

LINDA CROCKETT LINGLE  
Mayor



91-13

GUY A. HAYWOOD  
Corporation Counsel

RECEIVED

DEPARTMENT OF THE CORPORATION COUNSEL

1991 AUG 6 AM 8:33

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE: (808) 243-7740

OFFICE OF THE MAYOR

August 5, 1991

Mr. Robert Nakasone, Chairman  
Maui County Charter Commission  
County of Maui  
Wailuku, Maui, Hawaii 96793

Re: Submission of Proposals/Timetable for Public Hearings

Dear Mr. Nakasone:

At the last meeting of the Charter Commission, you requested that I evaluate the provisions of the Charter and State and County law relative to the mandatory review that is being conducted by your Charter Commission.

Specifically, you requested answers on two questions: 1. The final date for submitting amendments to the county charter; and 2. A timetable for public hearings.

With respect to the absolute final date of submitting amendments to the charter or a draft of the new charter, such must be presented within fifteen months after the Commission has been appointed. It is my understanding that ten members of the Commission were appointed as of May 17, 1991. That would require submission of your proposals on or before August 17, 1992.

The General Election in 1992 will be held on November 3rd. Hawaii Revised Statutes Section 11-119(d) requires that all questions and issues are to be submitted to the County Clerk's office no later than 4:30 p.m. on the sixtieth day prior to the election. In this case, September 4, 1992. The Charter, Section 14-3, requires the Commission publish the notice not less than forty-five days before the General Election in a newspaper of general circulation within the County. The forty-five day period terminates on Saturday, September 19, 1992. Any publication would have to be done before that time.

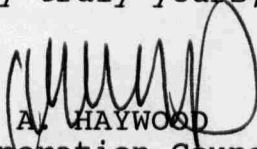
You also asked us to provide a timetable for public hearings. There is no specific provision in the Charter or State law with respect to public hearings for the mandatory review process. To the extent that you may decide to have public hearings, it is a recommendation that such hearings be completed by late June or

Mr. Robert Nakasone, Chairman  
August 5, 1991  
Page 2

early July of 1992 to allow sufficient time for the Commission to deliberate and prepare its amendments or new draft by August 17, 1992.

If you have any additional questions or comments, or desire any additional information, please feel free to contact our office.

Very truly yours,



GUY A. HAYWOOD  
Corporation Counsel

GAH:ko  
C:\memo\charter

\*\*\* CONGRESSIONAL - FINAL PLAN \*\*\*

91-14

Plan Type : CONGRESS  
Plan name : MILWAI2  
Date : 07/11/91  
Time : 3:57 PM  
User : leo  
Report : Population Summary Report

District	#Mbrs	Total	Deviation	Pct.Dev.
1	1	554,119	4	0.01
2	1	554,110	-5	0.00
		1,108,229		

Mean Deviation is: 5.00  
Mean Percent Deviation is: 0.01  
Largest Positive Deviation is: 4 0.01 Percent  
Largest Negative Deviation is: -5 0.00 Percent  
Overall Range in Deviation is: 9 0.00 Percent

(Reference Table)

Dist	#Mbr.	Total	Total18+	Adjust	Adjust18+	Regular90	OHA voters
1	1	554,119	431,485	488,509	385,512	227,860	0
2	1	554,110	396,618	505,395	361,056	225,529	0
		1,108,229	828,103	993,904	746,568	453,389	0

Plan Type : CONGRESS  
Plan name : MILWAI2  
Date : 07/11/91  
Time : 3:57 PM  
User : leo  
Report : Incumbent District

Number of districts with two or more incumbents: 1

District: 1

Last Name	First Name	Party	Dist
ABERCROMBIE	NEIL	D	1
MINK	PATSY	D	2

District: 2

Last Name	First Name	Party	Dist
(blank)			0

\*\*\* STATE SENATE - FINAL PLAN \*\*\*  
(07/19/91)

Plan Type : SENATE  
Plan name : BACKUP  
Date : 07/19/91  
Time : 12:15 PM  
User : keith  
Report : Population Summary Report

