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# A BILL FOR AN ACT

RELATING TO BOARDS AND COMMISSIONS.

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

1           SECTION 1. The legislature finds that the role of a  
2 governmental advisory board is to provide up-to-date  
3 information, critical thinking, and analysis to the decision-  
4 makers who represent the government entity that the board is  
5 advising, and that that advisory board itself does not make  
6 decisions. The legislature further finds that the governor is  
7 charged with nominating qualified individuals to state advisory  
8 board and commission positions.

9           The purpose of this Act is to:

- 10           (1) Specify that nominated members for the statewide  
11 voters with special needs advisory board are subject  
12 to the advice and consent of the senate standing  
13 committee on government operations;
- 14           (2) Specify that nominated members for the commission to  
15 promote uniform legislation are subject to the advice  
16 and consent of the senate standing committee on  
17 government operations; and



1 (3) Specify that nominated members for the commission on  
2 fatherhood are subject to the advice and consent of  
3 the senate standing committee on government  
4 operations.

5 SECTION 2. Section 11-10.5, Hawaii Revised Statutes, is  
6 amended by amending subsection (b) to read as follows:

7 "(b) The advisory committee shall consist of five members  
8 appointed by the governor based on recommendations from  
9 organizations within the State that are comprised of a majority  
10 of officers and members who are persons with physical  
11 disabilities, including visual impairment. Each member shall  
12 identify as a voter with special needs arising from physical  
13 disabilities, including visual and hearing impairments that  
14 require an accommodation to vote. The terms of advisory  
15 committee members shall be four years; provided that initial  
16 terms shall be one, two, three, or four years to ensure  
17 staggered rotation of members. The members shall be subject to  
18 advice and consent of the senate standing committee on  
19 government operations."

20 SECTION 3. Section 26-7, Hawaii Revised Statutes, is  
21 amended to read as follows:



1           "§26-7 Department of the attorney general. The department  
2 of the attorney general shall be headed by a single executive to  
3 be known as the attorney general.

4           The department shall administer and render state legal  
5 services, including furnishing of written legal opinions to the  
6 governor, legislature, and such state departments and officers  
7 as the governor may direct; represent the State in all civil  
8 actions in which the State is a party; approve as to legality  
9 and form all documents relating to the acquisition of any land  
10 or interest in lands by the State; and, unless otherwise  
11 provided by law, prosecute cases involving violations of state  
12 laws and cases involving agreements, uniform laws, or other  
13 matters which are enforceable in the courts of the State. The  
14 attorney general shall be charged with such other duties and  
15 have such authority as heretofore provided by common law or  
16 statute.

17           There shall be within the department of the attorney  
18 general a commission to be known as the commission to promote  
19 uniform legislation, which shall sit in an advisory capacity to  
20 the attorney general and to the legislature on matters relating  
21 to the promotion of uniform legislation. The composition of the



1 commission shall be as heretofore provided for the commission to  
2 promote uniform legislation existing immediately prior to  
3 November 25, 1959. The members of the commission shall be  
4 nominated, and by and with the advice and consent of the senate  
5 standing committee on government operations, appointed by the  
6 governor for terms of four years each[7]; provided that each  
7 member shall hold office until the member's successor is  
8 appointed and qualified; [~~and~~] provided [~~also~~] further that the  
9 provisions of section 26-34, limiting the appointment of members  
10 of boards and commissions to two terms and the duration of  
11 membership to not more than eight consecutive years shall not be  
12 applicable.

13 The functions and authority heretofore exercised by the  
14 attorney general, high sheriff, and the commission to promote  
15 uniform legislation as heretofore constituted are transferred to  
16 the department of the attorney general established by this  
17 chapter."

18 SECTION 4. Section 26-34, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:

20 "(a) The members of each board and commission established  
21 by law shall be nominated and, by and with the advice and



1 consent of the senate standing committee on government  
2 operations, appointed by the governor. Unless otherwise  
3 provided by this chapter or by law hereafter enacted, the terms  
4 of the members shall be for four years; provided that the  
5 governor may reduce the terms of those initially appointed so as  
6 to provide, as nearly as can be, for the expiration of an equal  
7 number of terms at intervals of one year for each board and  
8 commission. Unless otherwise provided by law, each term shall  
9 commence on July 1 and expire on June 30, except that the terms  
10 of the chairpersons of the board of agriculture, the board of  
11 land and natural resources, and the Hawaiian homes commission  
12 shall commence on January 1 and expire on December 31. No  
13 person shall be appointed consecutively to more than two terms  
14 as a member of the same board or commission; provided that  
15 membership on any board or commission shall not exceed eight  
16 consecutive years."

17 SECTION 5. Section 577E-3, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "**§577E-3 Members; terms; chair; quorum; compensation.** (a)  
20 The commission shall consist of fifteen members and reflect the



1 geographic and cultural diversity of the State. The membership  
2 shall include:

3 (1) Ex officio, the director of human services,  
4 superintendent of education, director of health,  
5 attorney general, director of public safety, and  
6 executive director of the office of youth services, or  
7 their designees; and

8 (2) Eight voting members who shall be appointed by the  
9 governor as provided in section 26-34, except as  
10 otherwise provided in this section, as follows:

11 (A) Two members shall be appointed by the governor  
12 from a list of three nominees submitted by the  
13 president of the senate, and two members shall be  
14 appointed by the governor from a list of three  
15 nominees submitted by the speaker of the house of  
16 representatives; and

17 (B) Four members shall be appointed by the governor  
18 from the community.

19 (3) One voting member who shall be designated by the  
20 Hawaii Coalition for Dads.



1 (b) Of the appointed members, there shall be at least one  
2 member from each of the counties of Kauai, Maui, and Hawaii.

3 (c) All members shall serve for a term of four years. Any  
4 vacancies occurring in the membership of the commission shall be  
5 filled for the remainder of the unexpired term in the same  
6 manner as the original appointments. No member shall serve on  
7 the commission for more than two terms; provided that if a  
8 member fills a vacancy and serves for the remainder of an  
9 unexpired term that member shall be considered to have served  
10 one term.

11 (d) The chair and vice chair of the board shall be  
12 selected annually from the nongovernmental members of the  
13 commission appointed pursuant to subsection (a)(2). A simple  
14 majority shall constitute a quorum, whose affirmative vote shall  
15 be necessary for all actions.

16 (e) The members shall serve without compensation.

17 (f) Any member of the commission shall be immune from  
18 civil liability as provided in section 26-35.5.

19 (g) The members shall be subject to advice and consent of  
20 the senate standing committee on government operations."



1 SECTION 6. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2112.



**Report Title:**

Statewide Voters with Special Needs Advisory Board; Commission to Promote Uniform Legislation; Commission on Fatherhood; Advice and Consent

**Description:**

Specifies that the nominated members of certain boards and commission are subject to the advice and consent of the Senate Standing Committee on Government Operations. Effective 7/1/2112. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

