

ARTICLE III COMPARISON CHART *

	MAUI	HONOLULU	HAWAII	KAUAI
COUNCIL COMPOSITION;	9 members elected at large 1 resident - Lanai 1 resident - Molokai 1 resident - East Maui 1 resident - West Maui 1 resident - South Maui 3 residents - Central Maui	<u>Members, Elections and Term of Office</u> 9 members each from 4 defined districts. 4 years beginning 2nd January following election.	<u>Composition and Terms</u> 9 members, one from each of nine districts. Terms for 2 years - 12:00 noon on first Monday of December. Nominated/elected according to election laws of state.	<u>Composition</u> 7 members elected at large.
Terms	2 years beginning the 2nd of January following election.			2 years to begin at twelve o'clock on the first working day of December.
Qualifications	voter in county. County resident, 90 days before filing. Resident of district from which seeks election. Forfeit if: cease county residence cease district residence during term guilty of felony Council judge qualifications-subpoenas, testimony, produce records, expel by 2/3 vote.	Duly qualified election from council district. Removal of residence or member adjudicated guilty of a felony.	U.S. citizen, duly qualified election of County one year before election or appointment. Resident and registered voter of district 90 days before.	U.S. citizen and duly qualified elector of the County for at least two years prior to election or appointment. Removal of Councilman who removes his residence from the County or is convicted of a felony, shall immediately forfeit office.

* Compares Article III of the Maui County Charter with the Charters for the City and County of Honolulu, the County of Hawaii and the County of Kauai.

Prepared for the County of Maui Charter Commission
September 12, 1991

	MAUI	HONOLULU	HAWAII	KAUA'I
Vacancy	Resolution appointment new member. Majority of remaining members. 30 days after vacancy and no council action - Mayor appoints. Some qualifications as a candidate. Same political party.	Term less than one year - elected by remaining members, regular meeting/reasonable notice. 30 days or Mayor can fill. Year or more - special election called within 10 days, held within 60 days - election of district unless - special-general after 30 before 180.	Successor same political party, requisite qualifications. Council chair shall notify all remaining members of the Council by registered mail when formal action shall be taken to fill the vacancy. Clerk's office re: parameters of questions on ballot.	Remaining members appoint successor to fill vacancy. If Council unable to fill vacancy within (30) days after occurrence, Mayor makes appointment to vacancy.

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Compensation; Salary Commission	9 members appointed by Mayor, approved by Council terms, same as Council, determine compensation of elected officials per law.	Salaries all elected officials, include Mayor, Council, Prosecutor by Special Council. 7 members, 3 appointed by Mayor, 3 appointed by Council, 1 appointed by Mayor confirmed by Council. Elect chair - act on majority vote. Vacancy filled as for original. Appointed Jan. 15, 1985 shall establish salaries no later than subsequent May 1. Set salaries based on "adequate compensation for work perform: - preserve sensible relationship with other employee salaries. Establish rules of procedures/rules/regs. Employ necessary consultants/staff. No compensation, reimbursed for expenses.	Salary of all County elected officials established by Salary Commission of 9 members appointed by the Mayor with approval of Council. Commission establish Rules of Procedures which shall provide that it meet at least annually.	Established by the Salary Commission of seven members. Mayor appoints 3, Council appoints 3, and 7th member appointed of the appointed six. If no agreement on the selection of 7th member, Mayor appoints and Council confirms. Review and recommend salaries and minimum qualifications of all officers and employees. Term is coterminous with term of the Council. Meet at least once a year.

	MAUI	HONOLULU	HAWAII	KAUA'I
Organization; Procedure	Meet 2:00 p.m., Jan. 2. Elect chairman, vice-chair and presiding officer. Mayor presides until chair elected - no vote. Meet 2 x month. Special meetings, 72 hours notice, Mayor. Chair, 5 or more members. Determine own rules. Voting, except procedural notice, by roll call - votes reached. 5 = quorum, smaller number may meet and compel attendance of others per rules of Council. No valid action unless vote of 5 or more.	Meet 12:00 - Jan. 2 elect chair, vice-chair, presiding officer. Also appointed a presiding officer <u>pro tempore</u>. All members have right to vote at all times. Majority of entire membership quorum and necessary to carry vote. Shall adopt rules re: officers/employees committee organizing, transaction of business. Journal of proceedings, ayes/noes entered as required or upon demand of member. May suspend without pay not more than one month, disorderly or contemptuous behavior in its present by 2/3 vote. Presiding officer/council - majority vote - expel for disorderly, contemptuous improper conduct. 2/3 entire vote - employe special counsel shall specify compensation. Presiding officer/majority of committee expel for disorderly, contemptuous, improper conduct. Establish Council services and positions deemed necessary. Fill salaries by	Council elect chairman and vice-chairman until elected. Mayor shall preside at meetings provided Mayor does not vote. Council appoints County Clerk. After inauguration swearing-in ceremony, Council meets and elects chairman and presiding officer of the Council. Until election, Mayor shall preside, provided Mayor does not vote. Council meet 2 x every month. Majority of member = quorum unless otherwise provided. Special meetings. Public meetings. Exceptions.	