District	#Mbrs	Adjust	Deviation	Pct.Dev.
1	1	39,583	-173	-0.43
2	1	40,803	1,047	2.64
3	1	39,670	-86	-0.21
4	1	37,950	-1,806	-4.54
5	1	37,796	-1,960	-4.93
6	1	37,809	-1,947	-4.89
7	1	37,865	-1,891	-4.75
8	1	41,664	1,908	4.80
9	1	41,704	1,948	4.90
10	1	41,667	1,911	4.81
11	1	41,649	1,893	4.77
12	1	41,658	1,902	4.79
13	1	41,569	1,813	4.57
14	1	41,714	1,958	4.93
15	1	41,544	1,788	4.50
16	1	41,633	1,877	4.73
17	1	39,999	243	0.62
18	1	37,962	-1,794	-4.51
19	1	41,579	1,823	4.59
20	1	38,018	-1,738	-4.37
21	1	37,877	-1,879	-4.72
22	1	37,798	-1,958	-4.92
23	1	37,797	-1,959	-4.92
24	1	38,018	-1,738	-4.37
25	1	38,578	-1,178	-2.96
		993,904		

Mean Deviation is: 1,609.22  
Mean Percent Deviation is: 4.05

Largest Positive Deviation is: 1,958 4.93 Percent  
Largest Negative Deviation is: -1,960 -4.93 Percent

Overall Range in Deviation is: 3,918 9.86 Percent

(Reference Table)

Dist	#Mbr.	Total	Total18+	Adjust	Adjust18+	Regular90	OHAvoters
1	1	39,632	28,142	39,583	28,105	18,193	0
2	1	40,996	29,658	40,803	29,534	20,594	0
3	1	39,689	28,002	39,670	27,988	17,153	0
4	1	37,954	27,742	37,950	27,740	15,230	0
5	1	37,829	27,399	37,796	27,375	17,128	0
6	1	37,819	27,636	37,809	27,629	18,078	0
7	1	38,079	27,906	37,865	27,750	20,561	0
8	1	41,961	32,550	41,664	32,324	23,739	0
9	1	41,814	34,185	41,704	34,088	23,137	0
10	1	42,020	36,106	41,667	35,807	19,220	0
11	1	41,784	35,666	41,649	35,559	19,727	0
12	1	42,000	37,080	41,658	36,782	19,804	0
13	1	42,099	35,101	41,569	34,612	17,971	0



Plan Type : SENATE  
Plan name : BACKUP  
Date : 07/19/91  
Time : 12:17 PM  
User : keith  
Report : Incumbent District

SENATE-FINAL  
07/19/91  
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-----  
Number of districts with two or more incumbents: 3  
-----

District: 1

Last Name	First Name	Party	Dist
SOLOMON	MALAMA	D	3

-----

District: 2

Last Name	First Name	Party	Dist
LEVIN	ANDREW	D	1
MATSUURA	RICHARD	D	2

-----

District: 3

Last Name	First Name	Party	Dist
(blank)			0

-----

District: 4

Last Name	First Name	Party	Dist
(blank)			0

-----

District: 5

Last Name	First Name	Party	Dist
YAMASAKI	MAMORU	D	4

-----

District: 6

Last Name	First Name	Party	Dist
REED	RICK	R	5

-----

District: 7

Last Name	First Name	Party	Dist
FERNANDES SALLIN	LEHUA	D	25

-----

District: 8

Last Name	First Name	Party	Dist
IKEDA	DONNA	D	11

-----

District: 9

Last Name	First Name	Party	Dist
COBB	STEVE	D	12

-----

-----  
District: 21

Last Name	First Name	Party	Dist
AKI	JAMES	D	24

-----

District: 22

Last Name	First Name	Party	Dist
HAGINO	GERALD	D	7

-----

District: 23

Last Name	First Name	Party	Dist
MCCARTNEY	MIKE	D	8

-----

District: 24

Last Name	First Name	Party	Dist
KOKI	STAN	R	9

-----

District: 25

Last Name	First Name	Party	Dist
GEORGE	MARY	R	10

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\* \* \* STATE HOUSE OF REPRESENTATIVES - FINAL PLAN \* \* \*  
(07/19/91)

