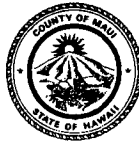


Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

January 23, 2020

Mr. Josiah Nishita, County Clerk
Office of Council Services
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Nishita:

**SUBJECT: PROPOSED CHARTER AMENDMENTS
(ESTABLISHING SHORTER LIFETIME TERM LIMITS
FOR COUNCIL MEMBERS BY LIMITING THE
NUMBER OF TERMS A PERSON MAY SERVE ON THE
COUNCIL TO TWO FOUR-YEAR TERMS) (GET-10(7))**

At its meeting of January 21, 2020, the Governance, Ethics, and Transparency Committee discussed a proposed resolution to place on the next General Election ballot the question of whether Sections 3-2 and 15-4 of the Revised Charter of the County of Maui (1983), as amended, shall be amended, effective January 2, 2021, to establish shorter lifetime term limits for Councilmembers from five two-year terms to two four-year terms, with a mechanism to stagger the terms based on the highest number of votes received.

May I please request your comments on the proposed resolution. A copy of the resolution is attached for your reference.

May I further request you provide this information **no later than January 31, 2020**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Mr. Josiah Nishita
January 23, 2020
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Should you have any questions, please contact me or the Committee staff (Shelly Espeleta at ext. 7134, or Pauline Martins at ext. 8039).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Molina". The signature is fluid and cursive, with the first name "Michael" and last name "Molina" clearly distinguishable.

MICHAEL J. MOLINA, Chair
Governance, Ethics, and Transparency
Committee

get:ltr:0010(7)aocc01:ske

Attachment

cc: Mayor Michael P. Victorino

Resolution

No. _____

PROPOSING AN AMENDMENT TO THE
REVISED CHARTER OF THE COUNTY OF MAUI
(1983), AS AMENDED, TO ESTABLISH
SHORTER LIFETIME TERM LIMITS FOR
COUNCIL MEMBERS OF TWO FOUR-YEAR
TERMS

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

1. That in accordance with Section 14-1, Revised Charter of the County of Maui (1983), as amended ("Charter"), it proposes that Subsection 5 of Section 3-2 of the Charter, pertaining to term limits for Council members, be amended to read as follows:

"The term of office of council members shall be for [two (2) years,] four years, beginning at twelve o'clock meridian on the second day of January following their election. No [member of the county council] person shall serve more than [five consecutive] two full terms of office[.] on the council, starting with the term beginning after the special election held in conjunction with the 2022 general election. The limit of two terms applies whether the terms are consecutive or nonconsecutive and whether a person is elected from the same or different residency areas."; and

2. That it proposes that Article 15 of the Charter, relating to Transitional Provisions, be amended to add a new section to be appropriately designated and to read as follows:

"Section 15-4. Transitional Provisions Relating to Staggering of Council Members' Terms. The terms of council members will be staggered, beginning after the 2022 general election, in accordance with this section as follows:

(1) Each of the five council members who receive the highest number of votes at the special election held in conjunction with the 2022 general election will be elected to serve a four-year term.

Resolution No. _____

(2) Each of the remaining four council members elected in 2022 will be elected to serve a two-year term. These four council seats will be on the ballot in 2024 for four-year terms. Each of the two-year terms served after the 2022 general election will be counted as a full term for purposes of Subsection 3-2(5).”; and

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

4. That, in accordance with Subsection 14-2(1) of the Charter, this resolution be submitted to the voters of the County of Maui at the next general election; and

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

6. That, in accordance with Section 14-1 of the Charter, it proposes that the following question be placed on the next general election ballot:

“Shall the Charter be amended to establish shorter lifetime term limits for Council members by limiting the number of terms a person may serve on the Council to two four-year terms, for a total eight years, instead of the current limit of five two-year terms, for a total of ten years?”; and

7. That, in accordance with Subsection 14-2(2) of the Charter, the County Clerk publish this proposed amendment in a newspaper of general circulation; and

8. That, upon approval by the majority of the voters voting on the proposed amendment and upon official certification of the result, the amendment proposed in this Resolution will take effect; and

9. That certified copies of this Resolution be transmitted to the Mayor and the Corporation Counsel.

Resolution No. _____

APPROVED AS TO FORM AND LEGALITY

Department of the Corporation Counsel
County of Maui

paf:jbf:19-336b