

REQUEST FOR LEGAL SERVICES

Date: April 14, 2026
From: Yuki Lei K. Sugimura, Chair
Budget, Finance, and Economic Development Committee

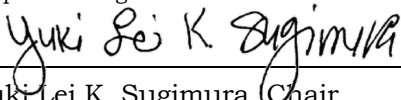
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Kristie M. Wrigglesworth, Esq.

Subject: PROPOSED FISCAL YEAR 2027 BUDGET FOR THE COUNTY OF MAUI (BFED-1)
(CC-04)

Background Data: Please see the attached questions that arose from the Committee's discussion with the Departments of Agriculture and Personnel Services. The questions were initially presented to the respective Directors but were deferred to your Department. Please submit your response to bfed.committee@mauicounty.us with a reference to BFED-1.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER: See above.

Requestor's signature  Yuki Lei K. Sugimura, Chair	Contact Person <u>Kirsten Szabo, James Krueger, or Peter Hanano</u> (Telephone Extension: 7662, 7661, or 8007, respectively)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): _____
REASON: _____

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

April 9, 2026, BFED Committee Meeting:

May I please request the status of all executed and pending Kula Agricultural Park leases, including those in the drafting phase. Please also explain the reasons for any delays and indicate when the leases are expected to be finalized. (YLS)

April 10, 2026, BFED Committee Meeting:

The Department of Housing noted in their responses to HO-1 and HO-2 that in FY 2026, the Department converted its vacant civil service positions to exempt under Section 76-77(14), Hawai'i Revised Statutes. This allowed the Department to efficiently fill the vacancies.

1. Please explain how and which civil service positions can be converted to non-civil service positions under Hawai'i Revised Statutes or a Governor's Proclamation. (TP)
2. Could the Department of Public Works use a similar mechanism used by the Department of Housing—either through Hawai'i Revised Statutes or a Governor's Proclamation—to convert their Building Permit Clerks to non-civil service positions to help address the State's affordable housing crisis? Please explain why or why not. (TP)

BFED Committee

From: BFED Committee
Sent: Tuesday, April 14, 2026 7:19 PM
To: CorpCounselRFLS
Cc: Kristie.Wrigglesworth@co.maui.hi.us
Subject: PROPOSED FISCAL YEAR 2027 BUDGET FOR THE COUNTY OF MAUI (BFED-1) (CC-4)
Attachments: (CC-4) Correspondence to Corporation Counsel 04-14-2026.pdf

Importance: High

REQUEST FOR LEGAL SERVICES

Date: April 14, 2026
From: Yuki Lei K. Sugimura, Chair
Budget, Finance, and Economic Development Committee

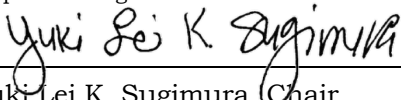
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Kristie M. Wrigglesworth, Esq.

Subject: PROPOSED FISCAL YEAR 2027 BUDGET FOR THE COUNTY OF MAUI (BFED-1)
(CC-04)

Background Data: Please see the attached questions that arose from the Committee's discussion with the Departments of Agriculture and Personnel Services. The questions were initially presented to the respective Directors but were deferred to your Department. Please submit your response to bfed.committee@mauicounty.us with a reference to BFED-1.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER: See above.

Requestor's signature  Yuki Lei K. Sugimura, Chair	Contact Person <u>Kirsten Szabo, James Krueger, or Peter Hanano</u> (Telephone Extension: 7662, 7661, or 8007, respectively)
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 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): _____
REASON: _____

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: KMW	ASSIGNMENT NO. 2025-0169	BY: jap for maa
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): The attached response was emailed to BFED committee on 04/17/2026. Closing

Date 04/17/2026 By  DEPARTMENT OF THE CORPORATION COUNSEL

April 9, 2026, BFED Committee Meeting:

May I please request the status of all executed and pending Kula Agricultural Park leases, including those in the drafting phase. Please also explain the reasons for any delays and indicate when the leases are expected to be finalized. (YLS)

April 10, 2026, BFED Committee Meeting:

The Department of Housing noted in their responses to HO-1 and HO-2 that in FY 2026, the Department converted its vacant civil service positions to exempt under Section 76-77(14), Hawai'i Revised Statutes. This allowed the Department to efficiently fill the vacancies.

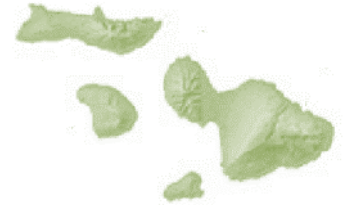
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RICHARD T. BISSEN, JR.
Mayor

VICTORIA J. TAKAYESU
Corporation Counsel

MIMI DESJARDINS
First Deputy

LYDIA A. TODA
Risk Management Officer



DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808)270-7740

MEMO TO: Maui County Council - BFED Committee
Yuki Lei K. Sugimura, Chair

FROM: Kristie M. Wrigglesworth, Deputy Corporation Counsel

DATE: April 17, 2026

SUBJECT: BFED-1 CC-04 Department of Agriculture and Personnel
Services

We respond to your request for legal services dated April 14, 2026 requesting a response to the questions below.

May I please request the status of all executed and pending Kula Agricultural Park leases, including those in the drafting phase. Please also explain the reasons for any delays and indicate when the leases are expected to be finalized.

Response:

Based on reporting from the Department of Agriculture (DAG), there are 29 fully executed leases, one lease that is being amended, and two leases/lots that were returned to the county. The executed leases were completed during the period in which the Office of Economic Development managed the program, prior to DAG's launch of operations in July 2022.

The lease for Lot 16 is currently being amended. This amendment is necessary to allow the county to reclaim approximately two acres from the existing lessee, University of Hawai'i at Mānoa's College of Tropical Agriculture and Human Resilience (CTAHR), to accommodate construction of a 2.4 MG reservoir. The construction contract was awarded in January, and the lease amendment is pending finalization.