Plan Type : HOUSE  
Plan name : REDIST91  
Date : 07/19/91  
Time : 10:10 AM  
User : leo  
Report : Population Summary Report

District	#Mbrs	Adjust	Deviation	Pct.Dev.
1	1	20,098	610	3.14
2	1	20,394	906	4.65
3	1	20,409	921	4.73
4	1	20,073	585	3.01
5	1	19,597	109	0.56
6	1	19,485	-3	-0.01
7	1	18,907	-581	-2.98
8	1	18,584	-904	-4.63
9	1	18,605	-883	-4.53
10	1	18,570	-918	-4.71
11	1	18,608	-880	-4.51
12	1	19,347	-141	-0.72
13	1	18,757	-731	-3.75
14	1	20,042	554	2.85
15	1	19,880	392	2.02
16	1	18,907	-581	-2.98
17	1	20,452	964	4.95
18	1	20,431	943	4.84
19	1	20,239	751	3.86
20	1	20,190	702	3.61
21	1	20,306	818	4.20
22	1	19,167	-321	-1.64
23	1	20,284	796	4.09
24	1	20,192	704	3.62
25	1	20,266	778	4.00
26	1	20,387	899	4.62
27	1	19,960	472	2.43
28	1	19,579	91	0.47
29	1	19,588	100	0.52
30	1	19,214	-274	-1.40
31	1	20,435	947	4.86
32	1	20,202	714	3.67
33	1	20,163	675	3.47
34	1	19,049	-439	-2.25
35	1	18,767	-721	-3.69
36	1	20,032	544	2.80
37	1	19,051	-437	-2.24
38	1	18,665	-823	-4.22
39	1	18,936	-552	-2.83
40	1	19,908	420	2.16
41	1	18,898	-590	-3.02
42	1	19,776	288	1.48
43	1	18,785	-703	-3.60
44	1	19,092	-396	-2.03
45	1	19,024	-464	-2.38
46	1	18,622	-866	-4.44
47	1	18,615	-873	-4.47
48	1	19,304	-184	-0.94
49	1	18,828	-660	-3.38
50	1	18,684	-804	-4.12
51	1	18,550	-938	-4.81
		993,904		

Mean Deviation is:

615.21

Mean Percent Deviation is: 3.16

Largest Positive Deviation is: 964 4.95 Percent

Largest Negative Deviation is: -938 -4.81 Percent

Overall Range in Deviation is: 1,902 9.76 Percent

(Reference Table)

