



OFFICE OF THE COUNTY CLERK
COUNTY OF MAUI
200 S. HIGH STREET, ROOM 708
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<http://mauicounty.gov/county/clerk>

February 24, 2012

Mr. Joshua A. Stone, Chair
Charter Commission, County of Maui
c/o Department of the Corporation Counsel
200 South High Street, 3rd Floor
Wailuku, Hawaii 96793

**SUBJECT: TESTIMONY OF THE COUNTY CLERK REGARDING CERTAIN
PROPOSED CHARTER AMENDMENTS**

Dear Chair Stone and Members of the Charter Commission:

My name is Jeff Kuwada. I am the County Clerk for the County of Maui. I offer the following testimony regarding certain proposed Charter amendments listed on your meeting agenda dated February 27, 2012.

County Council Term Limits

With respect to this proposal, I urge the Charter Commission to include a provision that prescribes the staggering of terms. As an example, see the Revised Charter of the City & County of Honolulu (1973), as amended.¹

¹ Section 16-122. Transitional Provisions on the Staggering of Councilmembers' Terms - -

1. The staggering of the terms of councilmembers shall commence on January 2, 2003 and be implemented in accordance with this section.

2. On January 3, 2001, the city clerk shall certify the total votes counted for all mayoral candidates in the special election at which the mayor was elected for the regular term commencing January 2, 2001. The city clerk shall transmit the certificate to the council chair and maintain in the clerk's office a copy available for public inspection during normal business hours.

(a) If the total votes counted, as certified by the city clerk, is an odd number, the councilmembers for council districts I, III, V, VII, and IX shall be elected to four-year regular terms commencing on January 2, 2003. Councilmembers for other districts shall be elected to two-year regular terms commencing on the same date.

(b) If the total votes counted, as certified by the city clerk, is an even number, the councilmembers for council districts II, IV, VI, and VIII shall be elected to four-year regular terms commencing on January 2, 2003. Councilmembers for other districts shall be elected to two-year regular terms commencing on the same date.

022711 - Written Testimony rec'd from County Clerk

Interactive Communications Access

I join in the testimony submitted by the Office of Council Services.

Republication of the Charter

This proposal addresses a “problem” that does not exist.

Presently, the discretion to publish/republish the Charter resides with the County Clerk.

Your proposal, if adopted by the voters, will require the republication of the Charter as often as every two years. Historically, the Charter has been published/republished seven times.²

For the purpose of this subsection, a ‘vote counted’ for a mayoral candidate shall not include ballots which are blank, spoiled or otherwise invalid in connection with the mayoral contest. ‘Special election at which the mayor was elected for the regular term commencing January 2, 2001’ means either the first or second special election, held in conjunction with the 2000 primary or general election, at which a candidate for mayor was elected for the term commencing January 2, 2001. The phrase does not mean both the first and second special elections if a second special election was held.

3. After the expiration of the two-year regular terms established by this section, the subsequent regular terms of the pertinent councilmembers shall be subject to Section 3-102.

4. Except as provided in the next paragraph, a person elected as councilmember to a two-year regular term in 2002 shall be eligible for election to two more consecutive four-year terms as councilmember.

A person elected as councilmember to a four-year regular term in 1998 and a two-year regular term in 2002 shall be eligible for election in 2004 to a four-year regular term as councilmember. Such a person, however, shall not be eligible for election in 2008 to a four-year regular term as councilmember.

A person elected as councilmember to two consecutive four-year regular terms in 1994 and 1998 shall not be eligible in 2002 for election as councilmember.