Two leases (Lots 30 and 31) were returned to the county in April 2023 following the conclusion of litigation and are not currently executed. DAG intends to retain Lot 31 for use as a field office and base yard to support ongoing

park operations and maintenance, including coordination with the Department of Water Supply.

Lot 30 has not yet been advertised or advanced to the drafting phase due to ongoing amendments to Chapter 22.04A, Maui County Code, and coordination with Corporation Counsel. A final draft of the amendments is expected within the next few weeks. The proposed changes include a shorter notice period and a reduction in committee membership to seven, which should streamline the review and scoring process.

The Department of Housing noted in their responses to HO-1 and HO-2 that in FY 2026, the Department converted its vacant civil service positions to exempt under Section 76-77(14), Hawai'i Revised Statutes. This allowed the Department to efficiently fill the vacancies. (YLS)

1. Please explain how and which civil service positions can be converted to non-civil service positions under Hawai'i Revised Statutes or a Governor's Proclamation. (TP)
2. Could the Department of Public Works use a similar mechanism used by the Department of Housing—either through Hawai'i Revised Statutes or a Governor's Proclamation—to convert their Building Permit Clerks to non-civil service positions to help address the State's affordable housing crisis? Please explain why or why not. (TP)

Response:

1. Please explain how and which civil service positions can be converted to non-civil service positions under Hawai'i Revised Statutes or a Governor's Proclamation. (TP)

Conversion of a vacant civil service position to exempt requires (1) identifying a statutory or Emergency Proclamation exemption authority, and (2) submitting a conversion request to the Department of Personnel Services (DPS). The applicable authorities are summarized below.

Civil Service Exemptions

Generally, all County positions are included in Civil Service pursuant to HRS Ch. 76. HRS exempts certain County positions from Civil Service under HRS § 76-16(d), HRS § 46-32, and HRS § 76-77, see below. For hiring purposes, a position being exempt from Civil Service streamlines the hiring process (i.e. do not have to go through the Civil Service recruitment procedures that can be

lengthy). You may also be able to offer higher pay than is established by the Civil Service/Collective Bargaining process. There are different exemptions for temporary and permanent positions as outlined below.

Temporary and/or Part-Time Positions

HRS § 76-16(d) The director [of personnel services] may provide for an exemption from civil service recruitment procedures if the appointment to the position has a limitation date and it would be impracticable to recruit under civil service recruitment procedures because the required probation period that is part of the examination process cannot be completed by the limitation date. The rules shall not permit additional exemptions from civil service recruitment procedures for the same position when the position will be filled for a duration that would be sufficient to recruit under civil service recruitment procedures and allow for completion of the required probation period.

HRS § 76-77(7) Positions filled by persons employed by contract where the personnel director has certified that the service is special or unique, is essential to the public interest, and that because of the circumstances surrounding its fulfillment, personnel to perform the service cannot be recruited through normal civil service procedures; provided that no contract pursuant to this paragraph shall be for any period exceeding one year;

HRS § 76-77(8) Positions of a temporary nature needed in the public interest where the need does not exceed ninety days; provided that before any person may be employed to render temporary service pursuant to this paragraph, the director shall certify that the service is of a temporary nature and that recruitment through normal civil service recruitment procedures is not practicable; and provided further that the employment of any person pursuant to this paragraph may be extended for good cause for an additional period not to exceed ninety days upon similar certification by the director;

HRS § 76-77(9) Positions of temporary election clerks in the office of the county clerk employed during election periods;

HRS § 76-77(12) Positions filled by persons employed on a fee, contract, or piecework basis who may lawfully perform their duties concurrently with their private business or profession or other private employment, if any, and whose duties require only a portion of their time, where it is

impracticable to ascertain or anticipate the portion of time devoted to the service of the county and that fact is certified by the director;

HRS § 76-77(16) Positions or contracts for personal services with private persons or entities for services lasting no longer than one year and at a cost of no more than \$750,000; provided that the exemption under this paragraph shall apply to contracts for building, custodial, and grounds maintenance services with qualified community rehabilitation programs, as defined in section 103D-1001, lasting for no longer than a year and at a cost of no more than \$3,000,000 in the aggregate per private person or entity, regardless of the number of contracts or qualified community rehabilitation programs utilized for the personal service.

Permanent Positions

HRS § 46-32. Employees of council

Any other provision to the contrary notwithstanding, the council of any county may appoint and employ personnel as it deems necessary and prescribe their powers, duties and compensation. All such personnel shall be exempt from the civil service and the position classification plan. Nothing in this section shall be deemed to affect the civil service or exempt status, salary range, vacation, sick leave, service credit and other rights and privileges of any incumbent as it existed on the day prior to May 9, 1977; provided that subsequent changes may be made pursuant to applicable personnel laws.

HRS § 76-77(1) Positions in the office of the mayor; provided that the positions shall be included in the classification systems;

HRS § 76-77(2) Positions of officers elected by public vote, positions of heads of departments, and positions of one first deputy or first assistant of heads of departments;

HRS § 76-77(3) Positions of deputy county attorneys, deputy corporation counsel, deputy prosecuting attorneys, and law clerks;

HRS § 76-77(5) Positions filled by students; positions filled through federally funded programs that provide temporary public service employment such as the federal Comprehensive Employment and Training Act of 1973; and employees engaged in special research or demonstration projects approved by the mayor, for which projects federal funds are available;

HRS § 76-77(10) Positions specifically exempted from this part by any other state statutes;

HRS § 76-77(11) Positions of one private secretary for each department head; provided that the positions shall be included in the classification systems;

HRS § 76-77(13) Positions filled by persons with a severe disability who are certified by the state vocational rehabilitation office as able to safely perform the duties of the positions;

HRS § 76-77(14) Positions of the housing and community development office or department of each county; provided that this exemption shall not preclude each county from establishing these positions as civil service positions;

HRS § 76-77(15) The following positions in the office of the prosecuting attorney: private secretary to the prosecuting attorney, secretary to the first deputy prosecuting attorney, and administrative or executive assistants to the prosecuting attorney; provided that the positions shall be included in the classification systems; and

Governor's Emergency Proclamation Relating to Affordable Housing

The Governor's Emergency Proclamation Relating to Affordable Housing (EP) suspended "Chapter 76, HRS, Civil Service Law, to the extent necessary to allow for qualified personnel or contractors to be hired that would be directly involved in the acquisition, financing, construction, development, or redevelopment of housing, the filling of public housing and housing personnel vacancies, the processing of housing vouchers, or the processing of development related permits, licenses, contracts, agreements, leases, or approvals, pursuant to the attached emergency rules."

