

PROPOSAL 78

Section 3-101 of the Revised Charter of the City and County of Honolulu 1973, 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 4-101 of the Revised Charter of the City and County of Honolulu 1973, 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 9-202 of the Revised Charter of the City and County of Honolulu 1973, 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 9-105 of the Revised Charter of the City and County of Honolulu 1973, as amended, is amended to read as follows:

“Section 9-105. Amendments to the Annual Legislative and Executive Budget Ordinances and Executive Program; Other Appropriations --

1. Amendments to the annual legislative budget ordinance may be initiated and considered by the council under the same procedures prescribed for the adoption of the annual legislative budget ordinance, subject to the proviso in subsection 2(a) of this section of the charter.

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.

3. Appropriations for items not included in the annual legislative or executive budget ordinances may be proposed by the council or by the mayor and enacted for the following purposes only:

- (a) To meet contingencies which could not be anticipated when the budget ordinances were passed.
- (b) To pay the expenses of holding special elections and elections on proposals to amend this charter.

Unless paid for out of current revenues, all amounts appropriated under this subsection of the charter must be included as liabilities of the city in the next succeeding annual legislative or executive budget ordinances. Operating expenses shall neither be appropriated nor paid out of loan funds, except to meet emergencies as declared by the mayor. “