

2009-2010 HAWAI'I COUNTY CHARTER COMMISSION
CHARTER AMENDMENT PROPOSAL FORM

1. GENERAL INFORMATION

Name of Commission Member: _____

2. If applicable, list the charter provision(s) to be deleted or amended:

3. Provide a brief description of the purpose of the proposed charter amendment; include a description of the issue the proposal would address:

4. If the proposal is based on a provision(s) in the charter or law of another jurisdiction, name the jurisdiction and, if possible, attach a copy of the relevant provision(s).

5. If the proposal is based on any written materials you have, please attach a copy with a citation to its source.

See reverse side

6. Attach the text of the proposed charter amendment in Ramseyer format (see below).

Ramseyer Format, if proposing:

Amendments to Existing Charter Provisions

Any language being proposed to be added to the Charter shall be underscored.

Any language being proposed to be deleted from the Charter shall be [bracketed].

Replacing Existing Charter Provisions in their Entirety

Clearly indicate the article(s), chapter(s), and/or section(s) of the Charter to be proposed to be deleted, and provide the text of any provisions proposed to replace the deleted material.

New Charter Provisions

Provide the text of the new provision(s) and, if possible, indicate where in the Charter the new material should be inserted.

CHARTER AMENDMENT NO.

BE IT ENACTED BY THE PEOPLE OF THE COUNTY OF HAWAI'I:

Section 1. Article V, Hawai'i County Charter, is amended by adding a new chapter to be appropriately designated to read as follows:

“CHAPTER __ CIVIL DEFENSE AGENCY

Section 5-__.1. Organization.

There shall be a civil defense agency headed by a civil defense administrator who shall be appointed and may be removed by the mayor in accordance with law.

Section 5-__.2. Powers, Duties and Functions.

The civil defense administrator shall:

- (a) Develop, prepare and, under disaster or emergency situations, assist in the implementation of civil defense plans and programs to protect and promote the public health, safety and welfare of the people of the county.
- (b) Coordinate the civil defense activities and functions of the county with those of the state and federal governments and other public and private organizations for civil defense with the state.

Section 2. The revisor shall appropriately renumber charter chapter numbers, section numbers, and cross references pursuant to amendments approved by the electorate that displace existing or newly enacted charter provisions.

Section 3. This amendment shall take effect upon approval by the electorate.

(As of February 20, 2001)

Section 6-103. Civil Defense Agency --

There shall be a civil defense agency headed by a civil defense administrator who shall be appointed and may be removed by the mayor in accordance with law.¹⁶ The civil defense administrator shall:

(a) Develop, prepare and, under disaster or emergency situations, assist in the implementation of civil defense plans and programs to protect and promote the public health, safety and welfare of the people of the city.

(b) Coordinate the civil defense activities and functions of the city with those of the state and federal governments and other public or private organizations for civil defense within the state.

(1998 General Election Charter Amendment Question No. 3(III), section and subsequent sections renumbered)

¹⁶The position of civil defense administrator is a civil service position. Malcolm A. Sussel v. City and County of Honolulu, et al., U.S.D.C. Civil Nos. 86-1136 and 88-00375, judgments entered May 4 and May 8, 1989, affirmed by U.S.C.A. (9th Circuit) May 9, 1991; Sussel v. City and County of Honolulu Civil Service Commission, 71 Haw. 101, 784 P.2d 867 (1989); Sussel v. Civil Service Commission of the City and County of Honolulu, 74 Haw. 599, 851 P.2d 311 (1993).