The current Eighteenth EP is effective through May 15, 2026. The Governor's Housing Team has publicly stated that Governor Green anticipates the EP will remain in place through the end of his first term (December 2026), with successive proclamations issued approximately every 60 days.

The EP also includes "Rules Relating to the Implementation of the Eighteenth Proclamation Relating to Affordable Housing." Section 4 of the Rules addresses HRS Ch. 76:

A. Chapter 76, HRS, Officers and Employees

1. Recruitment and hiring of employees under the Proclamation shall follow, to the extent possible, the principles set forth in section 76-1, HRS. No person shall be discriminated against in examination, appointment, reinstatement, reemployment, promotion, transfer, demotion, or removal, with respect to any position when the work may be efficiently performed by the person without hazard or danger to the health and safety of the person or others;
2. All positions established under the Proclamation may be exempt from civil service and may be converted to civil service positions at the discretion of the appointing authority. Exempt positions and appointments converted to civil service shall comply with Department of Human Resources Development Policy and Procedure 1000.002 except that all employees converted shall be treated as if they had occupied the position for a minimum of one (1) year. It is the appointing authority's discretion to use an existing established civil service or exempt position or to establish a new position to hire under the Proclamation.
3. Prior to hiring any employee under the Proclamation, the appointing agency shall determine that:
 - a. The employee would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or in the processing of development-related permits, licenses, or approvals; and
 - b. It would be impractical or untimely to hire the employee under the civil service system under chapter 76, HRS.
4. The appointing agency shall ensure that all employees hired under the Proclamation meet the following:
 - a. Persons seeking employment meet the requirements necessary for the safe and efficient performance of the duties of the position for which they are being hired;

b. Each employee is able to perform their duties satisfactorily;
and

c. Each employee is qualified to perform the duties and
functions of the position that they are being hired into.

Enclosed is a copy of the Eighteenth Proclamation and Rules, and the State Department of Human Resources Development Policy and Procedure 1000.002.

To convert a vacant position to exempt under either HRS or an EP, the department would submit a Memo to DPS citing the authority for the exemption (i.e. HRS section or EP) and an explanation as to why the position meets the requirements under HRS or EP. Once approved by DPS, the department submits a transaction in Workday to request the position be changed from civil service to exempt. Positions established as exempt under the EP may be converted back to civil service at the appointing authority's discretion once the EP lapses. If the EP expires before conversion, continued employment in an exempt status would require a new statutory basis.

2. Could the Department of Public Works use a similar mechanism used by the Department of Housing—either through Hawai'i Revised Statutes or a Governor's Proclamation—to convert their Building Permit Clerks to non-civil service positions to help address the State's affordable housing crisis? Please explain why or why not.

The Department of Housing's permanent conversion of vacant positions to exempt under HRS § 76-77(14) is available only to "the housing and community development office or department of each county" and therefore cannot be used by the Department of Public Works (DPW). There is no corresponding HRS provision that allows DPW to permanently convert Building Permit Clerk positions to exempt.

DPW's options are accordingly more limited: (1) temporary or position-specific exemption under the Governor's Emergency Proclamation, so long as the EP remains in effect and the specific position's duties meet the EP Rule criteria; or (2) one of the narrow temporary exemptions under HRS Ch. 76 discussed below. Unlike Department of Housing's HRS § 76-77(14) mechanism, neither option provides a durable, permanent exempt classification for DPW Building Permit Clerks.

DPW may be able to utilize the EP to convert vacant Building Permit Clerks to exempt positions. The Building Permit Clerk positions would have to meet the EP Rule criteria, including:

3. Prior to hiring any employee under the Proclamation, the appointing agency shall determine that:

a. The employee would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or in the processing of development-related permits, licenses, or approvals; and

b. It would be impractical or untimely to hire the employee under the civil service system under chapter 76, HRS.

4. The appointing agency shall ensure that all employees hired under the Proclamation meet the following:

a. Persons seeking employment meet the requirements necessary for the safe and efficient performance of the duties of the position for which they are being hired;

b. Each employee is able to perform their duties satisfactorily; and

c. Each employee is qualified to perform the duties and functions of the position that they are being hired into.

Additionally, DPW may be able to utilize an exemption under HRS Ch. 76 to hire temporary workers that are exempt from Civil Service to fill the Building Permit Clerk positions:

HRS § 76-16(d) The director [of personnel services] may provide for an exemption from civil service recruitment procedures if the appointment to the position has a limitation date and it would be impracticable to recruit under civil service recruitment procedures because the required probation period that is part of the examination process cannot be completed by the limitation date. The rules shall not permit additional exemptions from civil service recruitment procedures for the same position when the position will be filled for a duration that would be sufficient to recruit under civil service recruitment procedures and allow for completion of the required probation period.

HRS § 76-77(7) Positions filled by persons employed by contract where the personnel director has certified that the service is special or unique, is essential to the public interest, and that because of the circumstances surrounding its fulfillment, personnel to perform the service cannot be recruited through normal civil service procedures; provided that no contract pursuant to this paragraph shall be for any period exceeding one year;

HRS § 76-77(8) Positions of a temporary nature needed in the public interest where the need does not exceed ninety days; provided that before any person may be employed to render temporary service pursuant to this paragraph, the director shall certify that the service is of a temporary nature and that recruitment through normal civil service recruitment procedures is not practicable; and provided further that the employment of any person pursuant to this paragraph may be extended for good cause for an additional period not to exceed ninety days upon similar certification by the director;

HRS § 76-77(16) Positions or contracts for personal services with private persons or entities for services lasting no longer than one year and at a cost of no more than \$750,000; provided that the exemption under this paragraph shall apply to contracts for building, custodial, and grounds maintenance services with qualified community rehabilitation programs, as defined in section 103D-1001, lasting for no longer than a year and at a cost of no more than \$3,000,000 in the aggregate per private person or entity, regardless of the number of contracts or qualified community rehabilitation programs utilized for the personal service.

