PROPOSED CHARTER AMENDMENT 10

SECTION 1. Section 3-101, Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended, is amended to read as follows:

“Section 3-101. Legislative Power --

The legislative power of the city shall be vested in and exercised by the city council, except as otherwise specifically provided by this charter.”

SECTION 2. Section 4-101, Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended, is amended to read as follows:

“Section 4-101. Executive Power --

The executive power of the city shall be vested in and exercised by the mayor, as chief executive officer, except as otherwise specifically provided by this charter.”

SECTION 3. Section 9-202, Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended, is amended to read as follows:

“Section 9-202. Creation of Funds --

In addition to the funds established by this charter, the council [, on its own initiative] or [on the recommendation of] the mayor[,] upon the approval of the council, may establish other funds [when the council deems it necessary and] when no appropriate class of funds exists.”

SECTION 4. Section 9-105, Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended (“Amendments to the Annual Legislative and Executive Budget Ordinances and Executive Program; Other Appropriations --”), is amended by amending subsection 2 to read as follows:

“2. Amendments to the annual executive budget ordinances and program may be submitted by the mayor and the council, and considered by the council under the same procedures prescribed for the enactment of the annual executive budget ordinances and adoption of the executive program, provided that:
   (a) No amendment shall increase the aggregate of authorized expenditures to an amount greater than the estimate of available resources for the fiscal year.
   (b) Amendments to the capital budget ordinance shall conform to the operating and capital program, as amended.”