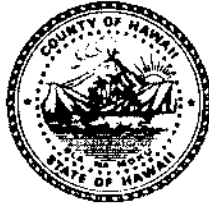


From the office of -
Council Member
District 3 - Hilo and Puna



Office: (808) 961-8396
Fax: (808) 961-8912
Email: sue.leeloy@hawaiicounty.gov

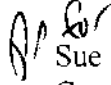
SUSAN L.K. LEE LOY
25 Aupuni Street, Hilo, Hawai'i 96720

January 4, 2017

MEMORANDUM

COUNTY CLERK
COUNTY OF HAWAII
RECEIVED
Time 1:30PM By LM
Date JAN 04, 2017

To: Valerie T. Poindexter, Chair
And Members of the Hawai'i County Council

From:  Sue Lee Loy
Council Member

Re: Proposed Amendments to Bill No. 6; An Ordinance Amending Chapter 2, Article 16, Section 2-98, of the Hawai'i County Code 1983 (2016 Edition, As Amended), Relating to the Purchase of Alcoholic Beverages.

Please find attached a proposed amendment to Bill No. 6. The amendment is illustrated below in Ramseyer format with respect to the contents of Bill No. 6 (material to be deleted is bracketed and stricken; material to be added is underscored).

Bill No. 6 is amended by amending subsection (b) of Section 2-98 as provided in SECTION 2 to read as follows:

- “(b) The mayor or council [~~chairman~~] chairperson, for their respective branches of government, may disallow any unauthorized, improper, or unreasonable expense. The mayor or council [~~chairman~~] chairperson may also authorize expenses in excess of the established limits or may authorize meals with business meetings, awards and recognition events, and entertainment of important persons, or may approve exceptions with good cause to any provision relating to travel and expenses, provided:
- (1) No exception involving public funds shall be authorized without a public purpose;
 - (2) A written request for authorization is made and approved in writing;
 - (3) Documentation establishing that the expenditure will be for a public purpose is attached to the written request;
 - (4) The purchase of alcoholic beverages for social or entertainment purposes is prohibited except for sister city activities, intergovernmental ceremonial activities, or cultural protocols for dignitaries that are authorized by the mayor or council chairperson;
 - (5) The purchase of gifts in an amount of over \$100 per person receiving the gift is prohibited unless provided by authorized exception:

Hawai'i County Is an Equal Opportunity Provider And Employer

Comm. No. 39.2
Ref. To: P/EC
Ref. Date: Jan 04, 2017

- (6) To receive reimbursement for the authorized exception, the following documentation must be submitted to the employee's or officer's department head and to the director of finance within seven days of the expenditure:
 - (A) A memorandum setting forth the reasons for the exceptional expenditure along with a copy of the written request for authorization; and
 - (B) Any additional documentation submitted with the written request for authorization; and
- (7) The director of finance shall maintain a record log of all travel expenditures that are authorized through an exception as permitted by this subsection, which log shall be available for public inspection.

A draft copy of Bill No. 6, Draft 2, is attached with these amendments incorporated therein.

SLL/ps
Att.

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 16, SECTION 2-98, OF THE HAWAI'I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO THE PURCHASE OF ALCOHOLIC BEVERAGES.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:

SECTION 1. Purpose. The purpose of this ordinance is to prohibit the use of public funds to purchase alcoholic beverages for social or entertainment purposes.

SECTION 2. Chapter 2, article 16, section 2-98, of the Hawai'i County Code 1983 (2016 Edition, as amended) is amended to read as follows:

“Section 2-98. Adjustments and exceptions.

- (a) When government quarters and/or meals are furnished at no cost or at low cost, the amount of per diem allowance shall be reduced by the director of finance.
- (b) The mayor or council [~~chairman~~] chairperson, for their respective branches of government, may disallow any unauthorized, improper, or unreasonable expense. The mayor or council [~~chairman~~] chairperson may also authorize expenses in excess of the established limits or may authorize meals with business meetings, awards and recognition events, and entertainment of important persons, or may approve exceptions with good cause to any provision relating to travel and expenses, provided:
 - (1) No exception involving public funds shall be authorized without a public purpose;
 - (2) A written request for authorization is made and approved in writing;
 - (3) Documentation establishing that the expenditure will be for a public purpose is attached to the written request;
 - (4) The purchase of alcoholic beverages for social or entertainment purposes is prohibited [~~unless provided by authorized exception~~] except for sister city activities, intergovernmental ceremonial activities, or cultural protocols for dignitaries that are authorized by the mayor or council chairperson;
 - (5) The purchase of gifts in an amount of over \$100 per person receiving the gift is prohibited unless provided by authorized exception;
 - (6) To receive reimbursement for the authorized exception, the following documentation must be submitted to the employee's or officer's department head and to the director of finance within seven days of the expenditure:
 - (A) A memorandum setting forth the reasons for the exceptional expenditure along with a copy of the written request for authorization; and
 - (B) Any additional documentation submitted with the written request for authorization; and
 - (7) The director of finance shall maintain a record log of all travel expenditures that are authorized through an exception as permitted by this subsection, which log shall be available for public inspection.

- (c) The mayor may delegate the authority granted under this section to any department or agency head within the executive branch.
- (d) Meals may also be provided to employees who do not otherwise qualify under this section or under any negotiated employee contract while attending workshops, conferences, or training sessions at the request or direction of the department head and to the benefit of the County.”

SECTION 3. Material to be repealed is bracketed and stricken. New material is underscored. In printing this ordinance, the brackets, bracketed and stricken material, and underscoring need not be included.

SECTION 4. Severability. 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 declared to be severable.

SECTION 5. This ordinance shall take effect upon its approval.