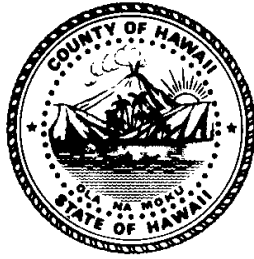


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**2009-2010
HAWAI‘I COUNTY
CHARTER COMMISSION**

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

From: Levi K. Hookano, Commission Attorney

Date: June 16, 2010

Re: Proposed Ballot Questions for Charter Amendments

Dear Chair Haitsuka and Members of the Charter Commission,

Below please find proposed ballot language for the charter commission’s proposed amendments. Please keep in mind that these are just a starting point for the commission to discuss and amend as it deems appropriate. The “CA” designation preceding each proposal, however, is not likely to appear on the ballot. If you have any questions regarding this matter, please do not hesitate to contact me.

/s/ Levi K. Hookano
Commission Attorney

COMM. 258

CA-1

RELATING TO THE DEPARTMENT OF WATER SUPPLY: Shall the charter of the County of Hawai‘i be amended to (1) rename the head of the department of water supply to manager-chief engineer; and (2) correct the title of the director of public works?

CA-2

RELATING TO DATA SYSTEMS: Shall the charter of the County of Hawai‘i be amended to (1) rename the data systems department to the department of information technology and; (2) move the department from Article V, under the mayor and staff agencies, to Article VI, under the managing director?

CA-3

REALATING TO THE FIRE DEPARTMENT: Shall the charter of the County of Hawai‘i be amended to move the fire department from Article VI, under the managing director, to Article VII, under the direction of the fire commission?

CA-4

RELATING TO CIVIL SERVICE LAWS: Shall the charter of the County of Hawai‘i be amended to (1) remove various references to civil service laws; (2) delete section 7-1.5, relating to position classification plan; compensation, in its entirety; (3) delete section 7-2.5, relating to dismissal, suspension, demotion, or grievance, in its entirety; (4) add a new subsection to section 13-3 relating to civil service and exemptions; and (5) delete section 13-9, relating to non-civil service status and classification, in its entirety?

CA-5

RELATING TO TERMS OF MERIT APPEALS BOARD MEMBERSHIP: Shall the charter of the County of Hawai‘i be amended to systematically stagger the terms of the membership of the merit appeals board upon the expiration of the member’s term set to expire on December 31, 2010 so that no more than a single board member’s term will expire in any given year?

CA-6

RELATING TO REMOVAL OF DIRECTORS SERVING UNDER COMMISSIONS: Shall the charter of the County of Hawai‘i be amended to (1) require the merit appeals board, liquor commission, and water board to issue a statement of reasons for the removal of their respective department heads; and (2) allow the director of human resources, director of liquor control, fire chief, and manager of the department of water supply an opportunity to respond to the statement of reasons for removal at a hearing of the board or commission prior to a vote to remove the respective department head?

CA-7

RELATING TO RECALL: Shall the charter of the County of Hawai‘i be amended to (1) change the number of signatures required to recall an official elected at-large or by voters of the entire county to twenty percent of the valid votes cast in the last general election; (2) change the number of signatures required to recall district to twenty percent of the valid votes cast in the last general election; (3) require signers of a recall petition , and give the county clerk more time to verify a petition?

CA-9

RELATING TO ELECTRONIC POSTING OF SPECIAL MEETING NOTICES: Shall the charter of the County of Hawai‘i be amended to require, when possible, electronic posting of special meeting notices of the council, boards, and commissions?

CA-10

RELATING TO THE DUTIES OF THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT: Shall the charter of the County of Hawai‘i be amended to allow the mayor to prescribe other duties as directed for the director of environmental management?

CA-11

RELATING TO THE QUALIFICATIONS OF THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT: Shall the charter of the County of Hawai‘i be amended to require the director of the department of environmental management possess an engineering degree or a degree in a related field?