APPROVED FOR TRANSMITTAL:



KRISTIE M. WRIGGLESWORTH
Deputy Corporation Counsel

OFFICE OF THE GOVERNOR

STATE OF HAWAII

EIGHTEENTH PROCLAMATION RELATING TO AFFORDABLE HOUSING

By the authority vested in me by the Constitution and laws of the State of Hawai'i, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine, designate, and proclaim as follows:

WHEREAS, pursuant to Chapter 127A, Hawaii Revised Statutes (HRS), emergency powers are conferred on the Governor of the State of Hawai'i to respond to disasters or emergencies, to maintain the strength, resources, and economic life of the community, and to protect the public health, safety, and welfare; and

WHEREAS, the need for an immediate and profound solution to Hawai'i's affordable housing shortage necessitates the advancement of affordable housing projects in a way that will ensure the production of affordable housing units immediately and going forward; and

WHEREAS, the increasing costs of construction material, labor, and regulatory compliance has significantly impacted the financial viability of affordable housing projects, compelling a reevaluation of funding strategies and resource allocation to ensure these projects continue to develop in the face of escalating expenses; and

WHEREAS, the Hawaii Housing Finance and Development Corporation ("HHFDC") is statutorily authorized to grant exemptions to statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; and

WHEREAS, due to the automatic adoption of the unamended state building codes pursuant to section 107-24 Hawaii Revised Statutes (HRS), the counties are now required to adopt unamended state building codes as interim building codes; and

WHEREAS, the counties may not be prepared to amend the unamended state building codes or to make necessary amendments to the unamended building codes prior to the deadline established in statute; and

WHEREAS, it is necessary for the counties to retain the authority to update their respective building codes and to provide them with sufficient time to amend their building codes to address local conditions; and

WHEREAS, it would slow down ongoing affordable housing projects if, in the middle of the projects, they have to conform to the unamended state building codes without prior notice and without amendments to the state building codes that reflect changes needed to adjust the codes to local conditions; and

WHEREAS, the Legislature, in the 2025 session, passed House Bill 1409, which the Governor signed into law as Act 159, that created a Mixed-Income Subaccount within the Rental Housing Revolving Fund to be used for mixed-income housing

projects that prioritize persons earning up to 140% of the area median income, are located on state or county land or developed in partnership with the state or county, and satisfy transit-supportive density requirements as defined in section 206E-246, HRS; and

WHEREAS, on July 17, 2023, I issued a Proclamation relating to housing that declared an emergency created by the lack of housing for the people of Hawai'i; and

WHEREAS, on September 15, 2023, I issued the Proclamation relating to affordable housing that clarified that the emergency related to the lack of affordable housing for the people of Hawai'i; and

WHEREAS, on October 24, 2023, I issued the Second Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Second Proclamation Relating to Affordable Housing; and

WHEREAS, on December 22, 2023, I issued the Third Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Third Proclamation Relating to Affordable Housing; and

WHEREAS, on January 18, 2024, I issued the Fourth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Fourth Proclamation Relating to Affordable Housing; and

WHEREAS, on February 20, 2024, I issued the Fifth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Fifth Proclamation Relating to Affordable Housing; and

WHEREAS, on April 19, 2024, I issued the Sixth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Sixth Proclamation Relating to Affordable Housing; and

WHEREAS, on June 18, 2024, I issued the Seventh Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Seventh Proclamation Relating to Affordable Housing; and

WHEREAS, on August 15, 2024, I issued the Eighth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Eighth Proclamation Relating to Affordable Housing; and

WHEREAS, on October 10, 2024, I issued the Ninth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Ninth Proclamation Relating to Affordable Housing; and

WHEREAS, on December 6, 2024, I issued the Tenth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Tenth Proclamation Relating to Affordable Housing; and

WHEREAS, on February 4, 2025, I issued the Eleventh Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Eleventh Proclamation Relating to Affordable Housing;

WHEREAS, on April 4, 2025, I issued the Twelfth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Twelfth Proclamation Relating to Affordable Housing;

WHEREAS, on June 3, 2025, I issued the Thirteenth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Thirteenth Proclamation Relating to Affordable Housing;

WHEREAS, on July 29, 2025, I issued the Fourteenth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Fourteenth Proclamation Relating to Affordable Housing;

WHEREAS, on September 23, 2025, I issued the Fifteenth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Fifteenth Proclamation Relating to Affordable Housing;

WHEREAS, on November 18, 2025, I issued the Sixteenth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Sixteenth Proclamation Relating to Affordable Housing ;

WHEREAS, on January 16, 2026, I issued the Seventeenth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Seventeenth Proclamation Relating to Affordable Housing (“Emergency Rules”);

WHEREAS, the current threat to the health, safety, and welfare of the people of the State of Hawai‘i caused by the lack of affordable housing continues to constitute an emergency under section 127A-14, HRS, and warrants preemptive and protective actions; and

NOW, THEREFORE, I, JOSH GREEN, M.D., Governor of the State of Hawai‘i, hereby determine and proclaim that an emergency or disaster contemplated by section 127A-14, HRS, has occurred in the State of Hawai‘i, and in order to promote and protect the public health, safety, and welfare of the people of the State of Hawai‘i, and to prepare for and maintain the flexibility to take proactive, preventative, and mitigative measures to minimize the adverse impact that the present emergency may cause on

the State and to promote the speedy and safe construction of housing and infrastructure which will minimize the adverse impact that the present emergency may cause on the State, and to work cooperatively and in conjunction with federal and county agencies, do hereby invoke the following measures under the Hawaii Revised Statutes:

