

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 VI, section 6-5.5, Hawai'i County Charter, is amended to read as follows, with added language underscored and deleted language bracketed and stricken through:

“Section 6-5.5. Special Council.

- (a) The council may, by two-thirds vote of its entire membership, authorize the employment of special counsel for any special matter presenting a real necessity for such employment. Any such authorization shall specify the compensation, if any, to be paid for said services.
- (b) Where the corporation counsel has been disqualified or has a conflict of interest, special counsel may be retained by any officer or employee in matters relating to the official powers and duties of such officer or employee. The mayor or any councilmember may also retain special counsel in impeachment proceedings. The council shall appropriate the necessary funds to pay reasonable fees and costs for such legal services.
- (c) Except in circumstances where the corporation counsel has been disqualified or has a conflict of interest, any special deputy or counsel appointed under this section shall be a subordinate of the corporation counsel.”

Section 2. This amendment shall take effect upon approval by the electorate.

(As of February 20, 2001)

Section 5-204. Special Deputies and Counsel --

1. Special deputies may be appointed by the corporation counsel, with the approval of the city council. Such appointments shall be based on a contract specifying the compensation, if any, to be paid a special deputy. The compensation shall be based on the prevailing rate for the specified services to be rendered.

2. No special counsel shall be retained to represent the city or any officer or executive agency, except as otherwise provided in this charter.

3. Where the corporation counsel has been disqualified, special counsel may be retained by any officer or employee in matters relating to the official powers and duties of such officer or employee. The mayor or any councilmember may also retain special counsel in impeachment proceedings. The council shall appropriate the necessary funds to pay reasonable fees for such legal services.

4. Except in circumstances where the corporation counsel has been disqualified, any special deputy or counsel appointed under this section shall be a subordinate of the corporation counsel. *(Reso. 78-237 and 83-357; 1992 General Election Charter Amendment Question No. 22)*