

Proposed Charter Amendment Proposals to be placed on 2026 General Election Ballot

1. RESOLUTION 25-215, PROPOSED CHARTER AMENDMENT ON THE NOTICE AND CONDUCT OF PUBLIC MEETINGS (GREAT-10(3)).

Purpose:

Clarifies that Council meetings must be publicly noticed and held in compliance with State law by eliminating the outdated requirement to publish notice in a newspaper of general circulation in the County. Additionally, the term “public hearing” would be replaced with “public meeting.”

Effective Date:

January 1, 2027

Background:

The Charter contains various provisions requiring notices, summaries, digests, and proposed amendments to be published in a newspaper of general circulation. The Charter also uses the term “public hearing” in several sections relating to Council, board, and commission proceedings.

The proposal would require Council meetings to be publicly noticed and references to “public hearings” would be replaced with “public meetings” to clarify and confirm public meetings held under the Sunshine Law.

If the proposal DOES pass:

Various Charter provisions requiring publication in newspapers of general circulation would instead be posted publicly and references to “public hearings” would be replaced with “public meetings.”

If the proposal DOES NOT pass:

The Charter would continue to require newspaper publication for certain notices and retain existing references to “public hearings.”

2. RESOLUTION 25-216, PROPOSED CHARTER AMENDMENT ON STANDARDIZING DEADLINES RELATED TO VOTER INITIATIVE, RECALL, AND CHARTER AMENDMENTS (GREAT-10(4)).

Purpose:

Standardizes the deadlines related to the Office of the County Clerk’s processing of petitions on voter initiative, recall of elected officers or board or commission members, and charter amendments.

Effective Date:
January 1, 2027

Background:

The County Clerk is responsible for processing petitions relating to voter initiatives, recall of elected officers or board or commission members, and charter amendments. The Charter establishes different deadlines for reviewing and certifying these petitions.

The proposal would standardize and update the deadlines for processing these petitions and provide additional time for the County Clerk to verify signatures and determine petition sufficiency.

If the proposal DOES pass:

The deadlines for reviewing and certifying initiative, recall, and charter amendment petitions would be standardized, generally extending the time available for the County Clerk to complete the required review.

If the proposal DOES NOT pass:

The existing deadlines for processing initiatives, recall, and charter amendment petitions would remain unchanged.

3. RESOLUTION 25-217, PROPOSED CHARTER AMENDMENT ON THE COMPUTATION OF TIME (GREAT-10(5)).

Purpose:

To specify that the time in which an action must be done is computed by excluding the first day and including the last, unless the last day is a Saturday, Sunday, or holiday, and then it is also excluded.

Effective Date:
January 1, 2027

Background:

The Charter sets various deadlines and timeframes for required actions, but there have previously been challenges in determining exactly when those deadlines occur.

The proposal would establish a standard method for computing time periods under the Charter by adopting a formula similar to that used by Hawai'i courts.

If the proposal DOES pass:

The Charter would establish a uniform method for calculating deadlines by excluding the first day and including the last day, unless the last day falls on a Saturday, Sunday, or holiday.

If the proposal DOES NOT pass:

The Charter would continue to establish deadlines and time periods without the computation-of-time provision.

4. RESOLUTION 26-61, PROPOSED CHARTER AMENDMENT ON THE PROCESSING OF CLAIMS (GREAT-10(7)).

Purpose:

Streamlines the process for filing claims for personal injury or property damage by requiring that claims be filed directly with the Corporation Counsel.

Effective Date:

January 1, 2027

Background:

The Risk Management Division of the Department of the Corporation Counsel is responsible for processing claims against the County for personal injury or property damage. The Charter requires such claims to be filed with the County Clerk before being transmitted to the Corporation Counsel for processing.

The proposal would require claims to be filed directly with the Corporation Counsel, eliminating an administrative step in the claims process.

If the proposal DOES pass:

Claims for personal injury or property damage would be filed directly with the Corporation Counsel instead of the County Clerk.