	MAUI	HONOLULU	HAWAII	KAUA'I
		Authorize attorneys within Counsel Services represent it where Executive Branch disputes <u>and</u> Corp. Counsel may represent Executive. If such attorneys authorized - their considered Special Counsel. Regular meetings at least once a month. Open to public - open ballot except for conference with Corp. Counsel <u>and</u> own staff. May adjourn to any meeting place with 3 days published notice in daily paper/general circulation in City <u>and</u> notice to all members 3 days before. Public hearings on appointees of Mayor prior to confirmations.		

	MAUI	HONOLULU	HAWAII	KAUA'I
Powers	Legislative taxes, rates, fees, assessments, borrow money. Legislate appropriations. Investigate: operation of department/function subject upon which they legislate Fix salaries of employees/officers as necessary. Require reports, invoices from Mayor, all departments regarding their functions/operations.	Legislative power vested in Council, except as otherwise provided.	Legislate powers of County vested in the Council. Function is legislation and public policy formulation.	Legislative power vested in County Council except as otherwise provided.

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Removal	U.S. citizen, voter in County. County resident, 90 days before filing. Resident of district from which seeks election. Forfeit office if: cease county residence cease district residence during term guilty of felony Council judge qualifications-subpoenas, testimony, produce records, expel by 2/3 vote.	Duly qualified election from council district. Removal of residence or member adjudicated guilty of a felony - office deemed vacated.	Any Councilman may be removed by impeachment or recall proceedings as provided by this Charter.	U.S. citizen and duly qualified elector of the County for at least 2 years prior to election or appointment. Removal of Councilman who removes his residence from the County or is convicted of a felony, shall immediately forfeit office.

	MAUI	HONOLULU	HAWAII	KAUA'I
Meetings; rules; voting; quorum	Meet 2:00 p.m. Jan. 2 Elect chairman, vice-chair and presiding officer. Mayor presides until chair elected - no vote. Meet 2 x month. Special meetings, 72 hours notice, Mayor. Chair, 5 or more members. Determine own rules. Voting, except procedural notice, by roll call - votes reached. 5 quorum, smaller number may meet and compel attendance of others per rules of Council. No valid action unless vote of 5 or more.	Meet 12:00 - Jan. 2 elect chair, vice-chair, presiding officer. Also appointed a presiding officer <u>pro</u> tempore. All members have right to vote all times. Majority of entire membership quorum and necessary to carry vote. Shall adopt rules re: officers/employees committee organizing, transaction of business. Journal of proceedings, ayes/noes entered as required or upon demand of member. May suspend without pay not more than one month, disorderly or contemptuous behavior in its present by 2/3 vote. Presiding officer/council - majority vote - expel for disorderly, contemptuous improper conduct. 2/3 entire vote - employ special counsel shall specify compensation. Presiding officer/majority of committee expel for disorderly, contemptuous, improper conduct. Establish Council Services and positions deemed necessary. Fill salaries by ordinance, merit system per Section 6-302 of Charter.	Meet at least 2 x a month. Majority of entire membership shall constitute quorum. Journal of proceedings ayes/noes entered as required.	After inauguration and swearing-in ceremony, Council meets and elects chairman and presiding officer of the Council. Until election, Mayor may preside, provided Mayor does not vote. Council meets 2 x every month. Majority of member = quorum unless otherwise provided. Special meetings. Public hearings. Exceptions.

	NAUI	HONOLULU	HAWAII	KAUAI
		Authorize attorneys within Counsel Services represent it where Executive Branch disputes and Corp. Counsel may represent Executive. If such attorneys authorized - their considered Special Counsel. Regular meetings at least once a month. Open to public - open ballot except for conference with Corp. Counsel and own staff. May adjourn to any meeting place with 3 days published notice in daily paper/general circulation in City and notice to all members 3 days before. Public hearings on appointees of Mayor prior to confirmations.		
Ordinances and resolutions	See ARTICLE 4, Section 4-2	<u>Introduction, Consideration and Passage of Ordinances and Resolutions</u>	<u>Resolutions; ordinances</u>	See ARTICLE IV, Section 4.02
Actions of Council	See, ARTICLE 4, Section 4-1	Every legislative act of the Council shall be by ordinance. Non-legislative acts shall be by resolution and will not have force and effect as law.	Legislative act is ordinance non-legislative act is resolution, unless otherwise provided.	See ARTICLE IV, Section 4.01

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Investigation	Legislative taxes, rates, fees, assessments, borrow money. Legislate appropriations. Investigate: operation of department/function. subject upon which they legislate.	Authorize attorneys within Counsel Services represent it where Executive Branch disputes and Corp. Counsel may represent Executive. If such attorneys authorized - their considered Special Counsel. Regular meetings at least once a month. Open to public - open ballot except for conference with Corp. Counsel and own staff. May adjourn to any meeting place with 3 days published notice in daily paper/general circulation in City and notice to all members 3 days before. Public hearings on appointees of Mayor prior to confirmations.	None stated.	Investigation

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Adoption of Pay Plan	Fix salaries of employees/officers as necessary. Legislative taxes, rates, fees, assessments, borrow money Legislate appropriations.	Adoption of Pay Plan	Adoption of Pay Plan	Adoption of Pay Plan

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Codification of Ordinances	See ARTICLE 4, Section 4-5	<u>Codification of Ordinances</u>	<u>County Code</u>	See ARTICLE IV, Section 4-05