Dist	#Mbr.	Total	Total18+	Adjust	Adjust18+	Regular90	OHAvoters
1	1	20,147	14,444	20,098	14,407	9,726	0
2	1	20,545	15,074	20,394	14,980	10,010	0
3	1	20,451	14,584	20,409	14,554	10,584	0
4	1	20,092	13,548	20,073	13,534	8,525	0
5	1	19,597	14,454	19,597	14,454	8,628	0
6	1	19,485	13,698	19,485	13,698	8,467	0
7	1	18,911	13,610	18,907	13,608	7,829	0
8	1	18,584	13,817	18,584	13,817	7,164	0
9	1	18,618	13,977	18,605	13,965	8,601	0
10	1	18,590	13,025	18,570	13,013	8,458	0
11	1	18,614	14,251	18,608	14,246	8,629	0
12	1	19,351	13,431	19,347	13,429	9,309	0
13	1	18,757	13,865	18,757	13,865	10,000	0
14	1	20,256	14,707	20,042	14,551	11,007	0
15	1	19,999	15,145	19,880	15,050	10,772	0
16	1	19,073	15,131	18,907	15,010	11,088	0
17	1	20,519	16,800	20,452	16,738	12,709	0
18	1	20,486	16,310	20,431	16,265	9,938	0
19	1	20,305	17,516	20,239	17,457	10,650	0
20	1	20,266	16,726	20,190	16,664	8,102	0
21	1	20,636	18,850	20,306	18,564	9,440	0
22	1	19,242	16,887	19,167	16,825	7,810	0
23	1	20,346	17,450	20,284	17,403	11,354	0
24	1	20,371	17,519	20,192	17,372	10,031	0
25	1	20,471	17,661	20,266	17,485	7,650	0
26	1	20,460	17,058	20,387	16,995	10,911	0
27	1	20,015	16,603	19,960	16,560	9,347	0
28	1	20,850	15,364	19,579	14,543	8,295	0
29	1	22,394	16,139	19,588	14,301	6,631	0
30	1	19,848	14,860	19,214	14,358	7,665	0
31	1	25,998	20,495	20,435	16,429	10,860	0
32	1	49,583	33,977	20,202	13,501	6,597	0
33	1	25,096	20,094	20,163	16,583	10,439	0
34	1	21,204	15,704	19,049	14,152	9,135	0
35	1	19,621	15,285	18,767	14,576	9,735	0
36	1	23,762	17,121	20,032	14,453	7,108	0
37	1	19,839	14,177	19,051	13,634	6,815	0
38	1	21,018	14,644	18,665	12,900	8,274	0
39	1	24,764	16,859	18,936	12,918	8,432	0
40	1	21,407	15,635	19,908	14,503	7,494	0
41	1	25,526	16,709	18,898	12,479	6,766	0
42	1	22,114	15,644	19,776	13,893	7,466	0
43	1	23,637	15,311	18,785	11,706	5,597	0
44	1	19,816	12,785	19,092	12,235	6,072	0
45	1	38,337	26,626	19,024	13,184	7,726	0
46	1	18,956	13,034	18,622	12,743	6,903	0
47	1	19,288	13,963	18,615	13,388	9,184	0
48	1	21,047	15,976	19,304	14,701	9,872	0
49	1	30,791	22,417	18,828	13,274	10,039	0
50	1	20,154	15,236	18,684	14,070	10,429	0
51	1	18,992	13,907	18,550	13,535	9,116	0
=====		1,108,229	828,103	993,904	746,568	453,389	0



07/19/91

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Plan Type : HOUSE  
Plan name : REDIST91  
Date : 07/19/91  
Time : 10:11 AM  
User : leo  
Report : Incumbent District

-----  
Number of districts with two or more incumbents: 4  
-----

District: 1

Last Name	First Name	Party	Dist
TAKAMINE	DWIGHT	D	4

-----  
District: 2

Last Name	First Name	Party	Dist
METCALF	WAYNE	D	3

-----  
District: 3

Last Name	First Name	Party	Dist
TAJIRI	HARVEY	D	2

-----  
District: 4

Last Name	First Name	Party	Dist
CHANG	JERRY LESLIE	D	1

-----  
District: 5

Last Name	First Name	Party	Dist
ISELL	VIRGINIA	D	5

-----  
District: 6

Last Name	First Name	Party	Dist
O'KIEFFE	MIKE	R	6

-----  
District: 7

Last Name	First Name	Party	Dist
BAKER	ROZ	D	10

-----  
District: 8

Last Name	First Name	Party	Dist
SOUKI	JOSEPH	D	9

-----  
District: 9

Last Name	First Name	Party	Dist
HONDA	HERBERT	D	8

-----  
District: 10

Last Name (blank)	First Name	Party	Dist 0
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-----  
District: 11

Last Name	First Name	Party	Dist
MORIHARA	DAVID	D	7

-----  
District: 12

Last Name (blank)	First Name	Party	Dist 0
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-----  
District: 13