If the proposal DOES NOT pass:

Claims for personal injury or property damage would continue to be filed with the County Clerk before being transmitted to the Corporation Counsel for processing.

5. RESOLUTION 26-11, PROPOSED CHARTER AMENDMENT ON COUNTY COUNCIL VACANCIES IN OFFICE (GREAT-10(6)).

Purpose:

Requires a special election to fill a council vacancy if the unexpired term of office is six months or more and, if the unexpired term is less than six months, to remove the time limit for the council to appoint a person to fill the vacancy.

Effective Date:

January 2, 2027

Background:

The Charter requires a Council vacancy to be filled by appointment if the unexpired term is less than 15 months. The Council must make the appointment within 30 days otherwise the Mayor appoints a person to fill the vacancy.

The proposal would require a special election to fill a Council vacancy when the unexpired term is six months or more. If the unexpired term is less than six months, the proposal provides Council authority to fill the vacancy with no time limit.

If the proposal DOES pass:

A special election would be required to fill a Council vacancy if six months or more remain in the term. If less than six months remain, the Council may appoint a person to fill the vacancy and is not restricted by a time limitation; therefore, the Mayor would no longer have authority to fill the vacancy if the Council does not act.

If the proposal DOES NOT pass:

A Council vacancy with less than 15 months remaining in the term would continue to be filled by appointment. If the Council does not make an appointment within 30 days, the Mayor must appoint a person to fill the vacancy.

6. RESOLUTION 26-85, PROPOSED CHARTER AMENDMENT TO REMOVE THE ENGLISH TRANSLATION OF THE HAWAI'I STATE MOTTO FROM THE PREAMBLE (GREAT-10(8)).

Purpose:

Removing the English translation of the Hawai'i State motto in the Maui County Charter Preamble, allowing the original phrase, "Ua mau ke ea o ka 'āina i ka pono," to stand on its own respecting its complex indigenous meanings and alleviating potential misleading interpretations.

Effective Date:
Upon passage

Background:

The Charter Preamble includes the Hawai‘i State motto, “Ua mau ke ea o ka ‘āina i ka pono,” followed by an English translation, “The life of the land is perpetuated in righteousness.”

The proposal would remove the English translation from the Charter Preamble while retaining the original Hawaiian-language phrase.

If the proposal DOES pass:

The English translation of the Hawai‘i State motto would be removed from the Charter Preamble and the original Hawaiian-language phrase would remain.

If the proposal DOES NOT pass:

The Charter Preamble would continue to include both the Hawai‘i State motto and its English translation.

7. RESOLUTION 26-94, PROPOSED CHARTER AMENDMENT ON PUBLISHING DIGESTS OF THE COUNTY COUNCIL’S BILLS (GREAT-10(14)).

Purpose:

Allows digests of all County Council bills that pass first reading and the votes on each bill to be published online on a website maintained by the County instead of in a newspaper of general circulation in the County at least three days before final reading.

Effective Date:
January 2, 2027

Background:

The Charter requires digests of all County Council bills that pass first reading, including the votes on each bill, to be published in a newspaper of general circulation at least three days before final reading.

The proposal would allow those digests and votes to be published online on a website maintained by the County as an alternative to newspaper publication.

If the proposal DOES pass:

Digests of County Council bills that pass first reading and the votes on each bill would be published online on a website maintained by the County at least three days before final reading.

If the proposal DOES NOT pass:

Digests of County Council bills that pass first reading and the votes on each bill would continue to be published in a newspaper of general circulation at least three days before final reading.

8. RESOLUTION 26-86, PROPOSED CHARTER AMENDMENT TO ESTABLISH A COMPREHENSIVE STAGGERED TERM SYSTEM FOR MEMBERS OF THE COST OF GOVERNMENT COMMISSION (GREAT-10(9)).

Purpose:

Requires 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.

