

DRAFTING GUIDE
FOR
COUNTY OF MAUI LEGISLATION

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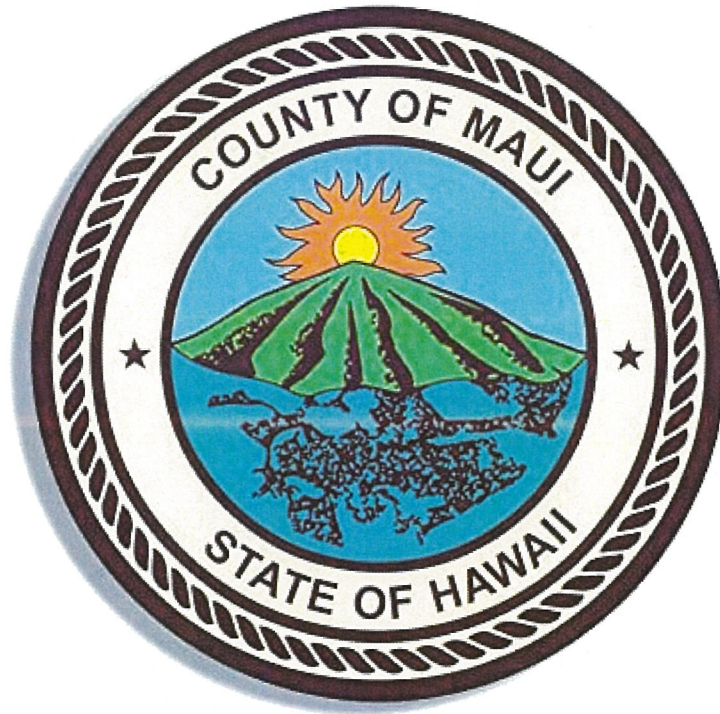


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I. MANUALS

Codified content follows the most recent edition of the Hawaii Legislative Drafting Manual, except as specified in this guide.

Noncodified content follows the most recent edition of The Gregg Reference Manual.

This guide prevails over any conflict with the referenced manuals and summarizes Maui County deviations from the Hawaii Legislative Drafting Manual.

II. COMPREHENSIBILITY

Bills and resolutions should be drafted as clearly as possible for the general public reader.

When there are no guidelines for a particular drafting problem, use your best judgment on what provides the most clarity for the general public reader.

III. MARGINS

Noncodified content:

One inch on both sides, tab, double space.

Codified content:

- Section: Indent both sides 1 ½ inches, tab first line. Bold section number and title, single space.
- Subsection: Same as section.
- Subsequent paragraphs, left margin increase by ½ inch, right remains 1 ½ inches.

Both noncodified and codified content are justified.

IV. FONT

Bookman Old Style, 12 point

V. CAPITALIZATION

Use capital letters sparingly.

When referring to County (County of Maui), use initial cap “C”. When referring to State (State of Hawaii), use initial cap “S.”

When referring to county, state, and federal (all three) in a sentence, do not use initial caps.

The words “section” and “chapter” are lowercase.

Maui County code (“code” is small).

Departmental reference with county: county council, county clerk (“county” is small).

VI. ACRONYMS

Avoid acronyms, unless when using familiar ones such as “HUD” or “ERA” on second reference.

VII. RAMSEYER FORMAT

Ramseyer format shows the difference between existing codified content and the proposed codified content.

Show deletions by bold brackets only, not strikethrough.

Always bracket out punctuation before inserting new material.

Do not insert new material between existing language and punctuation.

Changing any part of a word requires replacing the word. Bracket the entire word and insert the new word after the bracketed word.

When renumbering paragraphs, use the following method to avoid hanging numbers:

[(2) Bracket out the number with the material that is being deleted, and
(3)](2) Reinsert the number when reaching the remaining material.

Do not use this method for renumbering paragraphs:

- (2) [Do not leave the number hanging before deleted material, and
- (3)] Then try and match it up with the remaining material.

VIII. CHARTER REFERENCE

“Revised Charter of the County of Maui (1983), as amended”

IX. TITLES

Bill and resolution titles should be more specific than most State bill and resolution titles, but sufficiently broad to allow notice of reasonable amendments.

X. REFERENCE TO MCC, HRS

The words section and chapter are small.

...section 105-15-103, Hawaii Revised Statutes
...chapter 105, Hawaii Revised Statutes

XI. PURPOSE CLAUSES

In contrast to State legislation, County legislation often benefits from purpose clauses, codified or noncodified.

XII. “OF THIS CODE, ARTICLE, TITLE, CHAPTER”

Avoid using the prepositional phrase “of this” (e.g. “section 19.35.101 of this title”) when referring to the code, article, title or chapter being edited.

XIII. NUMBERS vs. WORDS

Spell out numbers generally.

Sums of money: Use figures; omit decimal and zeroes unless there is a special need: “\$1”.

Charts and tables: Use figures for measurements (“200 feet”); use words for description (“one bedroom”).

Use words for days, not numbers: “nineteenth day” (correct); “19th day” (incorrect).

When using with a specific month, use number (“December 15”).

“Percent”: one word.

When using percent, the number is a figure, and the “percent” is spelled out.

XIV. CRIMINAL PENALTIES

When establishing criminal penalties, use the categories of offenses established in the Penal Code. The maximum fine and prison term is specified for each category of offense. These categories are as follows:

- Petty Misdemeanor: Up to \$1,000 fine and thirty-day imprisonment. See HRS sections 706-640 and 706-663.
- Misdemeanor: Up to \$2,000 fine and one-year imprisonment. See HRS sections 706-640 and 706-663.

XV. REUSING CHAPTER OR SECTION NUMBERS

If amending a chapter or section to completely change its meaning, you need to repeal it and use a new number.

XVI. PLAIN LANGUAGE

Write simply and carefully.

Write purposefully.

Include only what is needed.

Organize so key information is featured.

Use descriptive headings and white space.

Avoid jargon.

When given two reasonable options, choose the shorter word, phrase, sentence, or paragraph.

Do not use these words and phrases:

- “and/or”
- “deem”
- “herein, hereinafter, hereunder, hereby, thereunder, thereby, thereto”
- “including but not limited to”
- “provided that”: use “except” or “except that”
- “proviso”: use “earmark,” “condition,” or other words as appropriate
- “pursuant to” use “under” or “in accordance with”
- “said” as a substitute for “the”
- “same” as a pronoun
- “shall”: use “must” to express a requirement, “may” to express a grant of authority; other words for other purposes

Do not use parenthetical plurals, such as “team(s),” or parenthetical numerals, such as “two hundred fifteen (215).”

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