

DANNY A. MATEO  
County Clerk



JOSIAH K. NISHITA  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

June 19, 2015

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2015 JUN 19 PM 12:01  
OFFICE OF THE  
COUNTY COUNCIL

Honorable Michael P. Victorino, Chair  
Policy and Intergovernmental Affairs Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Victorino:

Respectfully transmitted are copies of the following communications that were referred to your Committee by the Council of the County of Maui at its meeting of June 19, 2015:

COUNTY COMMUNICATIONS:

- No. 15-183 - Danilo F. Agsalog, Director of Finance
- No. 15-184 - Danilo F. Agsalog, Director of Finance
- No. 15-185 - Mike White, Council Chair
- No. 15-186 - Don Couch, Councilmember

Respectfully,

A handwritten signature in black ink, reading "Danny A. Mateo". The signature is written in a cursive style with a long, sweeping underline.

DANNY A. MATEO  
County Clerk

/lks

Enclosures

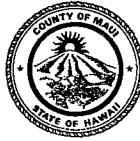
cc: Director of Council Services

Council Chair  
Mike White

Vice-Chair  
Don S. Guzman

Presiding Officer Pro Tempore  
Michael P. Victorino

Council Members  
Gladys C. Baisa  
Robert Carroll  
Elle Cochran  
Don Couch  
Stacy Crivello  
Riki Hokama



Director of Council Services  
David M. Raatz, Jr., Esq.

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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/council](http://www.mauicounty.gov/council)

**OFFICE OF THE  
COUNTY CLERK**

June 3, 2015

Mr. Danny A. Mateo, County Clerk  
Office of the County Clerk  
County of Maui  
Wailuku, Hawaii 96793

Dear Mr. Mateo:

**SUBJECT: AMENDMENT TO ARTICLE 11 OF THE CHARTER  
TO CORRECT CLERICAL ERRORS AND AUTHORIZE  
THE WITHDRAWAL OF SIGNATURES FROM  
SUPPLEMENTAL PETITIONS**

Please place the attached proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ARTICLE 11, INITIATIVE" on the next Council agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike White".

MIKE WHITE  
Council Chair

Attachment

COUNTY COMMUNICATION NO. **15-185**

# Resolution

No. \_\_\_\_\_

PROPOSING AN AMENDMENT TO THE REVISED  
CHARTER OF THE COUNTY OF MAUI (1983), AS  
AMENDED, RELATING TO ARTICLE 11,  
INITIATIVE

WHEREAS, Section 11-4(1) of the Revised Charter of the County of Maui (1983), as amended ("Charter"), authorizes the process for withdrawing signatures from an initiative petition presented to the County Clerk; and

WHEREAS, this provision stipulates that an individual must submit a written notice of the withdrawal to the County Clerk within fifteen (15) days after the filing of the affidavit described in Section 11-2 of the Charter; and

WHEREAS, the affidavit described in Section 11-2 of the Charter, is an affidavit forming a petitioners' committee; and

WHEREAS, a petitioners' committee may take up to 180 days to file an initiative petition with the County Clerk after formation of the petitioners' committee; and

WHEREAS, fifteen (15) days after the formation of a petitioners' committee to withdraw an individual's signature does not allow adequate time for signers to request that their signature be withdrawn, including for those that may have signed the petition after the deadline to withdraw one's signature has passed; and

WHEREAS, Section 11-5 of the Charter, authorizes the process for submission of supplementary petitions; and

WHEREAS, providing guidance on the process for withdrawing one's signature from the supplementary petition would provide a recourse for signers, should they wish to remove their signature from the supplementary petition; now, therefore,

**Resolution No. \_\_\_\_\_**

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

1. That, pursuant to Section 14-1(1) of the Charter, it hereby proposes that Section 11-4 of the Charter, pertaining to an initiative, be amended by amending subsection (1) to read as follows:

"1. Within one hundred eighty (180) days after the filing with the county clerk of the affidavit described in Section 11-2, all papers forming an initiative petition shall be assembled and filed with the county clerk as one instrument. If an individual who has signed the petition wishes to withdraw the individual's signature from the petition, written notice of the withdrawal must be filed with the county clerk within fifteen (15) days after the filing of the [affidavit] petitions described in Section [11-2] 11-3."; and

2. That material to be repealed is bracketed and new material is underscored; and

3. That, pursuant to Section 14-1(1) of the Charter, it hereby proposes that Section 11-5 of the Charter, pertaining to an initiative, be amended by amending subsection (1) to read as follows:

"1. In the event the initial petition contains insufficient valid signatures, it may be supported by supplemental signatures of voters signed in the manner required in Section 11-3 of this Article. Such supplementary signatures shall be appended to the initial petition at any time within twenty (20) days after receipt by the petitioners' committee of notification that the county clerk has certified the initial petition insufficient. If an individual who has signed the supplemental petition wishes to withdraw the individual's signature from the supplemental petition, written notice of the withdrawal must be filed with the county clerk within three (3) days of the receipt of the supplementary signatures by the county clerk."; and

4. That new material is underscored; and

5. That, pursuant to Section 14-2(1) of the Charter, this resolution be submitted to the voters of the County of Maui at the next general election; and

Resolution No. \_\_\_\_\_

6. That the County Clerk prepare the necessary ballot for presentation to the voters at the next general election; and

7. That, pursuant to Section 14-1(1) of the Charter, it hereby proposes that the following question be placed on the next general election ballot:

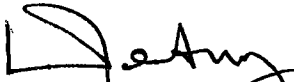
"Shall Sections 11-4 and 11-5 of the Charter be amended to correct clerical errors and to provide consistency within the Charter by allowing an individual to withdraw their signature from a supplemental petition?"; and

8. That pursuant to Section 14-2(2) of the Charter, the County Clerk publish this proposed amendment in a newspaper of general circulation; and

9. That, upon approval by the majority of the voters as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect; and

10. That certified copies of this resolution be transmitted to the Mayor and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY



Department of the Corporation Counsel  
County of Maui

LF2015-4378 - Withdraw Signatures