Effective Date:

July 1, 2027

Background:

The Cost of Government Commission consists of nine members who review the cost of government and make recommendations for improvement. Under the current structure, four members' terms expire on March 31, 2028, and five members' terms expire on March 31, 2029. The proposal would establish staggered terms for members of the Commission and authorize adjustments to current terms to implement the staggered-term system. The proposal would also provide that members of the Cost of Government Commission may serve consecutive terms notwithstanding Charter Section 13-2(5).

If the proposal DOES pass:

The terms of existing and future Cost of Government Commission members would be staggered so that multiple members' terms do not expire at the same time. Through resolution, the Council could adjust current members' terms to implement the staggered-term system.

If the proposal DOES NOT pass:

The Cost of Government Commission would continue to operate under the current term structure, with four members' terms expiring in 2028 and five members' terms expiring in 2029.

9. RESOLUTION 26-95, PROPOSED CHARTER AMENDMENT TO ALLOW REAPPOINTMENT OF MEMBERS OF THE BOARD OF ETHICS FOR ONE SUCCESSIVE TERM (GREAT-10(15)).

Purpose:

Authorizes the Mayor to reappoint members of the Board of Ethics of the County of Maui, with the approval of the Council, for one successive term without an intervening waiting period.

Effective Date:

January 1, 2027

Background:

Charter Section 13-2(5) prohibits members of County boards and commissions from being reappointed to the same board or commission until two years after the expiration of their prior term.

The proposal would create an exception for members of the Board of Ethics by allowing reappointment for one successive term without an intervening waiting period.

If the proposal DOES pass:

Members of the Board of Ethics could be reappointed for one successive term without an intervening waiting period. The existing reappointment restrictions for other boards and commissions would remain unchanged.

If the proposal DOES NOT pass:

Members of the Board of Ethics would continue to be ineligible for reappointment to the Board of Ethics until two years after the expiration of their prior term.

10. RESOLUTION 26-87, PROPOSED CHARTER AMENDMENT TO ESTABLISH A CLIMATE ACTION AND RESILIENCY REVOLVING FUND (GREAT-10(10)).

Purpose:

Requires that, in adopting the annual operating budget, the Council appropriate at least 20 percent of the certified Maui County Transient Accommodations Tax revenues into a Climate Action and Resiliency Revolving Fund to implement the Climate Action and Resiliency Plan.

Effective Date:

July 1, 2027

Background:

Chapter 20.44, Maui County Code, establishes a Climate Action and Resiliency Plan to guide County policies and actions on climate change and renewable energy.

The proposal would establish a Climate Action and Resiliency Revolving Fund as a dedicated funding source for implementing actions and strategies identified in the plan.

If the proposal DOES pass:

The Council would be required to appropriate at least 20 percent of Maui County Transient Accommodations Tax revenues annually to the Climate Action and Resiliency Revolving Fund. Money in the fund would be used to implement the Climate Action and Resiliency Plan and would remain in the fund from year to year unless expended.

If the proposal DOES NOT pass:

The Charter would not require the establishment of a Climate Action and Resiliency Revolving Fund or the annual appropriation of at least 20 percent of Maui County Transient Accommodations Tax revenues for that purpose.

11. RESOLUTION 24-100, PROPOSED CHARTER AMENDMENT ON USES OF THE OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND (GREAT-10(2)).

Purpose:

To minimize wildfire risk by authorizing the use of the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund for the regular removal and disposal of fuel hazards.

Effective Date:

July 1, 2025

Background:

Charter Section 9-19 requires revenues in the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund to be used for purchasing or acquiring lands for conservation purposes.

The proposal would authorize the use of fund revenues for the regular removal and disposal of fuel hazards on lands acquired through the fund.

If the proposal DOES pass:

Fund revenues could be used for the regular removal and disposal of fuel hazards on lands acquired through the fund, in addition to the uses authorized by the Charter.

If the proposal DOES NOT pass:

Fund revenues would continue to be used for land acquisition and other authorized purposes but would not expressly authorize the regular removal and disposal of fuel hazards.

