

# REQUEST FOR LEGAL SERVICES

**Date:** September 15, 2020  
**From:** Kelly Takaya King, Chair  
Climate Action and Resilience Committee

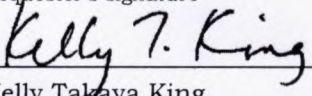
**TRANSMITTAL**

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Richelle Thomson, Esq.

**Subject:** Membership Requirements for Lanai, Maui, and Molokai Planning Commissions and Hana Advisory Committee (CAR-28)

**Background Data:** Please see the attached revised proposed bill.

**Work Requested:** ☒ FOR APPROVAL AS TO FORM AND LEGALITY  
☐ OTHER:

Requestor's signature  Kelly Takaya King	Contact Person <u>Nicole Siegel or Kasie Apo Takayama</u> (Telephone Extension: <u>8008 or 7665, respectively</u> )
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)  
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): 4:30 p.m. on September 16, 2020  
REASON: For posting on September 25, 2020 Council meeting

**FOR CORPORATION COUNSEL'S RESPONSE**

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)  
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

car:ltr:028acc02:nas

Attachment

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2020)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.28.070, MAUI COUNTY  
CODE, RELATING TO PLANNING COMMISSION AND ADVISORY COMMITTEE  
MEMBERSHIP REQUIREMENTS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 2.28.070, Maui County Code, is amended to read as  
follows:

**“2.28.070 Planning commission and advisory committee  
membership requirements. A.** At least one member of each  
planning commission and [Hana] advisory committee [shall] must  
have demonstrated expertise in native Hawaiian traditional and  
customary practices, as evidenced by one or more of the following  
credentials:

1. A college degree in a relevant field, such as  
Hawaiian studies, native Hawaiian law, native Hawaiian  
traditional and customary practices, including traditional  
environmental practices, or related subject area.

2. Work history that demonstrates an appropriate  
level of knowledge in native Hawaiian traditional and  
customary practices, including traditional environmental  
practices.

3. Substantial experience as a native Hawaiian  
traditional and customary practitioner.

B. At least one member of each planning commission,  
except the Lana‘i planning commission, and each advisory  
committee must have a background in conservation, natural  
resources, or climate change, as evidenced by one or more of the  
following credentials:

1. A college degree in a relevant field, including  
forestry, wildlife conservation, geology, environmental  
science, or marine biology.

2. Work history sufficient to demonstrate an  
appropriate level of knowledge in land and natural resources,  
including parks and recreation, public lands management,  
natural area reserves, aquatic resources, boating and

recreation, forestry and wildlife, water resources management, or conservation and resources.

3. A dedicated leadership position in a nonprofit organization sufficient to demonstrate an appropriate level of knowledge in land and natural resources, including parks and recreation, public lands management, natural area reserves, aquatic resources, boating and recreation, forestry and wildlife, water resources management, or conservation and resources.

C. The member who satisfies subsection A's requirement must not be the member who satisfies subsection B's requirement."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This Ordinance takes effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

car:misc:028abill02