

2009-2010 HAWAI'I COUNTY CHARTER COMMISSION
CHARTER AMENDMENT PROPOSAL FORM

1. GENERAL INFORMATION

Name of Commission Member: Chairman Ed Haituka

2. If applicable, list the charter provision(s) to be deleted or amended:

Amends Article VII, Chapter 1, Section 7-1.3; Article VII, Chapter 3, Section 7-3.4; Article VI, Chapter 4, Section 6-4.; and Article VIII, Section 8-3.

3. Provide a brief description of the purpose of the proposed charter amendment; include a description of the issue the proposal would address:

Amends provisions governing the appointment and removal of administrative heads appointed by Boards and Commissions to be consistent.

4. If the proposal is based on a provision(s) in the charter or law of another jurisdiction, name the jurisdiction and, if possible, attach a copy of the relevant provision(s).

N/A

5. If the proposal is based on any written materials you have, please attach a copy with a citation to its source.

See reverse side

6. Attach the text of the proposed charter amendment in Ramseyer format (see below).

Ramseyer Format, if proposing:

Amendments to Existing Charter Provisions

Any language being proposed to be added to the Charter shall be underscored.

Any language being proposed to be deleted from the Charter shall be [bracketed].

Replacing Existing Charter Provisions in their Entirety

Clearly indicate the article(s), chapter(s), and/or section(s) of the Charter to be proposed to be deleted, and provide the text of any provisions proposed to replace the deleted material.

New Charter Provisions

Provide the text of the new provision(s) and, if possible, indicate where in the Charter the new material should be inserted.

Form

CHARTER AMENDMENT NO.

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

Section 1. Article VII, Chapter 1, section 7-1.3, Hawai'i County Charter, is amended to read as follows, with added language underscored and deleted language bracketed:

“ARTICLE VII EXECUTIVE BRANCH-DEPARTMETNS OR AGENCIES UNDER COMMISSIONS

CHAPTER 1 DEPARTMENT OF HUMAN RESOURCES

Section 7-1.3. Director.

The director of human resources shall be appointed by the merit appeals board and may be removed by the merit appeals board. Any motion for removal of the director of human resources must contain a statement of reasons, and the board shall not vote to remove the director of human resources unless the director of human resources has been given an opportunity to respond to the statement of reasons at a hearing before the board.”

Section 2. Article VII, Chapter 3, section 7-3.4, Hawai'i County Charter, is amended to read as follows, with added language underscored and deleted language bracketed:

“ARTICLE VII EXECUTIVE BRANCH-DEPARTMETNS OR AGENCIES UNDER COMMISSIONS

CHAPTER 3 DEPARTMENT OF LIQUOR CONTROL

Section 7-3.4. Director of the Department of Liquor Control.

- (a) The director of the department of liquor control shall be appointed by the liquor commission and may be removed by the liquor commission. Any motion for removal of the director of the department of liquor control must contain a statement of reasons, and the commission shall not vote to remove the director of the department of liquor control unless the director of the

department of liquor control has been given an opportunity to respond to the statement of reasons at a hearing before the commission. .

- (b) The director of the department of liquor control shall:
- (1) Be the administrative head of the department.
 - (2) Provide clerical and administrative services for the liquor commission and the liquor control adjudication board, including the submission of budget for the operation of the department.
 - (3) Investigate complaints regarding violations of the liquor control laws of the State or complaints regarding violations of rules and regulations established by the liquor commission and report such violations to the prosecuting officer of the county.”

Section 3. Article VI, Chapter 4, section 6-4.3, Hawai‘i County Charter, is amended to read as follows, with added language underscored and deleted language bracketed:

**“ARTICLE VI
EXECUTIVE BRANCH
THE MANAGING DIRECTOR AND AGENCIES
UNDER THE MANAGING DIRECTOR**

**CHAPTER 4
FIRE DEPARTMENT**

Section 6-4.3. Fire Chief.

- (a) The fire chief shall be appointed by the fire commission and may be removed by the fire commission at its sole discretion. Any motion for removal of the fire chief must contain a statement of reasons, and the commission shall not vote to remove the fire chief unless the fire chief [must be allowed] has been given an opportunity to respond to the statement of reasons [before being removed] at a hearing before the commission.
- (b) The fire chief shall have had a minimum of five years’ training and experience in fire control, including at least three years experience in a responsible administrative capacity.”

Section 4. Article VIII, section 8-3, Hawai‘i County Charter, is amended to read as follows, with added language underscored and deleted language bracketed:

**“ARTICLE VIII
DEPARTMENT OF WATER SUPPLY**

Section 8-3. Manager and Deputy.

- (a) The manager of the department of water supply shall be appointed by the water board and may be removed by the water board. Any motion for removal of the manager of the department of water supply must contain a statement of reasons, and the board shall not vote to remove the manager of the department of water supply unless the manager of the department of water supply has been given an opportunity to respond to the statement of reasons at a hearing before the board.
- (b) The deputy shall be appointed by the manager with the confirmation of the water board and may be removed by the manager with the approval of the water board.
- (c) The manager shall be a registered engineer and shall have had a minimum of five years' experience in an administrative capacity.”

Section 5. This amendment shall take effect upon approval by the electorate.