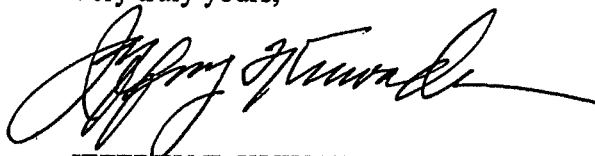
- ² (a) The Charter effective January 2, 1969 (Proposed by the 1966 Charter Commission and approved by the voters at the Special General Election on September 2, 1967.)
(b) The Charter effective January 1, 1977 (Proposed by the 1976 Charter Commission and approved by the voters at the General Election on November 2, 1976.)
(c) The Charter effective January 1, 1983 (Proposed by the 1981 Charter Commission and approved by the voters at the General Election on November 2, 1982.)
(d) The Charter, 1983, 1987 Edition (Includes amendments to the Charter proposed by the Council and approved by the voters in the General Elections of 1984 and 1986.)
(e) The Charter, 1983, 1989 Edition (Includes amendments to the Charter proposed by the Council and approved by the voters in the General Elections of 1984, 1986, and 1988. Also includes amendments proposed by the Special Charter Commission and approved by the voters in the General Election of 1988.)
(f) The Charter, 1993 Edition (Includes amendments to the Charter proposed by the Council and approved by the voters in the General Elections of 1984, 1986, 1988, and 1990. Also includes amendments proposed by the Special Charter Commission and approved by the voters in the General Election of 1988 and amendments proposed by the 1992 Charter Commission and approved by the voters in the General Election of 1992.)
(g) The Charter, 2003 Edition (Includes amendments to the Charter proposed by the Council and approved by the voters in the General Elections of 1984, 1986, 1988, 1990, 1994, 1996, 1998, and 2002. Also includes amendments proposed by the Special Charter Commission and approved by the voters in the General Election of

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The current edition of the Charter, the 2003 edition, and the 2006 and 2010 Charter amendments are available online in a searchable PDF format. (Go to <http://www.co.maui.hi.us/index.aspx?nid=162>.) Most individuals requesting a copy of the Charter, when informed of its availability online, will opt to access it online rather than receive a hard copy. Of course, when we receive requests for a hard copy of the 2003 Charter, it is supplemented with two inserts that set forth, respectively, the 2006 and 2010 Charter amendments. Following the 2012 General Election, the Clerk's Office will procure printing services in order to republish the Charter to incorporate the Charter amendments approved by the voters in the 2012 General Election.

Please contact me should you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey T. Kuwada", written in a cursive style.

JEFFREY T. KUWADA
County Clerk

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About Us

Mission Statement

To protect and preserve life, environment, and property.

Vision

Building on this mission the department has identified vision statements to establish targets for excellence in the future. These are to:

- Have personnel recognized as community leaders both on and off duty
- Maintain a high level of professional development for our members
- Maintain a management/labor partnership where decisions are made collaboratively
- Manage resources that reflect the diverse needs of the community
- Be recognized as a leading resource for community relations and public safety education
- Be a progressive organization that embraces change
- Be an organization that promotes the wellness and fitness of its members
- Be a department that is altogether prepared for any emergency
- Become an accredited agency

Values

Recognizing that its collective personality and the values of its members enhance the organization, the Department of Fire and Public Safety has declared a set of values that included such statements as:

Professional Excellence

We believe the pursuit of excellence and demonstrating high professional standards are critical to our work. We will ensure the best possible service for our community. The fire and rescue department supports continuous training and encourages professional development. We will respect the diversity of our community by providing compassionate and quality service to all.

Community Service and Involvement

We believe we have a duty to be involved in the community where we work. We are committed to fulfilling our responsibility by expanding our involvement in the community we serve.

Integrity

We understand the trust placed in us by the public and our colleagues is integral to the performance of our duties. We are committed to honest and ethical behavior, and will hold ourselves accountable to these values.

Effective Communication

We believe effective communication is essential to the cohesiveness and performance of our organization. We are committed to providing effective and responsive means of communication throughout the organization and the community.

Health and Safety

We believe our health and safety are essential to fulfilling fire and rescue department's mission. We are committed to providing the best health and safety programs for our members well being and operational readiness

Teamwork and Shared Leadership

We know well functioning teams of people are more effective than individuals who are working separately; our lives depend on it! We believe individuals have the capacity to lead, and our organization values leadership at all levels. Teamwork and shared leadership are integral to our organization, and we will seek out and value the opinions of our members.

Innovation

We recognize and understand that the constant change in our community and industry impacts our daily business. We are committed to seeking out and implementing innovative and progressive thinking to address change effectively, benefiting those we serve.

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022712 - Written Testimony rec'd from Jim Smith