

MICHAEL P. VICTORINO  
Mayor  
MICHELE CHOUTEAU MCLEAN, AICP  
Director  
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**DEPARTMENT OF PLANNING**  
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June 19, 2020

Honorable Michael P. Victorino, Mayor  
County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

**APPROVED FOR TRANSMITTAL**

*Michael P. Vit* 6/22/20  
Mayor Date

For Transmittal to:

Honorable Michael J. Molina, Chair  
Governance, Ethics, and Transparency Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Councilmember Molina:

**SUBJECT: PROPOSED CHARTER AMENDMENTS (ALLOW THE COUNCIL TO APPOINT SEVEN MEMBERS OF THE PLANNING COMMISSIONS) (GET-10(16))**

Please accept this testimony in opposition to the proposed resolution that proposes a Charter amendment to change the current process by which members to our three planning commissions are appointed.

Each planning commission is comprised of nine members. Currently, the Mayor nominates all members, and the Council approves or rejects all nominees. This allows for fundamental checks and balances between the executive and legislative branches of our County government; both the Mayor and the Council have a role to play in all nominees.

The proposal completely eliminates checks and balances in this process, which are intended to ensure that political power is balanced among different branches of government – a concept that is central to all levels of government throughout our democracy. Instead, the proposal gives one branch of government exclusive power over some nominees, and another branch exclusive power over others. This power has been shared in the appointment process for all County boards and

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commissions for decades; there is no clear reason or flaw to change it in such a potentially perilous way for such important panels.

Beyond this ideological or philosophical argument, there is a practical reason to oppose this proposal. Terms of planning commission members typically expire on March 31, after the Mayor submits the next year's proposed budget to the Council. Members of the Council take office in January every other year. In the 2016 election, three new members took office; in the 2018 election, six new members took office. Within their first three months of taking office, new members of the Council would be expected to make exclusive appointments to these critical panels at the same time that they begin consideration of the annual budget; that seems unnecessarily burdensome.

Thank you for your consideration of this testimony; the same concerns would also apply to GET-10(11), relating to appointments to the Charter Commission.

Please feel free to contact me should you have any questions.

Sincerely, 



MICHELE MCLEAN, AICP  
Planning Director

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