

CHARTER AMENDMENT NO.

BE IT ENACTED BY THE PEOPLE OF THE COUNTY OF HAWAII:

Section 1. Article X, Hawai'i County Charter, is amended to add a new section to read as follows with added language underscored and deleted language bracketed and stricken through:

“Section 10-__. **Public Access, Open Space, and Natural Resources Preservation Fund.**

- (a) In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of [~~one half of one percent (.5%)~~] one percent of the certified real property tax revenues, including penalty and interest, to a fund known as the public access, open space, and natural resources preservation fund. Deposits to the fund will occur at a minimum of twice a year but directly after the majority of the taxes have been collected.
- (b) Funding shall consist of a minimum of [~~one half of one percent (.5%)~~] one percent of actual revenue received in the fiscal year. [~~Additional revenue may consist of grants and private contributions intended for the purpose of this section; voluntary contributions of any amount as specified on the real property tax bill; and any other source of revenue.~~] Additional revenue may consist of grants and private contributions intended for the purpose of this section, proceeds from the sale of general obligation bonds authorized and issued for the purpose of this section, council appropriations for the purpose of this section, and grants and private contributions intended for the purpose of this section, and any other source of revenue.
- (c) Monies in this fund shall be used solely to: 1) Purchase or otherwise acquire lands or property entitlements in the County of Hawai'i for public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of natural resources, significant habitat or eco-systems, including buffer zones; preservation of forests, beaches, coastal areas, natural beauty and agricultural lands; and protection of watershed lands to preserve water quality and water supply. 2) Pay the principal, interest and premium, if any, due with respect to bonds issued in whole for the purpose of this fund.
- (d) Any balance remaining in the fund at the end of any fiscal year shall not lapse, but shall remain in the fund accumulating interest from year to year. The moneys in this fund shall not be used for any purpose except those listed in this section.
- (e) The [~~Council~~] council shall by ordinance establish procedures for the administration and expenditure of moneys in this fund.”

Section 2. This amendment shall take effect on July 1, 2011.