Last Name	First Name	Party	Dist
KANOHO	EZRA	D	50

-----  
District: 14

Last Name	First Name	Party	Dist
KAWAKAMI	BERTHA	D	51

-----  
District: 15

Last Name	First Name	Party	Dist
STEGMAIER	DAVE	D	21

-----  
District: 16

Last Name	First Name	Party	Dist
WARD	GENE	R	22

-----  
District: 17

Last Name	First Name	Party	Dist
MARUMOTO	BARBARA	R	23

-----  
District: 18

Last Name	First Name	Party	Dist
SAY	CALVIN	D	25

-----  
District: 19

Last Name	First Name	Party	Dist
IHARA JR.	LES	D	26
TATIBOUET	JANE	R	24

-----  
District: 20

Last Name	First Name	Party	Dist
HAGINO	DAVE	D	29

District: 21

Last Name	First Name	Party	Dist
BAINUM	DUKE	D	30

District: 22

Last Name	First Name	Party	Dist
HIRONO	MAZIE	D	32

District: 23

Last Name	First Name	Party	Dist
SHON	JIM	D	28
TANIGUCHI	BRIAN	D	27

District: 24

Last Name	First Name	Party	Dist
FUKUNAGA	CAROL	D	31

District: 25

Last Name	First Name	Party	Dist
HIRAKI	KENNETH	D	35

District: 26

Last Name	First Name	Party	Dist
TAM	ROD	D	33

District: 27

Last Name	First Name	Party	Dist
CHUN	SUZANNE	D	34

District: 28

Last Name	First Name	Party	Dist
ARAKAKI	DENNIS	D	37
YOSHIMURA	DWIGHT	D	36

District: 29

Last Name	First Name	Party	Dist
ALCON	EMILIO	D	38

District: 30

Last Name	First Name	Party	Dist
CACHOLA	ROMY	D	39

District: 31

Last Name	First Name	Party	Dist
HORITA	KAREN	D	40

-----  
District: 32

Last Name	First Name	Party	Dist
OKAMURA	TOM	D	41

-----

District: 33

Last Name	First Name	Party	Dist
HASHIMOTO	CLARICE	D	42

-----

District: 34

Last Name	First Name	Party	Dist
IGE	DAVID	D	43

-----

District: 35

Last Name	First Name	Party	Dist
YONAMINE	NOBORU	D	44

-----

District: 36

Last Name	First Name	Party	Dist
(blank)			0

-----

District: 37

Last Name	First Name	Party	Dist
DULDULAO	JULIE	D	45
KIHANO	DANIEL	D	11

-----

District: 38

Last Name	First Name	Party	Dist
LEE	SAMUEL	D	12

-----

District: 39

Last Name	First Name	Party	Dist
(blank)			0

-----

District: 40

Last Name	First Name	Party	Dist
BUNDA	ROBERT	D	13

-----

District: 41

Last Name	First Name	Party	Dist
OSHIRO	PAUL	D	0

-----

District: 42

Last Name	First Name	Party	Dist
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AMARAL                      ANNELLE                      D                      47

-----  
District: 43

Last Name	First Name	Party	Dist
PETERS	HENRY HAALILIO	D	48

-----  
District: 44

Last Name	First Name	Party	Dist
APO	PETER	D	49

-----  
District: 45

Last Name	First Name	Party	Dist
SANTIAGO	ALEX	D	14

-----  
District: 46

Last Name	First Name	Party	Dist
BELLINGER	REB	D	15

-----  
District: 47

Last Name	First Name	Party	Dist
TOM	TERRANCE	D	16

-----  
District: 48

Last Name	First Name	Party	Dist
IGE	MARSHALL	D	17

-----  
District: 49

Last Name	First Name	Party	Dist
THIELEN	CYNTHIA	R	19

-----  
District: 50

Last Name	First Name	Party	Dist
ANDERSON	WHITNEY	R	18

-----  
District: 51

Last Name	First Name	Party	Dist
YOUNG	JACKIE	D	20

-----

91-15

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

August 30, 1991

Mr. Robert Nakasone, Chair  
Charter Commission  
County of Maui  
200 S. High St.  
Wailuku, Hawaii 96793

Dear Mr. Nakasone: *Bob,*

As the Commission carries out its review of the Charter, questions may arise regarding both operational and long-term consequences of various existing or proposed Charter provisions.

If you would like me to provide a representative from one or more of our administrative departments at any of your meetings, please let me know.

I would appreciate it if you could notify me in advance regarding the general subject matter to be reviewed so that I can be prepared to respond personally or be able to select the most informed representative from the administration.

The Charter Commission is composed of a very capable group of citizens. The entire community is indebted to you for your commitment and cooperation. I look forward to working with you in the coming months.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda".

