

**ACT 2**

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An Act Amending Section 8-104 of the Charter of the City and County of Honolulu, Relating to Members of the Board of Water Supply.

WHEREAS, section 11 of Article III of the Constitution of the State of Hawaii provides for the consideration and enactment in a budget session of all urgency measures deemed necessary in the public interest; and

WHEREAS, said section further provides that no urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in a section thereof and until such section shall have been first approved by each House; and

WHEREAS, it is the intention of the legislature to enact this as an urgency measure pursuant to said section 11 of Article III; now, therefore

*Be it Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 8-104 of Article VIII of the Charter of the City and County of Honolulu provides that the board of water supply "shall consist of seven members. The chief engineer of the department of public works of the city and the superintendent of public works of the Territory or the heads of successor agencies having substantially the same duties shall be members ex-officio of the board."

Prior to the enactment of Act 1, Second Special Session, First State Legislature 1959, hereinafter referred to as the Reorganization Act, the "department of public works" of the Territory headed by the superintendent included two separate functions: public works and highways. However, the Reorganization Act abolished the department of public works of the Territory and allocated its functions to two separate departments. The highway functions were transferred by section 26 of the Reorganization Act to the department of transportation headed by the director of transportation, and the non-highway functions were transferred by section 12 of the Reorganization Act to the department of accounting and general services headed by the comptroller. A question has arisen as to whether the director of transportation or the comptroller shall serve on the board of water supply, which should be clarified by appropriate legislation. Since problems handled by the board of water supply frequently involve state-owned highways, it is desirable that the director of transportation serve on the said board.

It is urgent that this measure be approved and enacted at this time to remove any doubt or uncertainty as to the membership of said board, particularly in connection with its plans to issue revenue bonds before the next general session of the legislature.

SECTION 2. Section 8-104 of the Charter of the City and County of Honolulu is hereby amended by deleting the words "superintendent of public works of the Territory" wherever found and substituting in lieu thereof the words DIRECTOR OF TRANSPORTATION OF THE STATE.

SECTION 3. This Act shall take effect upon its approval.  
(Approved April 21, 1960.) S.B. 242.