

A Bill for an Act Relating to the Public Utilities Commission.

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

SECTION 1. Section 269-2, Hawaii Revised Statutes, is amended to read:

“Sec. 269-2. Public utilities commission; number, appointment of commissioners. There shall be a public utilities commission of five members, to be called commissioners, and who shall be appointed in the manner prescribed in section 26-34. No member of the commission shall be a salaried officer or employee of the State. Two members shall be appointed from the city and county of Honolulu and one from each of the counties of Hawaii, Maui, and Kauai. One of the city and county of Honolulu members shall be the chairman of the commission. Each of the members shall receive compensation at the rate of \$50 per day while actually engaged in the performance of his duties as commissioner, and such reasonable traveling expenses as may be incurred in the discharge of his duties. No person owning any stock or bonds of any public utility corporation, or having any interest in, or deriving any remuneration from, any public utility shall be appointed to or hold an office on the commission, or be appointed or employed by the commission.”

SECTION 2. Section 269-3, Hawaii Revised Statutes, is amended to read:

“Sec. 269-3. Employment of assistants. The director of regulatory agencies may appoint and employ such clerks, stenographers, agents, engineers, accountants, and other assistants for the public utilities commission, as may be necessary, and define their powers and duties. The director may appoint a chief administrator who shall be exempted from chapter 76. The commission may appoint an attorney who shall be exempt from the provisions of chapter 76, Hawaii Revised Statutes, and who shall act as attorney for the commission. The attorney general and his deputies shall act as attorneys for the staff of the commission.”

SECTION 3. Section 103-3, Hawaii Revised Statutes, is amended to read:

“Sec. 103-3. Employment of attorneys. No department of the State other than the attorney general, shall make any expenditure of public funds for the employment or retention by contract or otherwise of any attorney for the purpose of representing the State or such department in any litigation, rendering legal counsel to the department, or drafting legal documents for the department; provided that the foregoing provisions shall not apply:

- (1) To the Hawaii housing authority or the Public Utilities Commission;
- (2) To any court or judicial or legislative officer of the State;
- (3) To the legislative reference bureau;
- (4) To such compilation commission as may be constituted from time to time;

(5) In the event the attorney general, for reasons deemed by him good and sufficient, declines such representation or counsel, or approves such department's expenditures; provided the governor thereupon waives the provision of this section.

For the purposes of this section the term 'department of the State' means any department, board, commission, agency, bureau, or officer of the State.

Every attorney employed by any department on a full time basis shall become a deputy attorney general."

SECTION 4. There is appropriated from the general revenues of the State, not otherwise appropriated, the sum of \$10,000, or so much thereof as may be necessary, for the purposes of this Act.

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 6. This Act shall take effect on July 1, 1972.

(Approved May 25, 1972.)

*Edited accordingly.