

BALLOT QUESTION
PROPOSAL NO. 1: Records and Meetings Open to the Public

Shall the County Charter be amended to repeal existing provisions relating to publication of notices of meetings of the council, boards or commissions to be replaced with: “The council, board or commission shall provide notice of any regular, special, rescheduled or emergency meeting according to the provisions of the Hawai‘i Revised Statutes”?

If you agree with Proposal No. “1,” vote yes.
If you disagree with Proposal No. “1,” vote no.

FULL TEXT OF PROPOSAL NO. 1
ORDINANCE NO. 11-85

AN ORDINANCE TO INITIATE AN AMENDMENT TO ARTICLE XIII, SECTION 13-20 OF THE HAWAI‘I COUNTY CHARTER (2010), RELATING TO RECORDS AND MEETINGS OPEN TO THE PUBLIC.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI‘I:

SECTION 1. Purpose. The purpose of this ordinance is to align the Hawai‘i County Charter with the provisions of the Hawai‘i Revised Statutes with regard to meetings that may be called by the Hawai‘i County Council or a County board or commission. Currently, section 92-7 of the Hawai‘i Revised Statutes contains, in part, provisions for notice of regular, special, and rescheduled meetings. Criteria for holding an emergency meeting, and provisions for notice of such meeting, are contained within section 92-8. This ordinance initiates an amendment to the Hawai‘i County Charter that would repeal provisions for notice that are no longer applicable to special meetings and add reference to the Hawai‘i Revised Statutes for notice of regular, special, rescheduled, and emergency meetings.

SECTION 2. Article XIII, section 13-20, of the Charter of the County of Hawai‘i (2010), is amended by amending subsection (c) to read as follows:

~~“(c) [The time and place of all regular meetings of the council, board or commission shall be provided in the rules adopted for the conduct of its business. Except as otherwise provided in this charter, a special meeting may be called by the presiding officer of the council, board or commission when the date, time and place of such special meeting are announced prior to adjournment of a regular meeting; otherwise a special meeting can be called only upon the publication of a notice of such meeting in at least two daily newspapers of general circulation in this county at least twenty-four hours in advance of such meeting as well as via an electronic medium, such as the Internet. If the requirement with respect to publication of notice cannot be met because of insufficient time, the meeting notice shall be made by broadcasting a minimum of three announcements in the~~

~~English language over Federal Communications Commission licensed public radio stations in this county or television stations with local audience. Such announcements shall be broadcast at least twenty four hours in advance of such meeting. To assure the widest possible coverage, the meeting notice shall be released to radio stations in this county and the announcements shall be programmed to be heard between the hours of 7:00 a.m. to 5:00 p.m. In addition to the above requirements, notice of such special meeting shall be conspicuously posted on the bulletin board of the Hawai'i county building and, if possible, an electronic notice shall be linked on the appropriate council, board or commission webpage. A brief resume of the principal business to be taken up at such meeting shall be stated in the posted notice as well as in the notice released to the news media.]~~ The council, board or commission shall provide notice of any regular, special, rescheduled or emergency meeting according to the provisions of the Hawai'i Revised Statutes."

SECTION 3. Charter material to be repealed is bracketed and stricken. New charter material is underscored. When revising, compiling, or printing these charter provisions for inclusion in the Charter of the County of Hawai'i, the reviser need not include the brackets, bracketed material, or underscoring.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5. Upon adoption of this ordinance, this council, by appropriate resolution shall provide that this charter amendment be submitted to the electorate of Hawai'i County for approval at the 2012 general election.

SECTION 6. The charter amendment proposed in this ordinance shall take effect upon approval by a majority of voters voting on this legislation in the 2012 general election.

Hawai'i County is an Equal Opportunity Provider and Employer