
A BILL FOR AN ACT

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST
FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 87A-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§87A-5~~ **Composition of board.** (a) The board of trustees
4 of the employer-union health benefits trust fund shall consist
5 of ~~[ten]~~ trustees appointed ~~[by the governor]~~ in accordance with
6 the following procedure:

7 (1) ~~[Five]~~ Six trustees ~~[, one of whom shall represent~~
8 ~~retirees,]~~ to represent employee-beneficiaries and to
9 be selected as follows:

10 ~~[(A) Three trustees shall be appointed from a list of~~
11 ~~two nominees per trustee selected by each of the~~
12 ~~three exclusive representative organizations that~~
13 ~~have the largest number of employee-~~
14 ~~beneficiaries,~~

15 ~~(B) One trustee shall be appointed from a list of two~~
16 ~~nominees selected by mutual agreement of the~~



1 ~~remaining exclusive employee representative~~
2 ~~organizations; and~~

3 ~~(C) One trustee representing retirees shall be~~
4 ~~appointed from a list of two nominees selected by~~
5 ~~mutual agreement of all eligible exclusive~~
6 ~~representatives; and~~

7 ~~(2) Five trustees to represent public employers.]~~

8 (A) One trustee to be appointed by the exclusive
9 bargaining representative for bargaining units 2,
10 3, 4, 6, 8, 9 and 13;

11 (B) One trustee to be appointed by the exclusive
12 bargaining representative for bargaining unit 5;

13 (C) One trustee to be appointed by the exclusive
14 bargaining representative for bargaining unit 7;

15 (D) One trustee to be appointed by the exclusive
16 bargaining representative for bargaining units 1
17 and 10;

18 (E) One trustee to be appointed by the exclusive
19 bargaining representative for bargaining unit 11;
20 and



1 (F) One trustee to be appointed by the exclusive
2 bargaining representative for bargaining unit 12.
3 provided that all trustees shall serve at the pleasure
4 of the appointing exclusive bargaining representative;
5 and

6 (2) Six trustees, five to represent public employers and
7 one to represent retiree beneficiaries, as follows:

8 (A) One trustee shall be appointed by the governor to
9 represent the State of Hawaii administration;

10 (B) One trustee shall be appointed by the governor
11 from a nominee submitted by the University of
12 Hawaii board of regents;

13 (C) One trustee shall be appointed by the governor
14 from a nominee submitted by the board of
15 education;

16 (D) One trustee shall be appointed by the mayor of
17 the city and county of Honolulu;

18 (E) One trustee shall be appointed by at least two
19 county mayors from the county of Hawaii or Maui
20 or Kauai. The two remaining counties shall have
21 an alternate as a trustee to sit in the absence



1 of a county or city and county regular trustee;

2 and

3 (F) One trustee shall be appointed by the governor to

4 represent retiree beneficiaries;

5 provided that all trustees shall serve at the pleasure

6 of the appointing authority.

7 (b) Section 26-34 shall not apply to board member
8 selection and terms. Notwithstanding any other provision of
9 this section, no exclusive representative of a bargaining unit
10 that sponsors or participates in a voluntary employee
11 beneficiary association shall be eligible to select nominees or
12 to be represented by a trustee on the board.

13 (c) As used in this section, the term "exclusive
14 representative" shall have the same meaning as in section 89-2."

15 SECTION 2. Section 87A-11, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "[+]§87A-11[+] Quorum; board actions; voting. (a) [~~Six~~]
18 Eight trustees, [~~three~~] four of whom represent the public
19 employer and [~~three~~] four of whom represent employee-
20 beneficiaries, shall constitute a quorum for the transaction of
21 business.



1 (b) Trustees representing the public employers shall
2 collectively have one vote. Trustees representing the employee-
3 beneficiaries shall collectively have one vote.

4 For any vote of the trustees representing the public
5 employers to be valid, [~~three~~] four of these trustees must
6 concur to cast such a vote. In the absence of such concurrence,
7 the trustees representing the public employers shall be deemed
8 to have abstained from voting.

9 For any vote of the trustees representing the employee-
10 beneficiaries to be valid, [~~three~~] four of these trustees must
11 concur to cast such a vote. In the absence of such concurrence,
12 the trustees representing the employee-beneficiaries shall be
13 deemed to have abstained from voting.

14 An abstention shall not be counted as either a vote in
15 favor or against a matter before the board.

16 (c) Any action taken by the board shall be by the
17 concurrence of at least two votes. In the event of a tie vote
18 on any motion, the motion shall fail. Upon the concurrence of
19 [~~six~~] eight trustees, the board shall participate in dispute
20 resolution."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on January 7, 2059.

4



Report Title:

Hawaii Employer-union Health Benefits Trust Fund; Board of Trustees; Membership; Quorum

Description:

Amends the composition, appointing authorities, and quorum requirements of the EUTF board of trustees. Effective January 7, 2059. (SD1)

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