I. **Emergency Proclamation Execution**

Pursuant to sections 127A-12(b)(9) and 127A-12(b)(19), HRS, in order to provide emergency relief consistent with the intent of this Proclamation, I hereby direct HHFDC to take appropriate action to support and carry out the intent and purposes of this Proclamation. Without limiting the generality of the foregoing, they may coordinate with and convene stakeholders, including but not limited to applicable state and county agencies, legislators, non-profit and for-profit developers, non-profit housing advocates, the labor and trade industries, and community members, boards, and commissions in order to accelerate permitting processes; eliminate duplication; explore innovative approaches to increase the development of affordable housing, while maintaining health and safety; share best practices; create working groups to advise on the development of affordable housing; coordinate priority housing projects; encourage housing development; and encourage transit-oriented development, among other things.

II. **Affordable Housing Projects**

A. Definitions

1. "Housing," for purposes of this Proclamation, shall include:
 - a. Conversion of existing residential units to affordable or subsidized units;
 - b. Development, redevelopment, adaptive reuse, or acquisition that results in new residential units offered for sale as owner-occupied units;
 - c. Development, redevelopment, adaptive reuse, or acquisition that results in new residential units offered for rental to Hawai'i residents for which the unit will be the renter's principal residence;
 - d. Development, redevelopment, or adaptive reuse that results in new income restricted residential units;
 - e. Renovations, rehabilitation, or repair of existing affordable or subsidized units;
 - f. Renovations, rehabilitation, or repair of existing units that will be offered for sale as owner-occupied units;
 - g. Renovations, rehabilitation, or repair of existing units that will be offered for rental to Hawai'i residents for which the unit will be the renter's principal residence;

5. “Certified affordable housing project” is a housing project that HHFDC has certified is:
 - a. An affordable housing project;
 - b. At least 60% of the total units will be offered for sale or rent to applicants who earn 0% to 140% of the area median income (“AMI”) as determined by the United States Department of Housing and Urban Development or meets the criteria in 201H-38(a)(2), HRS; and
 - c. Has entered into an agreement to pay all mechanics and laborers employed on the project minimum prevailing wages for the corresponding work classifications as determined by the Director of the Department of Labor and Industrial Relations pursuant to Chapter 104, HRS, subject to the project labor agreement in place, or otherwise required to pay prevailing wages for the duration of the project until it is completed.
6. “State affordable housing project” or a “county affordable housing project” is: an affordable housing project in which the land is owned by the state or county and (i) the project is subject to an affordability restriction, whether through a development agreement, regulatory agreement, or funding appropriation; or meets the criteria in 201H-38(a)(2), HRS; or (ii) the housing units are owned or have the potential to be owned by right of first refusal by one of the following state housing agencies: Hawaii Public Housing Authority, Hawaii Housing Finance and Development Corporation, or Hawaii Community Development Authority, or any county or county agency.

B. Application of this Proclamation

1. State affordable housing projects or county affordable housing projects may proceed under this Proclamation.
2. State or county agencies with responsibility for the administration, regulation, production, or infrastructure to support housing may proceed under this Proclamation for purposes of recruitment of personnel and procurement.
3. All other affordable housing projects may apply for consideration to proceed under this Proclamation through certification by HHFDC.
4. Certification as an affordable housing project will be valid from the date of certification until the earlier of three years or substantial commencement of the project.

III. **Path Forward**

Pursuant to sections 127A-12(b)(1) and (4), HRS, I call on the state and county agencies to cooperate and to forge paths forward to address the affordable housing

crisis. The State and the counties should be engaging in discussions regarding mutual aid agreements and what assistance can be provided to speed up the processes that impede the creation of housing across the state.

Pursuant to sections 127A-12(b)(4), (9), (11), (16), and (19), HRS, I direct all state agencies to make the review, planning, approval, and processing of permits related to affordable housing a priority.

IV. **Suspension of Laws**

Section 127A-13(a)(3), HRS, **Additional Powers in an Emergency Period**, to the extent necessary to expedite the construction, repair, renovation, and occupancy of affordable housing and infrastructure projects intended to provide emergency relief under this Proclamation, I hereby suspend the following statutes and regulations:

Section 26-35(a)(4), HRS, **Administrative supervision of boards and commissions**.

Section 37-41, HRS, **Appropriations to Revert to State Treasury; Exceptions**.

Section 37-74(d), HRS, **Program Execution**, except for sections 37-74(d)(2) and 37-74(d)(3), and any such transfers or changes considered to be authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements.

Section 40-66, HRS, **Appropriations Lapse**.

Section 46-1.5, HRS, **General Powers and Limitation of the Counties**, and related county code(s), as it applies to the authority to impose impact fees relating to wastewater connection and park dedication for certified affordable housing projects or state or county affordable housing projects, subject to the approval of the county planning director; to the authority to issue agreements, contracts, and leases related to state or county affordable housing projects; and, to the extent necessary to allow for the development of adaptive reuse projects without natural light or natural ventilation that are inconsistent with current building codes, subject to the approval of the county building official.

Section 46-142.5, HRS, **School Impact Districts; New Building Permit Requirements**, as it applies to certified affordable housing projects or state or county affordable housing projects.

Section 46-143, HRS, **Impact Fee Calculation**, as it applies to the imposition of impact fees relating to wastewater connection and park dedication for certified affordable housing projects or state or county affordable housing projects.

Section 46-146, HRS, **Time of Assessment and Collection of Impact Fees**, as it applies to impact fees relating to wastewater connection and park dedication for certified affordable housing projects or state or county affordable housing projects.

Chapter 76, HRS, **Civil Service Law**, to the extent necessary to allow for qualified personnel or contractors to be hired that would be directly involved in the acquisition,

financing, construction, development, or redevelopment of housing, the filling of public housing and housing personnel vacancies, the processing of housing vouchers, or the processing of development related permits, licenses, contracts, agreements, leases, or approvals, pursuant to the attached emergency rules.

