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

To: Chair Edmund K. Haitzuka and  
Members of the Hawai'i County Charter Commission

From: Levi K. Hookano, Attorney

Date: August 4, 2009

RE: Relating to CA-4: Legality of Charter Amendment Amending Article VII,  
Chapter 1, section 7-1.2, Hawai'i County Charter, Relating to the Merit Appeals  
Board

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Dear Chair Haitzuka and Members of the Hawai'i County Charter Commission,

During the July 17 meeting of the Hawai'i County Charter Commission ("Commission"), I was tasked with verifying the legality of various proposed charter amendments. This memo will discuss the legality of charter amendment CA-4, the portion of which amends article VII, chapter 1, section 7-1.2. This amendment amends the appointment terms of the merit appeals board and provides a transitional provision to effectuate this change.

In my opinion, there are no legal issues with proposing this amendment. This section would supersede the appointment provisions contained in charter section 13-4 as it relates to the merit appeals board and the appointments thereto. A recommended amendment, however, would be to rearrange subsections (2) and (3) so that the transitional provisions are in chronological order.

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

A handwritten signature in black ink, appearing to read 'Levi Hookano', written in a cursive style.

Levi Hookano  
Charter Commission Attorney