

October 2, 2009

To: The Charter Commission  
From: Debbie Hecht

**Re: Changes in Article XV- Charter Amendment or Revision**

Aloha Commissioners: Please consider the following charter amendment:

Rationale: During the 2% for Open Space Campaign, we encountered numerous difficulties with Article XI- Initiative and Referendum of the charter. The League of Women Voters was asked to re-write this part of the charter, which we did. During this yearlong process, we consulted with attorneys, council members, the county clerk and the Hawaii Elections office and made changes according to their recommendations. Article XI is written in clear, unambiguous language for the public, county officials and the petitioner's committee to understand. The process is outlined in chronological order. Voters approved of the charter amendment in 2008.

As the lead writer with the League of Women Voters, I ask you to consider this simple amendment, which instructs people desiring to amend the charter to use Article XI- Initiative and Referendum for process and procedures.

Mahalo-  
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**ARTICLE XV**  
**CHARTER AMENDMENT OR REVISION**

**Section 15-1. Initiation of Amendments or Revisions.**

Amendments or revisions of this charter may be initiated only in the following manner:

- (a) By ordinance of the council adopted after three readings on separate days and passed by the affirmative vote of two-thirds of the entire membership.
- (b) ~~DELETE~~ By petition presented to the council, signed by qualified electors equal in number to at least twenty percent of the registered voters for the last preceding general election, setting forth the proposed amendments or revisions. Such petition shall designate and authorize not less than three nor more than five of the signers thereto to approve any alteration or change in the form or language or any restatement of the text of the proposed amendments or revisions which may be made by the corporation counsel.

~~Electors signing such petition shall print their names, add their signatures, residence addresses, and the dates of signing on said petition. Signatures may be on separate sheets but each sheet shall have appended to it the affidavit of some person that to the best of the affiant's knowledge and belief the persons whose signatures appear on the sheet are registered electors of the county, that they signed with knowledge of the contents of the petition and that their residences are correctly given.~~

~~Upon filing of such petition with the council, the county clerk shall examine the same to see whether it contains a sufficient number of apparently genuine signatures of registered voters. The clerk may question the genuineness of any signature appearing on the petition or affidavit. If the clerk finds that any such signature on the petition or affidavit is not genuine, the clerk shall disregard such signature. The clerk shall eliminate any sheet of the petition which is not accompanied by a valid affidavit. The invalidity of any sheet shall not affect the validity of the petition if a sufficient number of signatures remain after eliminating such invalid sheet. The clerk shall complete the examination of the petition within twenty working days.~~

~~(Ed. note: Amended Gen. Elec. 2006)~~

REPLACE WITH (b) By petition, which shall use the same process as outlined in Article XI- Initiative and Referendum of this charter.