

## PIA Committee

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**From:** Jim or Belinda <2jbhome@hawaiiintel.net>  
**Sent:** Monday, July 04, 2016 3:00 PM  
**To:** PIA Committee  
**Subject:** Testimony - Items PIA 10-(7); PIA 10 - (9); PIA 10 - (14) fo Monday  
**Attachments:** TESTIMONY PIA item 10( 7, 14, 9) ) mtg 07\_05\_16.odt

Happy 4th of July

Please find attached a copy of my testimony related to items to be considered at you continued meeting on Monday.

I have not expressed these concerns related to the items 10 - (7); 10 - (9); and 10 - (14). I ask that the testimony be provided to the committee.

thank you

jim

Jim Smith  
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July 4, 2016

Chairperson Michael Victorino and  
Members of the Policy and Intergovernmental Affairs Committee

TESTIMONY: related to Art. 3 Section 8 (1) in consideration of Items PIA10  
– - (7); Item PIA 10 – (14) AND Item PIA 10 - (9)

This Committee continues to consider several proposed charter amendments and whether to react to a dysfunctional executive branch. The amendments propose in varying ways places the Council in control of hiring and firing of Department Directors and mayoral appointees.

In reality this would involve dictating terms of employment. As such, by Resolutions the council seeks to put to voters, amendment that if approved, will break the law; they will in effect repeal an existing charter provision by implication.

Our Charter at Article 3 Section 3.8 (10) states: **Neither the council nor any of its members shall, in any manner, dictate the appointment or removal of any officer or employee appointed by the mayor or by the mayor's subordinates.**

It seems obvious that proposing to the voters in this manner, an amendment or amendments as presented here, certainly would satisfy the prohibition presented here. I respectfully request the Committee take no action on these proposed amendments until an opinion addressing the questions raised is provided to it in written form.

Thank you

signed: Jim Smith  
Dated: 07\_04\_16