

ACT 176

An Act Relating to the Police Departments of the Various Counties.

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

SECTION 1. Chapter 138, Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto new sections to be appropriately numbered by the revisor of statutes and to read as follows:

“Sec. 138- Police commissions; appointment. A police commission consisting of 5 members, no more than 3 of whom shall belong to the same political party at the time of appointment is hereby created for each of the counties. The elected executive head, which term shall include the chairman of the board of supervisors of the respective counties and the mayor of the city and county of Honolulu as the case

may be and any duly appointed or elected successor, shall nominate, and by and with the advice and consent of the legislative body of the county, shall appoint the members of the commission. The elected executive head may, by and with the advice and consent of the legislative body of the county, remove from office any such member. No member of the commission shall be a salaried officer or employee of the State or any political subdivision thereof. Any member becoming a candidate for any elective office shall, upon the date of filing as a candidate be disqualified as a member of the commission and a new member shall be appointed to replace him. Each commissioner must at the time of his appointment be an elector of the respective county and must have been such for at least three years next preceding his appointment. The commissioners shall serve without remuneration, but may be reimbursed for their reasonable travel and other expenses incurred in the discharge of their duties. Subject to the provisions of chapters 3 and 4, the commission may employ such clerks, employees and other assistants at such salaries as it may find necessary.

Sec. 138- Terms of office. The terms of office of the members who are holding office on the effective date of this Act shall expire 30 days from the effective date of the Act.

The five succeeding members of the commission shall be appointed, one for a term to expire on December 31, 1965, one for a term to expire on December 31, 1966, one for a term to expire on December 31, 1967, one for a term to expire on December 31, 1968, and one for a term to expire on December 31, 1969. Upon the expiration of the term of each commissioner, his successor shall be appointed for a term to expire five years from the date of the expiration of the preceding term. Any vacancy in the commission occurring otherwise than by expiration of a term of office shall be filled for the remainder of such unexpired term in the manner provided by this Act.

Every commissioner shall hold office for the term herein provided and until his successor is duly appointed and qualified."

SECTION 2. All laws and parts of laws heretofore enacted which are in conflict with the provisions of this Act are hereby amended to conform herewith. The powers, duties and functions of the police commissions of the several counties heretofore provided by law shall continue in force after the effective date of this Act unless otherwise amended or repealed.

SECTION 3. This Act shall take effect on January 1, 1965.

(Approved June 3, 1963.) **S.B. 10.**
