

Resolution

No. 98-92 (DRAFT 1)

PROPOSING AN AMENDMENT TO THE REVISED
CHARTER OF THE COUNTY OF MAUI (1993)
RELATING TO THE PROCEDURE FOR FILLING A
VACANCY IN THE OFFICE OF A COUNCIL
MEMBER

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

1. That it does hereby propose that the Revised Charter of the County of Maui be amended to provide for a procedure to fill a vacancy in the office of a council member, and now, therefore, Section 3-4 of the Revised Charter of the County of Maui be amended to read as follows:

"Section 3-4. Vacancy in Office. [In the event a vacancy in the office of any council member shall occur, the remaining members of the council shall appoint a person by resolution adopted by a majority of its remaining members to fill the vacancy for the current unexpired term. Should the council fail to fill any vacancy within thirty (30) days after its occurrence, the mayor shall appoint a person to fill the vacancy for the current unexpired term. The person appointed by the council or mayor to fill a vacancy shall have the same qualifications required of a candidate elected by the voters and shall be a member of the same political party as the person succeeded.] A vacancy in the office of any council member shall be filled for the remainder of the unexpired term in the following manner:

1. If the unexpired term is less than fifteen (15) months, the remaining members of the council shall appoint a person by resolution adopted by a majority of its remaining members to fill the vacancy for the current unexpired term. Should the council fail to fill any vacancy within thirty (30) days after its occurrence, the mayor shall appoint a person to fill the vacancy for the current unexpired term. The person appointed by the council or mayor shall have the same qualifications required of a candidate elected by the voters and, if the person succeeded was elected in a

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partisan election, shall be a member of the same political party as the person succeeded.

2. If the unexpired term is fifteen (15) months or more, the vacancy shall be filled by a special election to be called by the council within thirty (30) days and to be held within ninety (90) days after the occurrence of the vacancy. The electors of the county shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. At the special election, the candidate receiving the highest number of votes shall be deemed elected."

2. That this resolution shall be submitted to the voters of the County of Maui at the next general election; and

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1998 General Election; and

4. That, upon approval by the majority of the voters in favor of amending the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendments proposed herein shall take effect; and

5. That material to be repealed is bracketed, and new material is underscored; and

6. That a certified copy of this resolution be transmitted to the Mayor.

APPROVED AS TO FORM AND
LEGALITY



J. P. SCHMIDT
Corporation Counsel

COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is **HEREBY CERTIFIED** that **RESOLUTION NO. 98-92, Draft 1** was passed on second and final reading by the Council of the County of Maui, State of Hawaii, on the 17th day of July, 1998, by the following vote:

MEMBERS	Patrick S. KAWANO Chair	James "Kimo" APANA Vice-Chair	Alan ARAKAWA	J. Kaleni ENGLISH	Sol P. KAHO`OHALAHALA	Alice L. LEE	Dennis Y. NAKAMURA	Wayne K. NISHIKI	Charmaine TAVARES
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Excused	Aye	Aye



COUNTY CLERK