12. RESOLUTION 26-93, PROPOSED CHARTER AMENDMENT TO SIMPLIFY THE APPOINTMENT PROCESS FOR BOARDS AND COMMISSIONS AND DISSOLVE THE INDEPENDENT NOMINATION BOARD (GREAT-10(13)).

Purpose:

To repeal the parts of the 2022 Charter amendment that created the Independent Nomination Board and related procedures for nominations to various County offices.

Effective Date:

Immediately

Background:

A 2022 Charter amendment established the INB to recruit, evaluate, and nominate candidates for County boards and commissions. The INB is also responsible for the appointment of the County Auditor, County Clerk, Corporation Counsel, and Prosecuting Attorney. The procedures to govern these nominations and appointments have proven confusing and incomplete.

The proposal would dissolve the INB and repeal related nomination procedures. The proposal would also revise appointment procedures for boards and commissions and the County Auditor, County Clerk, Corporation Counsel, and Prosecuting Attorney.

If the proposal DOES pass:

The INB would be dissolved and related nomination procedures would be repealed. Technical changes would be made to ensure clarity, consistency, and accuracy when setting deadlines, including for the annual mass nomination process. Deadlines for board and commission nominations would return to 30 days for the Mayor and 60 days for the Council.

If the proposal DOES NOT pass:

The INB and the nomination procedures adopted through the 2022 Charter amendment would remain in effect. Appointments to boards and commissions and listed positions would continue to be subject to the existing INB process.

13. RESOLUTION 26-88, PROPOSED CHARTER AMENDMENT ON EMERGENCY APPROPRIATIONS (GREAT-10(11)).

Purpose:

Allows the Mayor, with approval from the Council, to pass an emergency appropriation for an application for a line of credit and clarify that the one-percent limitation for emergency appropriations does not apply to funds that have already been allocated to an emergency fund.

Effective Date:

January 2, 2027

Background:

Charter Section 9-9 establishes procedures for emergency appropriations. The Charter allows the County, by ordinance, to issue emergency notes and limits emergency appropriations in a fiscal year to one percent of the total operating budget.

The proposal would authorize the County to apply for a line of credit instead of issuing emergency notes. The proposal would also clarify that the one-percent limitation does not apply to funds that have already been appropriated to an emergency fund.

If the proposal DOES pass:

The County could apply for a line of credit instead of issuing emergency notes when emergency borrowing is authorized under the Charter. Funds already appropriated to an emergency fund would not be subject to the one-percent limitation on emergency appropriations.

If the proposal DOES NOT pass:

The Charter would continue to authorize the issuance of emergency notes for emergency borrowing. Emergency appropriations would continue to be subject to the existing one-percent limitation, including appropriations from funds already allocated to an emergency fund.

14. RESOLUTION 26-89, PROPOSED CHARTER AMENDMENT ON THE TRANSFER OF APPROPRIATIONS (GREAT-10(12)).

Purpose:

Allows the Mayor to transfer all or a portion of an unencumbered appropriation balance within the same department, subject to a reporting requirement and maximum amount to be established by the County Council by ordinance.

Effective Date:

January 2, 2027

Background:

Charter Section 9-10 establishes procedures if available revenue will be insufficient to meet the amount appropriated in the budget. The Charter requires Council approval for transfers of unencumbered appropriation balances within a department by resolution and between departments by ordinance.

The proposal would authorize the Mayor to transfer all or a portion of an unencumbered appropriation balance within the same department without Council approval, subject to reporting requirements and a maximum amount established by the Council through ordinance.

If the proposal DOES pass:

The Mayor could transfer all or a portion of an unencumbered appropriation balance within the same department without Council approval, subject to reporting requirements and limits established by Council through ordinance. Transfers between departments would continue to require Council approval by ordinance.

If the proposal DOES NOT pass:

Transfers of unencumbered appropriation balances within a department would continue to require Council approval by resolution. Transfers between departments would continue to require Council approval by ordinance.