Linda Crockett Lingle  
Mayor, County of Maui

LINDA CROCKETT LINGLE  
Mayor



91-16

LARRY L. BUTRICK  
Prosecuting Attorney

## DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793  
(808) 243-7777

August 14, 1991

Mr. Robert Nakasone  
Chairman  
Maui County Charter Commission  
P.O. Box 307  
Kahului, Hawaii 96732

Dear Mr. Nakasone:

Previously, investigators for the Department of the Prosecuting Attorney acted upon the authority under Section 62-78 of the Hawaii Revised Statutes which authorized the County Attorney to appoint an investigator who shall have all the powers and privileges of a peace officer of the County. (See Exhibit "A".)

Unfortunately, the State Legislature in its 1988 session repealed Chapter 62 of the Hawaii Revised Statutes in its entirety. Therefore, the law enforcement authority for the prosecuting attorney's investigators was also repealed.

The Honolulu Prosecutor's Office reacted quickly having the Charter of the City and County of Honolulu amended to read: "The Prosecuting Attorney may appoint deputies and other necessary staff, including investigators who shall have all the powers and privileges of a police officer of the city."

At present, I am forced to curtail the responsibilities of my four investigators. Normally, investigative assignments include executing warrants of arrest, executing administrative search warrants, extraditing felons who have fled our jurisdiction, and interviewing and detaining hostile witnesses. Given the fact that our investigators presently do not have police powers (and because of that I will not allow them to carry firearms), the above-mentioned tasks are much too risky, both from a financial standpoint (in the event legal action is taken against them) and from a personal safety standpoint.

Mr. Robert Nakasone  
Page Two  
August 14, 1991

As you can well imagine, given the restrictions of not having police powers and not being able to carry firearms, the effectiveness of investigators in the prosecuting attorney's office has been greatly diminished.

It is therefore respectfully requested that the Maui County Charter Commission amend Section 8-3.3 to read:


The Prosecuting Attorney shall:

- a. Appoint such deputy prosecuting attorneys and necessary staff as shall be authorized by the Council to include investigators who shall have all the powers and privileges of a police officer of the County. Deputy Prosecuting Attorneys shall be exempt from civil service and shall serve at the pleasure of the prosecuting attorney.

Should you have any questions concerning this matter, please do not hesitate to call me at 243-7777.

Thank you for your attention to this matter.

Very truly yours,

  
LARRY L. BUTRICK  
Prosecuting Attorney

LLB:gat

Enc.



## COUNTY OFFICERS

62-83

**§62-78 Appointment of investigator.** The county attorney may appoint an investigator, in accordance with chapters 76 and 77, and for which appropriations have been made by the board of supervisors.

Any investigator so appointed shall have all the powers and privileges of a police officer of the county. [L 1955, c 265, §1; RL 1955, §144-75.5; HRS §62-78]

**§62-79 Liability on bond.** If the county attorney refuses or neglects to account for and pay over all money received by him by virtue of his office, he shall be liable for his refusal or neglect upon his official bond, and the county treasurer shall bring an action against him for the recovery thereof in the name of the county and recover in such action, in addition to the amount so received, fifty per cent thereon by way of damages. No order of the board of supervisors shall be necessary to bring the action. The treasurer's reasonable expenses, including an attorney's fee, shall be a county charge. [L 1905, c 39, §91; RL 1925, §1669; RL 1935, §2864; RL 1945, §6267; RL 1955, §144-68; HRS §62-79]

## PART VI. AUDITOR

**§62-81 Warrants, issuance of.** The auditor shall issue warrants on the county treasurer in favor of persons entitled thereto in payment of claims and demands chargeable against the county which have been legally examined, allowed, and ordered paid by the board of supervisors. The auditor shall also issue warrants on the county treasurer for all debts and demands against the county when the amounts are fixed by law or authorized by law to be allowed by some person or tribunal other than the board of supervisors. [L 1905, c 39, §75; RL 1925, §1655; RL 1935, §2851; RL 1945, §6254; RL 1955, §144-55; HRS §62-81]

### Case Notes

Auditor may refuse to issue a warrant on an invalid claim ordered by board of supervisors. 17 H. 142.

