

2016 Proposed Hawaii State Constitution and County Charter Amendments

Proposed Amendments to the Hawaii State Constitution		
Order on Ballot	Title	Question
1	Relating to Jury Trials in Civil Cases	"Shall the threshold value in controversy requirement for jury trials in civil cases at common law be increased from \$5,000 to \$10,000?"
2	Relating to the Disposition of Excess Revenues	"Shall the legislature be provided, when the state general fund balance at the close of each of two successive fiscal years exceeds five per cent of the general fund revenues for each of the two fiscal years, the additional alternatives of appropriating general funds for the pre-payment of either or both of the following: (1) Debt service for general obligation bonds issued by the State; or (2) Pension or other post-employment benefit liabilities accrued for state employees?"
Proposed Amendments to the Honolulu City Charter		
Order on Ballot		Question
1		Should the Police Commission have greater authority to suspend or dismiss the chief of police and have additional powers to investigate complaints concerning officer misconduct, and should the chief of police be required to submit a written explanation for his or her disagreement with the Commission?
2		Should the Ethics Commission set the salaries of the Ethics Commission's executive director and staff attorneys within specified limits?
3		Should the Department of the Prosecuting Attorney control its budget after it is approved by the City Council?
4		Should a unified multi-modal transportation system be created by: 1) Forming a Rate Commission to annually review and recommend adjustments to bus and paratransit fares, rail fares and parking fees; 2) Placing operations and maintenance responsibilities for bus, paratransit and rail solely in the Department of Transportation Services and providing for the transfer of positions and legal rights and obligations relating to rail operations and maintenance from the Honolulu Authority for Rapid Transportation (HART) to the Department of Transportation Services effective July 1, 2017; and 3) Clarifying the responsibility of the HART Board to establish policies, rules, and regulations regarding the development of the rail system, the internal management and organization of HART, and the allocation of decision-making authority between the Board and the agency's executive director and staff, and amending the responsibilities of the HART Board to include determining the policies for approval of certain agreements with the federal, public or private entities?
5		Should the Affordable Housing Fund be used to develop rental housing for persons earning 60 percent or less of the median household income, provided that the housing remains affordable for at least 60 years?
6		Should departments responsible for the city's infrastructure needs be required to prepare long-term plans?

2016 Proposed Hawaii State Constitution and County Charter Amendments

7		Should the city use its powers to serve the people in a sustainable and transparent manner and to promote stewardship of natural resources for present and future generations, and should the city create an Office of Climate Change, Sustainability and Resiliency?
8		Should a new Department of Land Management responsible for the protection, development, and management of city lands be established?
9		Should a Honolulu Zoo Fund be established and funded by a minimum of one-half of one percent of estimated annual real property taxes to pay for Honolulu Zoo expenses to assist the Honolulu Zoo in regaining its accreditation by the Association of Zoos and Aquariums?
10		Should the mayor's executive powers and the City Council's legislative powers only be subject to exceptions specifically provided in the Charter and should the mayor and the City Council be given concurrent authority to establish funds when no appropriate funds of the same type exist and to propose amendments to the annual executive budget?
11		Should an approval process and an advisory commission for Clean Water Natural Lands Fund projects be established in the Charter?
12		Should all boards and commissions, except for the Board of Water Supply, the board for the Honolulu Authority for Rapid Transportation (HART) and any board or commission mandated by state or federal law, be reviewed periodically to determine whether they should be retained, amended or repealed?
13		Should the Grants in Aid Fund be the sole source (with certain designated exceptions) for city-funded grants to federal income tax-exempt nonprofit organizations that provide services to economically and/or socially disadvantaged populations or that provide services for the public benefit in the areas of the arts, culture, economic development or the environment?
14		Should the deadline to hold a special election to replace the mayor, prosecutor or councilmembers be extended from 60 to 120 days, and should the City Council be able to appoint a temporary member until a special election is held?
15		Should the term limit for the prosecuting attorney, the mayor and the councilmembers be three consecutive four-year terms?
16		Should certain city departments be responsible for their own program planning and small infrastructure design and construction projects, and should the powers, functions, and duties of the Department of Environmental Services be updated and expanded to emphasize resource recovery and include the planning, engineering, design, and construction of all of its projects?
17		Should the mayor have the authority to delegate the signing of documents to certain other city officers?
18		Should the Fire Commission be expanded from five to seven members, and should the fire chief's powers, duties and functions be updated to reflect current services?
19		Should the requirement be repealed that no more than five of the City Council Reapportionment Commission's nine members be from the same political party?

