

Resolution

No. 26-95, CD1, FD1

**PROPOSING AN AMENDMENT TO THE
REVISED CHARTER OF THE COUNTY OF MAUI
(1983), AS AMENDED, TO ALLOW
REAPPOINTMENT OF MEMBERS OF THE
BOARD OF ETHICS FOR ONE SUCCESSIVE
TERM**

WHEREAS, the Council proposes that the question be placed on the next General Election ballot of whether the Revised Charter of the County of Maui (1983), as amended, should be further amended to allow the reappointment of a member of the Board of Ethics for one successive term prior to the expiration of two years; and

WHEREAS, Charter Section 13-2(5) provides that no member of a board or commission is eligible for a second appointment to the same board or commission prior to the expiration of two years; and

WHEREAS, Section 13-103.1(c) of the Revised Charter of the City & County of Honolulu (1973), as amended, provides that members of boards and commissions may be reappointed for a second term without an intervening waiting period; and

WHEREAS, Section 26-34(a), Hawai'i Revised Statutes, provides that members of State boards and commissions may be reappointed for a second term without an intervening waiting period; and

WHEREAS, disallowing reappointment for a second term to the Board of Ethics without an intervening waiting period results in vacancies that may not be filled for a period of time; and

WHEREAS, vacancies on the Board of Ethics prevent it from establishing quorum and conducting business, which delays the Board's consideration of ethics complaints, advisory opinions, and actions on issues of importance to the County and its employees; and

WHEREAS, members of the Board of Ethics become experts on ethics laws and the Board's procedures, and a significant amount of institutional knowledge is lost by disallowing reappointment to a second term without an intervening waiting period; and

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WHEREAS, members of the State of Hawai'i and City and County of Honolulu Ethics Commissions are often reappointed to second terms, which increases those bodies' effectiveness; now, therefore,

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

1. That, in accordance with Charter Section 14-1(1), it proposes Charter Subsection 13-2(5), be amended to read as follows, with deleted material in brackets and new material underscored:

“5. No member of any board or commission [shall] will be eligible for a second appointment to the same board or commission [prior to the expiration of] within two years[, provided] of the term expiration, except that members of any board or commission initially appointed for a term [not exceeding] of up to three years [shall] will be eligible to succeed themselves for an additional term[.] and members of the Board of Ethics may be reappointed for a second term without an intervening waiting period. No member of any board or commission [shall] may serve beyond the time when the member's term expires unless the member is specifically reappointed. A vacancy [shall] will be automatically created upon the expiration of a member's term [which vacancy shall be filled as provided for herein].”;

2. That, in accordance with Charter Section 14-2(1), this Resolution be submitted to the voters of the County of Maui at the next General Election;
3. That the County Clerk prepare the necessary ballot for presentation to the voters at the next General Election;
4. That, in accordance with Charter Section 14-1(1), it proposes that the following question be placed on the next General Election ballot:

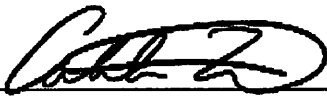
“Shall the Charter be amended, effective upon approval, to authorize the Mayor to reappoint members

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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?";

5. That, in accordance with Charter Section 14-2(2), the County Clerk must publish the proposed amendment in this Resolution in its entirety in a newspaper of general circulation;
6. That, on approval by a majority of the voters voting on the proposed amendment and on official certification of the result, the amendment proposed in this Resolution takes effect;
7. That, as authorized by Charter Section 14-4, the County Clerk must revise and publish in its entirety a revised Charter including amendments adopted in this Resolution and renumber provisions and cross-references as may be necessary by the approval of the revisions or amendments; and
8. That certified copies of this Resolution be transmitted to the Mayor and the County Clerk.

APPROVED AS TO FORM AND LEGALITY:



CALEB P. ROWE
Department of the Corporation Counsel
County of Maui

paf:kjh:26-209a

INTRODUCED BY:

K. 

KAUANOE BATANGAN

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 26-95, CD1, FD1 was passed on Second and Final Reading by the Council of the County of Maui, State of Hawaii, on the 24th day of July, 2026, by the following vote:

MEMBERS	Alice L LEE Chair	Yuki Lei K. SUGIMURA Vice-Chair	Kauanoë BATANGAN	Tom COOK	Gabriel L. JOHNSON	Tamara A. M. PALTIN	Keani N. W. RAWLINS- FERNANDEZ	Shane M. SINENCI	Nohelani U'U- HODGINS
ROLL CALL	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Excused Ho'oku'u 'ia	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae



COUNTY CLERK

Passed First Reading on July 7, 2026