**§62-82 Salary warrants, contents.** The auditors of the several counties shall, not less than twice each month, issue pay warrants to all officers and employees whose salaries or wages have been fixed by the legislature, the board of supervisors, or the civil service department. All warrants shall distinctly specify the liability for which they are drawn and when the same accrued. All warrants shall list or contain an attached list showing the gross amount of pay accrued, all deductions from the gross amount, and the net amount remaining after all deductions. [L 1905, c 39, §76; L 1921, c 10, §1; RL 1935, §2852; am L 1935, c 22, §1; am L 1937, c 27, §1; RL 1945, §6255; am L 1949, c 256, §1; RL 1955, §144-56; HRS §62-82]

**§62-83 Examination and settlement of accounts of debtors to county.** The auditor shall examine and settle the accounts of all persons or officers indebted to the county or holding moneys payable into the county treasury, certify in duplicate the amount to the treasurer and upon the return to him of one of the certificates, with the treasurer's receiving stamp properly enfaced thereon, give to the persons a receipt and discharge and charge the same to the treasurer with the amount so received by him. [L 1905, c 39, §77; RL 1925, §1658; RL 1935, §2853; RL 1945, §6256; RL 1955, §144-57; HRS §62-83]

LINDA CROCKETT LINGLE  
Mayor



91-17

GUY A. HAYWOOD  
Corporation Counsel

**DEPARTMENT OF THE CORPORATION COUNSEL**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE: (808) 243-7740

August 27, 1991

Robert Nakasone, Chairman  
Charter Commission  
P. O. Box 307  
Kahului, Maui, Hawaii 96732

SUBJECT: CHARTER AMENDMENTS

Dear Mr. Nakasone:

Attached is a copy of a memo I sent to Daryl Yamamoto, County Clerk requesting information posed by the Charter Commission. Also attached is a copy of Daryl Yamamoto's response.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Guy A. Haywood", is written over a faint, circular embossed seal.

GUY A. HAYWOOD  
Corporation Counsel

GAH:lc  
c:\ltr\nakasone  
Attachments

LINDA CROCKETT LINGLE  
Mayor



GUY A. HAYWOOD  
Corporation Counsel

**DEPARTMENT OF THE CORPORATION COUNSEL**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE: (808) 243-7740

August 19, 1991

MEMO TO: Daryl Yamamoto, County Clerk  
F R O M: Guy A. Haywood, Corporation Counsel *GH*  
SUBJECT: CHARTER AMENDMENTS

In a recent conversation, you informed me that the Lieutenant Governor's Office has a cut-off date of September 14, 1992 for questions initially to be printed on the ballot.

Would you please inform me what other limitations or guidelines they may have for such questions that would be posed by the Charter Commission.

The Commission is attempting to avoid the ballot being rejected by the Lieutenant Governor's Office since it is too long or otherwise improper.

GAH:lc  
c:\clerk\charter amend.



DARYL T. YAMAMOTO  
County Clerk



MYLES H. INOKUMA  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, HAWAII 96793

August 23, 1991

MEMO TO: Guy A. Haywood, Corporation Counsel  
F R O M: Daryl T. Yamamoto, County Clerk *DY*  
SUBJECT: CHARTER AMENDMENTS

The following information is provided in response to your memorandum of August 19, 1991.

Whenever, the chief election officer is responsible for the printing of ballots, ballot questions and issues must be submitted to the chief election officer not later than 4:30 p.m. on the sixtieth calendar day prior to the applicable election. The deadline for submittal of ballot questions for the 1992 general election is September 4, 1992.

Other than the questions being phrased to require a "yes" or "no" response by the voter, there are no specific limitations or guidelines for charter amendment questions. For example, in the 1988 General Election, nine (9) charter amendment questions were submitted to the Lieutenant Governor. The number and length of the questions, however, did require the printing of two additional ballots per voter.

What may be of some interest to the Commission are voting statistics on charter amendments and pending legislation that may affect the voting requirements for approval of charter amendments. We would be willing to meet with the Commission on these matters or provide members of the Commission with the pertinent information.

If additional information is required, please feel free to contact this office.