2016 Proposed Hawaii State Constitution and County Charter Amendments

20		<p>Should the Charter be amended for housekeeping amendments (i) to conform to current functions and operation, (ii) to conform to legal requirements, (iii) to correct an inadvertent omission, and (iv) for clarity?</p> <p>(a) Require the books and records of all city departments be open to public inspection;</p> <p>(b) Require the Department of the Corporation Counsel to update the Charter by July 1 of the year after the election at which Charter amendments proposed by the Charter Commission are approved by the electorate;</p> <p>(c) Require the Charter Commission to submit amendments to the Office of the City Clerk five working days before the deadline for ballot questions to be submitted to the state Chief Election Officer;</p> <p>(d) Require that all written contracts of the Board of Water Supply and the Honolulu Authority for Rapid Transportation be approved by the Department of Corporation Counsel for form and legality; and</p> <p>(e) Require that the city centralized purchasing practices conform to the state procurement code.</p>
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Proposed Amendment to the Hawaii County Charter

Order on Ballot	Title	Question
1	Expanding Scope of the County of Hawai'i General Plan	Shall the County Charter be amended to change the scope of the County of Hawai'i General Plan, which currently sets forth policy for "the long-range comprehensive physical development of the county", to include long-range policy for matters related to the economic, environmental, and socio-cultural wellbeing of the County; and, additionally, expand those matters which the General Plan promotes to include the health of the people of the County?

Proposed Amendments to the Maui County Charter

Order on Ballot	Title	Question
1	Withdrawal of Signature from Supplemental Petition	Shall Sections 11-4 and 11-5 of the Charter be amended to correct clerical errors and to provide consistency within the Charter by allowing an individual to withdraw their signature from a supplemental petition?
2	Review of Supplemental Petition	Shall Section 11-5 of the Charter be amended to allow the County Clerk twenty (20) days to review a supplemental petition, instead of ten (10) days?
3	Emergency Management Agency	Shall the Charter be amended to change the name of the Civil Defense Agency to the Maui County Emergency Management Agency?
4	Approval of and Qualifications for Various Directors	Shall the Charter be amended to require Council approval of the Mayor's appointment of the Managing Director, Director of Finance, Director of Public Works, Director of Parks and Recreation, Planning Director, Director of Housing and Human Concerns, Director of Transportation, and Director of Environmental Management and to allow additional qualifications for department directors to be established by ordinance?

2016 Proposed Hawaii State Constitution and County Charter Amendments

5	Office of Council Services' Attorneys	Shall Sections 3-6, 3-7, and 8-2.3 of the Charter be amended to allow attorneys within the Office of Council Services, in addition to the attorneys within the Department of the Corporation Counsel, to serve as legal advisors to the Council and its members, and to allow the Council to designate, by two-thirds vote of its entire membership, attorneys within the Office of Council Services as special counsel to serve as legal representatives for any special matter presenting a real necessity for such employment?
Proposed Amendments to the Kauai County Charter		
Order on Ballot	Title	Question
1	Relating to correcting gender neutrality, grammatical, spelling and formatting errors.	Shall the charter be amended throughout to ensure that its language is to the greatest extent possible gender neutral and to make changes to spelling, capitalization, punctuation, formatting, and grammar?
2	Relating to expanding the duties of the Fire Chief and defining authority to execute powers and duties.	Shall the duties of the fire chief be clarified to include duties currently performed such as addressing hazardous materials, emergency medical services, and ocean safety, and shall the reference to the mayor's authority to assign duties be removed?
3	Relating to establishing a Zoning Board of Appeals to assist the Planning Commission in providing due process for appellants.	Shall a zoning board of appeals be established to hear appeals from decisions of the planning director and to conduct evidentiary hearings at the request of the planning commission?
4	Relating to the Civil Defense Agency.	Shall the county Civil Defense Agency be renamed the Emergency Management Agency and its organization clarified consistent with state law?
5	Relating to the percentage of required voters for an initiative petition, referendum petition or a charter amendment.	Shall the percentage of registered voter signatures required to start the initiative or referendum process be reduced to 10 percent from 20 percent, and shall the percentage of registered voter signatures required to start the charter amendment process via voter petition be increased to 10 percent from 5 percent?
6	Relating to enabling the county clerk to determine what is a valid charter amendment.	Shall it be specified what constitutes a charter amendment, and shall the processing of a proposed charter amendment via voter petition be revised to enable the county clerk to determine whether the proposal is a valid charter amendment?
7	Relating to establishing a permanent Charter Review Commission.	Shall the Charter Review Commission be an ongoing commission?