Chapter 89, HRS, **Collective Bargaining in Public Employment**, to the extent necessary to allow for personnel or contractors to be hired that would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or the processing of development related permits, licenses, or approvals.

Chapter 89C, HRS, **Public Officers and Employees Excluded from Collective Bargaining**, to the extent necessary to allow for personnel or contractors to be hired that would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or the processing of development related permits, licenses, or approvals.

Section 103-2, HRS, **General Fund**.

Chapter 103D, HRS, **Hawaii Public Procurement Code**, to the extent that the department or agency has determined that it is not practicable or advantageous to procure the services required via traditional procurement methods and the procurement promotes the construction, development, redevelopment, repair, renovation, and occupancy of housing. The suspension is for the solicitation process only and is subject to the attached emergency rules.

Section 104-2(i)(3), HRS, **Applicability; wages, hours, and other requirements**.

Section 107-24(c), HRS, **Authority and duties of the council**, to the extent necessary to suspend the ability of the State Building Code Council to amend or update the Hawai'i state building codes to allow for consistency and stability in the construction of housing. Counties may still update county building codes.

Section 107-27(a), HRS, **Design of state buildings**, to the extent necessary to suspend the requirement for state building designs to comply with the Hawai'i state building codes that have not been adopted by the State Building Code Council.

Section 107-28, HRS, **County authority to amend and adopt the Hawai'i state building codes without council approval**, to the extent necessary to suspend the two-year default deadline for counties to adopt state building codes. Counties may still update county building codes.

Section 107-31, HRS, **State building code; compliance**, to the extent necessary for codes that have not been adopted by the State Building Code Council.

Section 127A-30, HRS, **Rental or sale of essential commodities during a state of emergency; prohibition against price increases**, because the automatic, statewide invocation of this provision is not needed for this emergency. The invocation and suspension of section 127A-30, HRS, contained in any other proclamation are not affected by this Proclamation.

Section 201H-36(a)(5)(A), HRS, **Exemption from general excise taxes**.

Section 201H-38(a)(1)(C), HRS, **Housing development; Exemption from statutes, ordinances, charter provisions, and rules**, that requires approval of the legislative body of the county in which the housing project is situated. This exemption shall be applicable to only state or county affordable housing projects that receive approval of HHFDC.

Section 201H-202, HRS, **Rental housing revolving fund**, to allow for monies described as Tier II and appropriated to the Rental Housing Revolving Fund, as indicated in budget worksheets or in any budget act, to be awarded for purposes set forth in section 201H-202(e)(2) and to allow for monies appropriated by the Legislature for use by the Hawaii Public Housing Authority (HPHA) for predevelopment connected to four Ka Lei Momi projects to be disbursed by the Hawaii Housing Finance and Development Corporation for said purpose.

Section 201H-203, HRS, **Eligible applicants for funds**, to allow for monies appropriated by the Legislature for use by the HPHA for predevelopment connected to four Ka Lei Momi projects to be disbursed by the Hawaii Housing Finance and Development Corporation to HPHA for said purpose.

Chapter 237, HRS, **General Excise Tax Law**, for Department of Hawaiian Home Lands (DHHL) and Department of Education (DOE) projects for newly constructed, or moderately or substantially rehabilitated housing.

Sections 601-1.5, 708-817, 708-818, 708-820(1)(c), 708-830.5(1)(d), 708-840(1)(c) and (d), HRS, to the extent these sections contain provisions for the suspension, tolling, extension, or granting of relief from deadlines, time schedules, or filing requirements in civil, criminal, or administrative matters before the courts of the state or to the extent that these sections contain provisions for criminal penalties that are automatically heightened by reasons of any declared disaster or emergency.

Pursuant to section 127A-25, HRS, I hereby adopt the Rules Implementing the Sixteenth Proclamation Relating to Affordable Housing attached hereto. These rules shall have the force and effect of law.

V. **State Cooperation**

Pursuant to section 127A-12(b), HRS, I hereby direct all state agencies and officers to cooperate with and extend services, materials, and facilities as may be required to assist in all efforts to address the objectives of this Proclamation.

VI. **Severability**

If any provision of this Proclamation is rendered or declared illegal for any reason, or shall be invalid or unenforceable, such provision shall be modified or deleted, and the remainder of this Proclamation and the application of such provision to other persons or circumstances shall not be affected thereby but shall be enforced to the greatest extent permitted by applicable law.

VII. Enforcement

No provision of this Proclamation, or any rule or regulation hereunder, shall be construed as authorizing any private right of action to enforce any requirement of this Proclamation, or of any rule or regulation. Unless the Governor, Director of Emergency Management, or their designee issues an express order to a non-judicial public officer, no provision of this Proclamation, or any rule or regulation hereunder, shall be construed as imposing any ministerial duty upon any non-judicial public officer and shall not bind the officer to any specific course of action or planning in response to the emergency or interfere with the officer's authority to utilize his or her discretion.

I FURTHER DECLARE that this Proclamation is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of Hawai'i, the counties of this State, or any State or County agencies, departments, entities, officers, employees, or any other person.

I FURTHER DECLARE the disaster emergency relief period shall commence immediately and continue through May 15, 2026, unless terminated or superseded by separate proclamation, whichever shall occur first. Following the termination of a disaster emergency relief period, any contracts, agreements, procurements, programs, or employment of personnel entered into, started, amended, or continued by reason of the provisions of the proclamation relating to this emergency shall continue in full force and effect to the extent allowed by law.

Done at the State Capitol, this 16th day of
March, 2026



Josh Green, M.D.
Governor of Hawai'i

APPROVED:

Anne E. Lopez

Anne E. Lopez
Attorney General
State of Hawai'i

**Rules Relating to the Implementation of the
Eighteenth Proclamation Relating to Affordable Housing**

§ 1 Purpose and Authority

§ 2 Definitions

§ 3 Applicability of Proclamation and Rules

§ 4 Application of Suspended Laws

A. Chapter 76, HRS, Officers and Employees

B. Chapter 103D, HRS, Hawaii Public Procurement Code

C. Section 201H-38(a)(1)(C), HRS, Housing development; exemption from statutes, ordinances, charter provisions, and rules.

