



A BILL FOR AN ORDINANCE

RELATING TO BALLOT MEASURES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to regulate the use of city resources for ballot measures.

SECTION 2. Chapter 3, Article 8, Revised Ordinances of Honolulu 1990 ("Additional Standards of Conduct"), as amended, is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

"Sec. 3-8. ___ Ballot Measures.

(a) Definitions. For the purposes of this section, the terms defined in this subsection shall have the respective meanings hereinafter set forth:

"Ballot measure" means an ordinance proposed to be approved by initiative or any proposed city charter amendment submitted to the electorate for approval.

"City funds" means any monies appropriated in the city's executive operating budget and executive capital budget, the Honolulu Board of Water Supply's operating budget and capital budget, the Honolulu Authority for Rapid Transportation's operating budget and capital budget, and the legislative budget, and monies appropriated in any amendments made to any of the above budgets.

"City resources" means: 1) any salaries and tangible or intangible assets including, but not limited to, an officer's or employee's official position or authority, real property, personal property, services or information which have been or are paid for by city funds or by gifts or grants to the city; and 2) any tangible or intangible assets, including information, that were obtained by the city.

"Employee" means the same as defined in Revised Charter Section 13-101.3 and shall include employees of the Honolulu Board of Water Supply and the Honolulu Authority for Rapid Transportation.

"Officer" means the same as defined in Revised Charter Section 13-101.4 and shall include officers of the Honolulu Board of Water Supply and the Honolulu Authority for Rapid Transportation.



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"Partisan advocacy" means communication to the electorate that (1) expressly advocates support or defeat of a particular ballot measure, or (2) is susceptible of no reasonable interpretation other than as an appeal to either support or defeat a particular ballot measure.

- (b) With the exception of any written or oral statement personally made by the mayor, prosecutor, any councilmember or any other elected official, no city officer or employee may use any city resources for the purpose of partisan advocacy to support or defeat any ballot measure.
- (c) Nothing in this section shall prohibit the use of any of the resources described in subsection (b) by the city clerk to provide brief summaries of ballot measures to the electorate to aid the electorate in reaching an informed judgment regarding any ballot measure."



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SECTION 3. This ordinance shall take effect upon approval.

INTRODUCED BY:

Ann Kobayashi

DATE OF INTRODUCTION:

March 29, 2012
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

PETER B. CARLISLE, Mayor
City and County of Honolulu