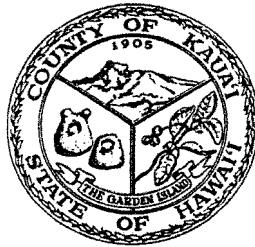


COUNTY COUNCIL
BILL "KAIPO" ASING, CHAIR
MEL RAPOZO, VICE CHAIR
TIM BYNUM
JAY FURFARO
SHAYLENE ISERI-CARVALHO
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OFFICE OF THE COUNTY CLERK
Council Services Division
Elections Division
Records Division
PETER A. NAKAMURA, County Clerk
ERNESTO G. PASION, Deputy County Clerk
Telephone: (808) 241-6371
Facsimile: (808) 241-6349

February 19, 2008

TO: **COUNCIL CHAIR BILL "KAIPO" ASING**

FROM: **TIM BYNUM, COUNCILMEMBER** 

IN RE: **PROPOSED AMENDMENT TO RESOLUTION NO. 2007-2, AS AMENDED BY RESOLUTION NO. 2007-53, ADOPTING RULES OF THE COUNCIL OF THE COUNTY OF KAUA'I FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS**

Attached please find a draft resolution amending the Rules of the Council of the County of Kaua'i to allow for the public release of opinions rendered by the Office of the County Attorney upon questions of law requested by the Council.

This amendment to Council Rule No. 2(a) would allow for the release of County Attorney opinions upon questions of law by a "supermajority" vote of two-thirds ($\frac{2}{3}$'s) of the full membership of the Council, or 5 of the Council's 7 total votes.

I would also request that this proposed resolution amending the Rules of the Council be placed on a future Council agenda for consideration.

Please feel free to see me if you may have any questions. Thank you for your consideration of this request.

Attachment

copy: Council Services

DRAFT

RESOLUTION AMENDING RESOLUTION NO. 2007—02, AS AMENDED BY RESOLUTION NO. 2007-53, ADOPTING RULES OF THE COUNCIL OF THE COUNTY OF KAUA'I FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. Council Rule No. 2(a), as attached to Resolution No. 2007-02, and as amended by Resolution No. 2007-53, is hereby amended as follows:

"RULE NO. 2 QUORUM AND VOTE: EXCEPTIONS LISTED

(a) Council. A majority (4) of the entire membership of the Council shall constitute a quorum and the majority (4) vote of the entire membership shall be necessary to take any action; provided that an affirmative vote of at least two-thirds (5) of the Council shall be required for the following:

(1) To authorize the issuance of general obligations bonds;

(2) To override the Mayor's veto; [and]

(3) To suspend without pay for not more than one month any member for disorderly or contemptuous behavior or for personal vilification in its presence[.]; and

(4) To authorize the release of opinions upon questions of law rendered by the Office of the County Attorney requested by the Council."

SECTION 2. Material to be deleted is bracketed. New material to be added is underscored.

SECTION 3. This Resolution shall take effect upon its approval.

Introduced by:

TIM BYNUM