§ 1 Purpose and Authority

These rules are intended to expedite the construction, development, and redevelopment of affordable housing under the Eighteenth Proclamation Relating to Affordable Housing ("Proclamation").

These rules are adopted pursuant to sections 127A-11, 12, 13, and 25, Hawaii Revised Statutes (HRS), to respond to the affordable housing emergency declared by the Governor and have the force and effect of law.

§ 2 Definitions

"Agency" means any department, office, board, or commission of the state or county government that is part of the executive branch of that government.

§ 3 Applicability of Proclamation and Rules

Certified affordable housing projects not subject to the state or county regulations suspended under the Proclamation shall still meet minimum requirements for health and safety, including applicable floodplain management powers and duties necessary for National Flood Insurance Program participation.

§ 4 Application of Suspended Laws

A. Chapter 76, HRS, Officers and Employees

1. Recruitment and hiring of employees under the Proclamation shall follow, to the extent possible, the principles set forth in section 76-1, HRS.

No person shall be discriminated against in examination, appointment, reinstatement, reemployment, promotion, transfer, demotion, or removal, with respect to any position when the work may be efficiently performed by the person without hazard or danger to the health and safety of the person or others;

2. All positions established under the Proclamation may be exempt from civil service and may be converted to civil service positions at the discretion of the appointing authority. Exempt positions and appointments converted to civil service shall comply with Department of Human Resources Development Policy and Procedure 1000.002 except that all employees converted shall be treated as if they had occupied the position for a minimum of one (1) year. It is the appointing authority's discretion to use an existing established civil service or exempt position or to establish a new position to hire under the Proclamation.
3. Prior to hiring any employee under the Proclamation, the appointing agency shall determine that:
 - a. The employee would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or in the processing of development-related permits, licenses, or approvals; and
 - b. It would be impractical or untimely to hire the employee under the civil service system under chapter 76, HRS.
4. The appointing agency shall ensure that all employees hired under the Proclamation meet the following:
 - a. Persons seeking employment meet the requirements necessary for the safe and efficient performance of the duties of the position for which they are being hired;
 - b. Each employee is able to perform their duties satisfactorily; and
 - c. Each employee is qualified to perform the duties and functions of the position that they are being hired into.

B. Chapter 103D, HRS, Hawaii Public Procurement Code



Prior to utilizing the suspension of chapter 103D, HRS, the department has determined that it is not practicable or advantageous to procure the services required via traditional procurement methods. This suspension is for the solicitation process only. Pursuant to section 103D-310(c), HRS, and section 3-122-112, Hawaii

Administrative Rules, the procuring officer shall verify compliance (i.e., vendor is required to provide proof of compliance and may use the Hawaii Compliance Express) for all contracts awarded. Copies of the compliance and the award posting are required to be documented in the procurement/contract file.

The award is required to be posted on the Hawaii Awards and Notices Data System (HANDS) pursuant to Procurement Circular PC2019-05 within seven days after award.

- C. Section 201H-38(a)(1)(C), HRS, Housing development; exemption from statutes, ordinances, charter provisions, and rules.

Section 201H-38(a)(1)(C), HRS, is suspended to allow the county in which a state affordable housing project or county affordable housing project is to be situated to approve the project, with or without modifications, without requiring the county council to approve, approve with modification, or disapprove the project by resolution. Instead, the county may approve, approve with modification, or disapprove the project through action of the county planning director within forty-five days of the receipt of HHFDC approval provided that the county planning director shall not impose stricter conditions, impose stricter median income requirements, or reduce fee waivers that will increase the cost of the project beyond those approved by HHFDC. If on the forty-sixth day a project is not disapproved, it shall be deemed approved by the county planning director.

 <p style="text-align: center;">STATE OF HAWAII DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT POLICIES AND PROCEDURES</p>	POLICY NO. 1000.002 ECCD	NO. of PAGES 4
	EFF. DATE 02/03/05	REV. NO./Date Rev. No. 1 11/30/11
TITLE: APPOINTMENT OF EXEMPT EMPLOYEES TO REPLACEMENT CIVIL SERVICE POSITIONS		APPROVED:  Barbara A. Krieg, Interim Director

I. POLICY

Article XVI, Section 1 of the State of Hawaii Constitution and Section 76-16 of the Hawaii Revised Statutes (HRS) mandate the employment of persons in the civil service, as defined by law, be governed by the merit principle. In addition, and as affirmed by Act 253, SLH 2000, the State policy is that all positions and personal services in the State should be covered by civil service unless specifically exempted.

Furthermore, the Director of the Department of Human Resources Development (DHRD) is responsible for determining whether positions should continue to remain exempt from civil service, or whether they should be replaced by civil service positions. Exempt positions that are replaced by civil service positions shall remain in the civil service.

The compensation and conditions of employment of exempt employees who are appointed to replacement civil service positions must be fair and comparable relative to the compensation and conditions of employment of other civil service employees. The exempt employees' service to the State should also be recognized.

II. RATIONALE

When it is determined that services which have previously been provided by exempt positions should instead be provided by civil service positions, appropriate processes must be established in order to facilitate the conversion of exempt employees to civil service. Conversion processes have previously been established by Act 300, SLH 2006. Those processes are hereby extended to all appropriate conversions.

Pursuant to Section 76-1, HRS, all employees within the civil service, whether they initially entered State service as a civil service employee or as an exempt employee, should be treated fairly and equitably.

**APPOINTMENT OF EXEMPT EMPLOYEES TO
REPLACEMENT CIVIL SERVICE POSITIONS**

POLICY NO. 1000.002 (Eff. 02/03/05; as rev. 11/30/11)

III. DEFINITIONS

“Initial probation period” is the probation period required of a person entering the state civil service that is the final test of the person’s fitness and ability for the position before acquiring membership in the civil service.

