

CHARTER AMENDMENT NO.

BE IT ENACTED BY THE PEOPLE OF THE COUNTY OF HAWAI'I:

Section 1. Article XIII, Section 13-4, Hawai'i County Charter, is amended to read as follows, with added language underscored and deleted language bracketed and stricken through:

“Section 13-4. Boards and Commissions.

Except as otherwise provided in this charter, all boards and commissions specifically established by this charter shall be governed by the following provisions:

- (a) The members shall serve staggered terms of five years. Upon the initial appointment of the members of a commission consisting of five members, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. Upon the initial appointment of the members of a commission consisting of seven members, one shall be appointed for a term of one year, one for a term of two years, two for a term of three years, two for a term of four years, and one for a term of five years. Upon the initial appointment of a commission consisting of nine members, one shall be appointed to a term of one year, two for a term of two years, two for a term of three years, two for a term of four years, and two for a term of five years.
- (b) The members shall be appointed by the mayor, and confirmed by the council, and may be removed upon recommendation by the mayor and the approval of the council.
- (c) No member shall be eligible for a second appointment to the same board or commission prior to the expiration of two years, however, members of any board or commission appointed for a term of two years or less shall be eligible to succeed themselves for an additional full term.
- (d) No member whose term has expired shall continue to serve on such board or commission, except that if no successor has been appointed and confirmed, the member shall continue to serve for ninety days or until a successor is appointed and confirmed, whichever comes first.
- (e) Any vacancy occurring in any board or commission shall be filled for the unexpired term.
- (f) Not more than a bare majority of the members shall belong to the same political party.
- (g) Members shall receive no compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. Necessary expenses may be paid in advance as per diem allowance which shall be established by ordinance. Members of boards and commissions who do not receive compensation from their employers during the time they are serving on boards and commissions [~~shall~~] may be reimbursed by the county for actual work hours lost at the straight time rate of pay of such

members in their regular employment but in no case shall such reimbursement exceed [~~five~~] two times the state minimum wage hour rate.

- (h) A chairperson shall be elected from its membership annually.
- (i) The affirmative vote of a majority of the entire membership to which a board or commission is entitled shall be necessary to make any action valid; except that in the case of a board or commission which has only advisory functions, the affirmative vote of a majority of those present shall be sufficient to make any action valid.
- (j) Each board and commission shall have the power to establish its rules of procedure necessary for the conduct of its business, which rules shall contain the time and place of all regular meetings, and which shall specify that a quorum shall be a majority of the members to which the board or commission is entitled.
- (k) Notwithstanding any other provision in this charter, no person shall, by reason of occupation alone, be barred from serving as a member of any board or commission.
- (l) The council shall act to confirm or reject any appointment made to a board or commission by the mayor within forty-five days after receiving notice of the appointment from the mayor. If the council does not confirm or reject any such appointment within forty-five days, the appointee shall be deemed to have been confirmed.
- (m) The redrawing of council district boundaries during a commission member's term shall not affect a member's eligibility to represent the district to which the member was appointed."

Section 2. Charter material to be repealed is bracketed and stricken. New charter material is underscored. When revising, compiling, or printing these charter provisions for inclusion in the Charter of the County of Hawai'i (2010), the revisor need not include the brackets, bracketed material, or underscoring.

Section 3. The revisor of the charter shall renumber charter article numbers, chapter numbers, section numbers, and cross references thereto pursuant to amendments approved by the electorate that displace existing or newly-enacted charter provisions.

Section 4. This amendment shall take effect upon approval by the electorate.