

BILL NO. 98  
(DRAFT 2)

ORDINANCE NO. 18 30

**AN ORDINANCE TO INITIATE AN AMENDMENT TO ARTICLE XIII, SECTION 13-28 OF THE HAWAI‘I COUNTY CHARTER (2016 EDITION), RELATING TO THE SALARY COMMISSION.**

**BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI‘I:**

**SECTION 1.** Article XIII, section 13-28 of the Hawai‘i County Charter (2016 Edition), is amended to read as follows:

**“Section 13-28. Compensation; Salary Commission.**

- (a) The salary of all county elected officials and appointed directors and deputy directors of departments and executive agencies shall be established by a salary commission which shall consist of nine members appointed by the mayor with the approval of the council, in the manner prescribed in Section 13-4(b). The members may be removed in the manner prescribed in Section 13-4(b).
- (b) One member shall be a resident of each council district. In addition, the director of human resources and deputy director of human resources shall serve as ex-officio members of the commission in an advisory capacity.
- (c) The commission shall establish its rules of procedure, which shall provide that it meet at least annually, and adopt rules and regulations having the force and effect of law.
- (d) The commission shall review and compensate all county elected officials and appointed directors and deputy directors so that their total salaries and benefits have a reasonable relationship to compensation in the public and private sectors. The salary commission shall consult with those boards and commissions which have appointing authority for department heads.
- (e) At least thirty days prior to the approval of any salary adjustment, the salary commission shall:
  - (1) Publish at least once in at least two daily newspapers of general circulation in the county a detailed account of its proposal, or proposals, including specific increases or decreases in both actual dollar amounts and percentages;
  - (2) Hold at least one public hearing in either east Hawai‘i or west Hawai‘i, provided that any public hearing shall be conducted using video conference technology to allow for public participation from both east and west Hawai‘i; and
  - (3) Submit copies of a detailed report of the commission’s findings and conclusions used to develop its proposal, or proposals, to the office of the county clerk and the office of the mayor for public inspection.

The public notice required pursuant to this subsection shall include notification that the report of the commission’s findings and conclusions is available for public inspection at the aforementioned locations.

(f) Any adjustment that increases or decreases any salary by more than ten percent shall require an affirmative vote of two-thirds of the entire membership of the salary commission.”

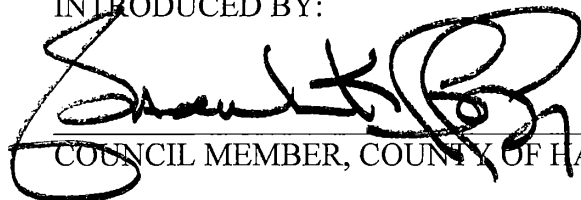
**SECTION 2.** New charter material is underscored. When revising, compiling, or printing these charter provisions for inclusion in the Charter of the County of Hawai‘i, the reviser need not include the underscoring.

**SECTION 3.** If any provision of this ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

**SECTION 4.** Upon adoption of this ordinance, this council, by appropriate resolution, shall provide that this amendment be submitted to the electorate of Hawai‘i County for approval in the 2018 general election.

**SECTION 5.** The charter amendment proposed in this ordinance shall take effect upon its approval by a majority of voters voting on this legislation in the 2018 general election, as duly certified.

INTRODUCED BY:

  
\_\_\_\_\_  
COUNCIL MEMBER, COUNTY OF HAWAI‘I

                     Hilo , Hawai‘i

Date of Introduction: March 14, 2018  
Date of 1<sup>st</sup> Reading: March 14, 2018  
Date of 2<sup>nd</sup> Reading: March 28, 2018  
Date of 3<sup>rd</sup> Reading: April 11, 2018  
Effective Date: November 6, 2018, if approved by the voters

REFERENCE Comm.                     712.2

OFFICE OF THE COUNTY CLERK  
 County of Hawai'i  
 Hilo, Hawai'i

COUNTY CLERK  
 COUNTY OF HAWAII

2018 APR 25 AM 9: 05

Introduced By: \_\_\_\_\_  
 Date Introduced: \_\_\_\_\_  
 First Reading: \_\_\_\_\_  
 Published: \_\_\_\_\_

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
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 \_\_\_\_\_

Third Reading: April 11, 2018  
 To Mayor: April 19, 2018  
 Returned: April 25, 2018  
 Effective: November 6, 2018, if approved by the voters  
 Published: May 5, 2018

REMARKS. April 11, 2018: Third of  
three required readings pursuant to  
Section 15-1(a); Hawai'i County Charter  
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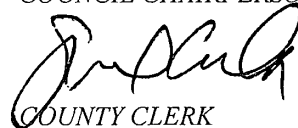
ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung				
David				
Eoff				
Kanuha				
Lee Loy				
O'Hara				
Poindexter				
Richards				
Ruggles				

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Kanuha	X			
Lee Loy	X			
O'Hara		X		
Poindexter	X			
Richards	X			
Ruggles	X			
	8	1	0	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.



COUNCIL CHAIRPERSON



COUNTY CLERK

~~Approved~~ Disapproved this 24<sup>th</sup> day  
 of April, 20 18.



MAYOR, COUNTY OF HAWAII

Bill No.: 98 (Draft 2)

Reference: C-712.2/FC-83

Ord No.: 18 30

OFFICE OF THE COUNTY CLERK  
 County of Hawai'i  
 Hilo, Hawai'i

COUNTY CLERK  
 COUNTY OF HAWAII

2018 APR 25 AM 9:05

Introduced By: Susan L. K. Lee Loy  
 Date Introduced: March 14, 2018  
 First Reading: March 14, 2018  
 Published: March 24, 2018

REMARKS: \_\_\_\_\_  
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 \_\_\_\_\_

Second Reading: March 28, 2018  
 To Mayor: N/A  
 Returned: N/A  
 Effective: \_\_\_\_\_  
 Published: \_\_\_\_\_

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung			X	
David	X			
Eoff	X			
Kanuha	X			
Lee Loy	X			
O'Hara	X			
Poindexter	X			
Richards	X			
Ruggles	X			
	8	0	1	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Kanuha	X			
Lee Loy	X			
O'Hara	X			
Poindexter	X			
Richards	X			
Ruggles	X			
	9	0	0	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

COUNCIL CHAIRPERSON

Approved/Disapproved this \_\_\_\_\_ day  
 of \_\_\_\_\_, 20\_\_\_\_\_.

COUNTY CLERK

MAYOR, COUNTY OF HAWAII

Bill No.: 98 (Draft 2)  
 Reference: C-712.2/FC-83  
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