“Replacement position” or “replacement civil service position” means a civil service position established with substantially the same functions of an existing exempt position (which will be abolished upon the filling of the civil service position). The replacement position shall remain in the civil service.

IV. SCOPE

This policy applies to all exempt positions identified as appropriate for replacement by civil service positions, unless otherwise designated by the DHRD Director.

V. ELIGIBILITY OF EXEMPT EMPLOYEES TO BE APPOINTED TO REPLACEMENT CIVIL SERVICE POSITIONS WITHOUT COMPETITION

- A. The incumbent of an exempt position that is being replaced by a civil service position shall be appointed to the replacement civil service position without competition, provided that the incumbent occupied the exempt position for a minimum of one (1) year of continuous creditable service, satisfactorily performing essentially similar functions, immediately preceding the filling of the replacement civil service position.
- B. Periods of unpaid absences such as leaves without pay and suspensions shall not be credited toward calculation of the one (1) year requirement. Such absences shall not constitute a break in service.
- C. The exempt employee must meet all applicable requirements (e.g., minimum qualification requirements, selective certification requirements, and public employment requirements) to be considered a qualified candidate.
- D. An employee who occupies an exempt position for at least one year of continuous creditable service at the time it is to be replaced by a civil service position shall have a one-time election to remain exempt from civil service (as long as there is a legal basis for the position to be exempt from civil service). If the employee elects to remain exempt, the position shall be converted to civil service when the employee vacates the position.

**APPOINTMENT OF EXEMPT EMPLOYEES TO
REPLACEMENT CIVIL SERVICE POSITIONS**

POLICY NO. 1000.002 (Eff. 02/03/05; as rev. 11/30/11)

VI. EXEMPT EMPLOYEES WHO ARE NOT ELIGIBLE TO BE APPOINTED WITHOUT COMPETITION TO REPLACEMENT CIVIL SERVICE POSITIONS

Employees who have not occupied the exempt position for a minimum of one (1) year (continuous creditable service), satisfactorily performing essentially similar functions, immediately preceding the filling of the replacement position, are not eligible to be appointed to the replacement civil service position without competition. However, they may apply through an open-competitive recruitment, if one is conducted.

VII. SEVERANCE OF EXEMPT EMPLOYMENT

Upon filling of the replacement civil service position, the employee's exempt appointment shall be simultaneously terminated.

VIII. PUBLIC EMPLOYMENT AND SUITABILITY REQUIREMENTS

Exempt employees appointed to civil service positions must meet the same public employment and suitability requirements as individuals who are initially appointed to civil service positions, unless they have already fulfilled those requirements as a result of their exempt employment.

IX. INITIAL COMPENSATION

Provisions covering the compensation of exempt employees who are appointed to replacement civil service positions within the same bargaining unit (BU) are covered by the applicable collective bargaining agreement, supplemental agreements negotiated with the exclusive representative for the respective BU (included employees) or executive orders (excluded employees).

X. INITIAL PROBATION PERIOD

Pursuant to Section 14-3.05-3 of the State of Hawaii Human Resources Rules, and Section 76-27, HRS, exempt employees who receive civil service appointments must serve an initial probation period.

XI. BACKGROUND

Act 253, SLH 2000 (effective July 1, 2002), affirmed the State policy that all positions and personal services in the State should be covered by civil service, unless specifically exempted, and directed DHRD to submit a report, each legislative session, of positions that were permanently exempted from the civil service prior to the effective date of the Act.

**APPOINTMENT OF EXEMPT EMPLOYEES TO
REPLACEMENT CIVIL SERVICE POSITIONS**

POLICY NO. 1000.002 (Eff. 02/03/05; as rev. 11/30/11)

House Concurrent Resolution 94, H.D. 1, SLH 2003, and Act 128, SLH 2004, reiterated the Legislature's request for a review of exempt positions as required by Act 253.

Act 128, SLH 2004, which allowed exempt employees with six consecutive years of satisfactory service to apply for civil service positions through internal recruitments, was repealed on July 1, 2006.

Act 300, SLH 2006, was enacted to "comply with Act 253, SLH 2000." The Act amended a number of statutory provisions that required positions to be exempt from civil service to allow discretion as to whether the positions should be civil service or exempt from civil service, and also directed DHRD and the Hawaii Government Employees Association "to work collaboratively to establish a logical, workable and fair process for converting positions in various departments, which are currently exempt from chapter 76, Hawaii Revised Statutes, to civil service positions." The Act also granted rights to exempt employees who occupied the affected exempt position for at least one year, as reflected in section V. above, and requires DHRD to submit a report on the conversions of exempt positions to the Legislature prior to each regular session.

AUTHORITIES AND REFERENCES

Article XVI, Section 1, State Constitution

§76-1, Hawaii Revised Statutes, *Purposes; Merit Principle*

§76-16, Hawaii Revised Statutes, *Civil service and exemption.*

§76-27, Hawaii Revised Statutes, *Probationary service and other requirements for membership in civil service*

Act 253, SLH 2000

Act 300, SLH 2006

§14-1-15, Hawaii Administrative Rules, *Definitions*

§14-3.01-2, Hawaii Administrative Rules, *Appointment Through the Merit System*

§14-3.05-3, Hawaii Administrative Rules, *Initial Probation Period*

BFED Committee

From: Kristie M. Wigglesworth <Kristie.Wigglesworth@co.maui.hi.us>
Sent: Friday, April 17, 2026 4:47 PM
To: BFED Committee
Cc: Melody A. Andrion
Subject: BFED-1 (CC-04) Response Memo to Chair Sugimura re DAG and DPS | Closing (2025-0169)
Attachments: 2026-04-15 BFED-1 RFLS Szabo FY27 Budget (CC-04)_Closing.PDF

Dear BFED Committee,

See the attached completed request for legal services dated April 14, 2026, and response memorandum.

Mahalo,

Kristie Wigglesworth
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Department of the Corporation Counsel
County of Maui
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