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**COUNTY COUNCIL**  
**COUNTY OF MAUI**  
**WAILUKU, MAUI, HAWAII 96793**

August 18, 1986

Honorable Members of the Council  
County of Maui  
Wailuku, Hawaii 96793

Members of the Council:

Your Committee of the Whole, having met on August 6, 1986, makes reference to a Miscellaneous Communication from the County Clerk, regarding the following proposed resolutions:

1. "PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", which amends Sections 7-4, 9-4, 9-5 and 9-6, relating to the salary of the Mayor and County budget and capital program.
2. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", which repeals subsection 4 of Section 8-8.4, relating to the Planning Commission's authority to act on all matters relating to the Coastal Zone Management law.
3. "PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", which amends Sections 8-12.1, 8-12.2, 8-12.3, 8-7.1 and 8-15.1, relating to a Public Safety Commission.

Your Committee notes that public hearings were conducted on the three (3) resolutions proposing amendments to the Revised Charter of the County of Maui (1983) on July 22, 23, and 24, 1986, pursuant to the recommendation contained in County Communication No. 86-296.

In addition to the testimonies received at the public hearings, your Committee received written testimonies on 1) the proposed amendment relating to the Planning Commission's authority and 2) the proposed amendment relating to a Public Safety Commission. Furthermore, your Committee heard testimony from three (3) individuals on the proposed

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amendment relating to a Public Safety Commission, at its meeting of August 6, 1986.

Your Committee reviewed the proposed resolution entitled "PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", which amends Section 7-4, 9-4, 9-5 and 9-6. This resolution proposes the following:

1. That Section 7-4 be amended to be consistent with the 1984 Charter amendment to Section 3-5 by providing that the salary of the Mayor shall be determined by the Salary Commission.
2. That Section 9-4 be amended to provide that the Council shall hold a public hearing on the proposed budget and capital program for the ensuing fiscal year no sooner than the first day of April and no later than the thirtieth day of April instead of no sooner than the twentieth day of April and no later than the thirtieth day of April of the fiscal year currently ending.
3. That Section 9-5 be amended to provide that the Council shall pass the budget on or before the thirty-first day of May instead of on or before the fifteenth day of May of the fiscal year currently ending.
4. That Section 9-6 be amended to provide that the Council shall pass the capital program on or before the thirty-first day of May instead of on or before the fifteenth day of May of the fiscal year currently ending.

Your Committee decided to recommend passage of the proposed resolution, to be submitted to the electors of the County of Maui at the 1986 General Election.

Your Committee also reviewed the proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", which repeals subsection 4 of Section 8-8.4, relating to the Planning Commission. This resolution proposes that the Charter provision which authorizes the Planning Commission to act on all matters relating to the Coastal Zone Management law be deleted.

Your Committee decided to recommend filing of the proposed resolution. Your Committee acknowledged the need for further evaluation of the proposal and recommended that the Planning, Land Use and Economic Development Committee review this matter.

Your Committee also reviewed the proposed resolution entitled "PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", relating to a Public Safety Commission.

Your Committee is in receipt of a revised resolution entitled "PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", relating to a Public Safety Commission. The revised resolution proposes that Section 8-7.1 be amended to include the Public Safety Commission in the organization of the Department of Fire Control. The amendment, in ramseyer, reads as follows:

"Section 8-7.1. Organization. There shall be a department of fire control consisting of a fire chief, public safety commission, and the necessary staff."

This resolution further proposes that a new Section 8-7.4 be added to establish a Public Safety Commission. The amendment reads as follows:

"Section 8-7.4. Public Safety Commission. The public safety commission shall consist of nine members appointed by the mayor with the approval of the council.

The public safety commission shall:

1. Review the operations of the department of fire control and make recommendations for changes which may be desirable to improve the performance of emergency functions and the provision of public safety services.

2. Receive and investigate any complaints brought forth by the public against the conduct of the department of fire control or any of its members and submit a written report of its findings and recommendations to the fire chief for his disposition.

3. Adopt such rules as it may consider necessary for the conduct of its business and regulation of the matters committed to its charge by law.

4. Have such other powers and duties as may be provided by law."

This resolution further proposes that Section 8-15.1 be amended to provide that the Public Safety Commission review the operations of the Civil Defense Agency. The amendment, in ramseyer, reads as follows:

"Section 8-15.1. Organization and Functions. There shall be a civil defense agency whose powers, duties, functions and organization shall be as provided by law. The public safety commission, as established in Section 8-7.4 herein, shall review the operations of the agency and make recommendations for changes which may be desirable to improve the performance of emergency functions and the provision of public safety services. The commission shall receive and investigate any complaints brought forth by the public against the conduct of the agency or any of its members and submit a written report of its findings and recommendations to the civil defense administrator for his disposition."

Your Committee decided to recommend passage of the revised resolution, to be submitted to the electors of the County of Maui at the 1986 General Election.

Your Committee of the Whole has completed its final review of the various proposed amendments to the Revised Charter of the County of Maui (1983) and RECOMMENDS that the attached proposed resolutions PASS FIRST READING:

1. "PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", which amends Sections 7-4, 9-4, 9-5 and 9-6, relating to the salary of the Mayor and the Council's review and passage of the County budget and capital program.
2. PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", as revised, which

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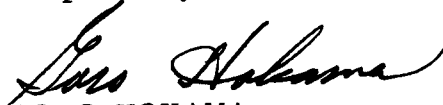
amends Sections 8-7.1 and 8-15.1 and adds a new Section 8-7.4, relating to a Public Safety Commission.

Your Committee of the Whole further RECOMMENDS that the following be FILED:

1. The proposed resolution entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)", which repeals subsection 4 of Section 8-8.4, relating to the Planning Commission's authority to act on all matters relating to the Coastal Zone Management law.
2. Miscellaneous Communication from the County Clerk.

Your Committee of the Whole further RECOMMENDS that the matter of the Planning Commission's authority to act on all matters relating to the Coastal Zone Management law be REFERRED to the Planning, Land Use and Economic Development Committee for further review.

Respectfully submitted,



GORO HOKAMA  
Council Chairman