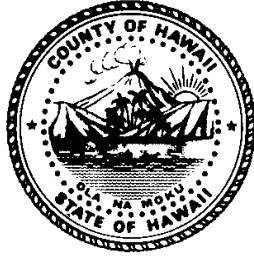


EDMUND HAITSUKA  
*Chairman*

DAVID FUERTES  
*Vice Chair*



DAPHNE HONMA  
CASEY JARMAN  
GUY KAULUKUKUI  
JAMAE KAWAUCHI  
JOSEPH KEALOHA  
ALAPAKI NAHALE-A  
SUSIE OSBORNE  
TODD SHUMWAY  
SCOTT UNGER

**2009-2010  
HAWAI‘I COUNTY  
CHARTER COMMISSION**

To: Edmund K. Haitsuka, Chair  
and Members of the Hawai‘i County Charter Commission

From: Levi K. Hookano, Attorney

Date: January 13, 2010

Re: Legal Review of CA-16: Initiation of Charter Amendments and Revisions

Chair Haitsuka and Members of the Hawai‘i County Charter Commission,

There are major legal flaws with CA-16 in its current form. The proposed amendment would make citizen initiated charter amendments to follow the “same processed as outlined in Article XI-initiative and Referendum” [sic] of the charter. Not all portions of Article XI would be appropriate for a citizen initiated charter amendment. Section 11-4(m) through (o) are clearly not applicable to citizen initiated charter amendments since such matters would not have to be transmitted to the county council for possible approval. Additionally, Section 11-7(d) would not be applicable since the county council does not have the authority to unilaterally repeal or amend charter provisions. Finally, this proposed amendment conflicts with CA-12, which also relates to the initiation of charter amendments and revisions.

If you have any questions regarding this matter, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read 'Levi Hookano'.

Levi Hookano  
Commission Attorney