

OFFICE OF BOARDS & COMMISSIONS

ELLEN CHING, ADMINISTRATOR



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

1. Prosecutor's office vacancies:

Ballot Language: Shall the County Charter be amended to require that future elections for Prosecuting Attorney occur at the same time as the County's elections?

Purpose: The purpose of this amendment is to amend the County Charter to avoid the high cost of conducting a special election to fill a vacancy of the Prosecuting Attorney.

Background: The recent resignation of the Prosecuting Attorney triggered a special election pursuant to the Charter. The cost to the County of the election was approximately \$500,000.00. This amendment would allow the first deputy prosecutor to serve as Prosecuting Attorney until the seat is filled in a regularly scheduled election. The special election to fill a vacancy of the Prosecuting Attorney would be held concurrently with the County's elections if the vacancy occurs more than three days before the filing deadline for the elections. If the vacancy occurs later, the special election will occur concurrently with the County's next scheduled election and the first deputy would serve until the County Prosecutor is seated. In the event a first deputy is unable to serve, the Prosecuting Attorney will be appointed by the mayor with approval of the county council.

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1. Electric Power Authority:

Ballot Language: Shall the Charter be amended by removing the County Council's ability to create a corporation to provide electricity pursuant to Article 30?

Purpose: The purpose of this amendment is to remove provisions in the Charter that will allow the Council to create an electric power corporation like KIUC (Kauai Island Utility Cooperative) to avoid duplication of services and limit the growth of government.

Background: In 2002, voters approved Charter amendment (Article 30) in response to the proposed sale of the Kauai Electric Company to the Kauai Island Utility Cooperative (KIUC). If the sale of Kauai Electric to KIUC failed, or if KIUC was not able to provide adequate electrical services, Article 30 allowed the County Council to create an electric power authority corporation. In September 2003, the Hawaii Public Utilities Commission approved the sale of Kauai Electric to KIUC. KIUC has adequately managed and operated Kauai's electrical power system since 2002 and has become a national leader in renewable energy.

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