CA-12

RELATING TO CHARTER AMENDMENT PETITIONS: Shall the charter of the County of Hawai‘i be amended by changing the number of signatures required for a charter amendment petition to twenty percent of the valid votes cast and require additional information from signers of a petition and give the county clerk additional time to verify such a petition?

CA-13

RELATING TO APPOINTMENT OF CHARTER COMMISSION MEMBERS: Shall the charter of the County of Hawai‘i be amended by requiring the members of the charter commission be appointed by July 1 of the year prior to a charter review year?

CA-15

RELATING TO THE ESTABLISHMENT OF AN OPEN SPACE FUND: Shall the charter of the County of Hawai‘i be amended by (1) establishing an open space and natural resources preservation fund to set aside a minimum of one percent of real property tax revenues; (2) appropriating additional revenue from grants and private contributions, voluntary contributions specified on the real property tax bill, proceeds from the sale of general obligation bonds, other

council appropriations, and any other source of revenue; (3) specifying that this fund shall be used solely to purchase or otherwise acquire lands or property entitlements in the county for public outdoor recreation and education, and to pay the principal, interest and premium due on bonds issued for this fund; (4) requiring any balance remaining in the fund at the end of the fiscal year shall not lapse; and (5) authorizing the county council to establish by ordinance procedures for the administration and expenditure of moneys in this fund?

CA-17

RELATING TO THE REAPPORTIONMENT COMMISSION: Shall the charter of the County of Hawai‘i be amended by (1) renaming the reapportionment commission to the redistricting commission; (2) requiring the commission members be appointed by July 1 of the year prior to a redistricting year; (3) requiring the commission to file a report with the redistricting plan to explain the commission’s reasoning for the plan and how the plan complies with redistricting criteria; (4) requiring the commission to hold at least one public hearing in each council district prior to completing a draft of the plan; (5) requiring the commission to hold at least one public hearing in both east Hawai‘i and west Hawai‘i after completing a draft of the plan; and (6) requiring the commission to adhere to the redistricting criteria in the charter?

CA-23

RELATING TO PUBLICATION OF NOTICES VIA AN ELECTRONIC MEDIUM: Shall the charter of the County of Hawai‘i be amended by requiring notices published in the newspaper to also be distributed via an electronic medium, such as the Internet?

CA-26

RELATING TO PRESERVATION OF NATURAL AND CULTURAL RESOURCES: Shall the charter of the County of Hawai‘i be amended by adding a new section to Article XIII to recognize that the county shall conserve and protect Hawai‘i’s natural beauty and all natural and cultural resources and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the county?

CA-29

RELATING TO DUTIES OF THE PROSECUTING ATTORNEY: Shall the charter of the County of Hawai‘i be amended by adding new subsections to Article IX, section 9-3 to permit the prosecuting attorney to (1) research, evaluate, and make recommendations regarding crime, crime prevention, and the criminal justice system to the governor, the legislature, the judiciary, the county council, the mayor, the Hawai‘i police department, and other criminal justice agencies, or the general public; (2) provide crime prevention training programs for law enforcement agencies, citizens, businesses, and civic groups; (3) develop public education programs to provide the general public information that will assist citizens to prevent crime and to avoid being victims of crime; and (4) receive and expend financial grants, donations and other funds as permitted by law for crime research, prevention, and education?

CA-36

RELATING TO GRAMMAR, SPELLING, AND FORMATTING OF THE CHARTER: Shall the charter of the County of Hawai‘i be amended by correcting various grammatical, spelling, and formatting errors throughout the charter?

CA-38

RELATING TO MEMBERSHIP ON BOARDS AND COMMISSIONS: Shall the charter of the County of Hawai‘i be amended by (1) providing that members of boards and commissions who do not receive compensation from their employers during the time they are serving on boards and commissions 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; and (2) lowering such reimbursement to two times the state minimum wage hour rate?