

Hawai'i County Charter Commission
Special Meeting 1:30 PM Friday, December 18, 2009
County Council Chambers, 25 Aupuni Street, Hilo
comments by

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Thank you for your many hours of volunteer work. Here are my suggestions:

Support **Comm. 106: reconsideration of CA-18.**

Support **CA-18 Four year Council terms** so we get more experienced Council members, and their energy isn't drained by campaigns every two years--but only if combined with **revised CA-7 or CA-35 Recall**, and **CA-27 Vacancies in Office** to ensure checks and balances.

Support **Comm. 109: Additional Public Hearings.** The more heads working on these complex issues, the better.

Replace **CA-12** with **CA-16 Initiation of Charter Amendments or Revisions.** **CA-16** uses a process recently added to the Charter for another action, Initiative and Referendum. That process was developed jointly by citizens (the League of Women Voters and Debbie Hecht) and government (the County clerk) and approved by voters in 2006.

Support **CA-14 Legislative Auditor** to strengthen the auditing office by allowing them to retain independent legal counsel and adding a "right to audit" clause to all county contracts. That might have prevented the "Million Dollar Bulldozer," which the County sold, then rented back for thousands of dollars. Combine with **CA-34 Budgetary Independence of the Legislative Auditor** to further strengthen the auditor.

Support **CA-20 Council Standing Committees** to ensure that all Council members will be members of all committees.

Support **CA-25 Community Development Plans** to strengthen local control.

Support **CA-26 Conservation of Natural and Cultural Resources** so people protecting these resources can say "It's so important, it's in our Charter." Add "plants and animals."

Support **CA-27 Vacancies in office** which gives citizens more say if an elected official dies, resigns, is impeached, or is recalled. Right now a deputy takes over or the Council appoints someone. But with this amendment, if over six months of the term remain, there's a special election by mail. Combine with **revised CA-7 or CA-35 Recall** and **CA-18 Four year Council terms** to ensure checks and balances.

Support **CA-29 Prosecuting Attorney Powers.** This makes the prosecuting attorney pro-active, not just reactive, allowing them to work on crime prevention, criminal justice reform, and public education, and seek funds to do all this.

Support **CA-34 Budgetary Independence of the Legislative Auditor** Legislative auditors have to bite the hand that feeds them, since County Council holds the purse strings for their office. This year the Council tried to severely cut the legislative auditor's funding. The proposed amendment would follow what many states and counties do--set aside a percentage of their operations and special funds budgets. This frees up auditors to do tough investigations. Combine with **CA-14 Legislative Auditor** to further strengthen the auditor.

Support **CA-35 Recall.**

Combine with **revised CA-7, CA-18 Four year Council terms, and CA-27 Vacancies in Office** to ensure checks and balances.

I suggest these changes, mostly to make things easier for the County clerk and petitioners:

Sec 12-1.4

increase number of working days (3, not just 2)

(a) for clerk to give committee sample petition form and street map

(c) for clerk to accept petition form or propose alternative

(d) add that acceptance of a petition revision does NOT guarantee legal approval

Sec 12-1.5

(b) (6) A. and B. require fewer signatures (20%, not 25%) of people who voted

Sec. 12-1.7

(d) if there are no Hawai'i Island daily newspapers to print the recall election notice, substitute statewide daily newspapers

Sec. 12-1.8 (a) (1) (2) (3) be sure this matches **CA-27**

Recap of amendments to combine:

To ensure checks and balances:

revised CA-7 or CA-35 Recall

CA-18 Four year Council terms

CA-27 Vacancies in Office

To strengthen the Legislative Auditor:

CA-14 Legislative Auditor

CA-34 Budgetary Independence of the Legislative Auditor

Mahalo for all your work.