(1), it proposes Charter Article 15 be amended by adding a new section to read as follows, with new material underscored:

“Section 15- . Transitional Provisions on Cost of Government Commission Staggered Terms. To implement staggered terms as required by section 3-9.3, the council may reduce or increase any Cost of Government Commission member’s term by resolution.”

3. That, under Charter Section 14-2(1), this Resolution be submitted to the voters of the County of Maui at the next General Election;
4. That the County Clerk prepare the necessary ballot for presentation to the voters at the next General Election;
5. That, in accordance with Charter Section 14-1(1), it proposes that the following question be placed on the next General Election ballot:

“Shall the Charter be amended, effective July 1, 2027, to require that the terms of the existing and future members of the Cost of Government Commission be staggered to ensure continuity and prevent simultaneous expiration of multiple members’ terms?”

6. That, in accordance with Charter Section 14-2(2), the County Clerk must publish the proposed amendment in this Resolution in its entirety in a newspaper of general circulation;
7. That, on approval by a majority of the voters voting on the proposed amendment and on official certification of the result, the amendment proposed in this Resolution takes effect upon passage;
8. That, as authorized by Charter Section 14-4, the County Clerk must revise and publish in its entirety a revised Charter including amendments adopted in this Resolution and renumber provisions and cross-references as may be necessary by the approval of the revisions or amendments; and
9. That certified copies of this Resolution be transmitted to the Mayor and the County Clerk.

APPROVED AS TO FORM AND LEGALITY:



Nāhulu Nunokawa
Deputy Corporation Counsel
Department of the Corporation Counsel
County of Maui
LF 2026-0472
2026-04-14 Reso Amd Charter COGC Terms

INTRODUCED BY:

Nohelani U'u-Hodgins

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