

ACT 130

H.B. NO. 692

A Bill for an Act Relating to Terms of Boards and Commissions.

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

SECTION 1. Section 9-2, Hawaii Revised Statutes, is amended to read as follows:

“§9-2 Establishment of foundation. There is hereby created a state foundation on culture and the arts composed of nine members to be appointed and removed by the governor pursuant to section 26-34. The term of each member shall be for four years, commencing on [January 1] July 1 and expiring on [December 31;] June 30; provided that of the nine members appointed for terms commencing January 1, 1978, three members shall serve for four years, three members shall serve for three years,¹ and the remaining three members shall serve for two years. The governor shall appoint the chairman of the foundation from among the members thereof. The members of the foundation shall serve without compensation, but they shall be reimbursed for travel and other necessary expenses in the performance of their official duties.

The foundation shall be placed within the department of accounting and general services for administrative purposes.”

SECTION 2. Section 307-2, Hawaii Revised Statutes, is amended to read as follows:

“§307-2 Board of directors; composition. The affairs of the research corporation shall be under the general management and control of the board of directors, hereinafter referred to as the “board”. The board shall consist of nine members. The president and director of research of the University of Hawaii, and the director of planning and economic development of the State shall serve as ex officio voting members. The remaining six members shall be appointed by the governor pursuant to section 26-34. All the members appointed by the governor, other than the ex officio members, shall serve for a term of¹ those initially appointed so as to provide, as nearly as can be, for the expiration of an equal number of terms at intervals of one year, each term commencing on [January 1] July 1 and expiring on [December 31;]¹ June 30. All members of the board shall serve without pay, but shall be entitled to reimbursement for necessary expenses while attending meetings and while in the discharge of duties and responsibilities.

The members of the board shall elect the chairman of the board.

If for any reason whatsoever,¹ any of the ex officio positions are¹ eliminated or changed in any way, the officer performing the basic functions of such ex officio position shall qualify to serve as the ex officio voting member on the board.”

SECTION 3. Section 463-2, Hawaii Revised Statutes, is amended to read as follows:

“§463-2 Board of private detectives and guards; appointment; qualifications; term. Appointment and removal. There shall be a board of detectives and guards consisting of seven members, six of whom shall be nominated, and by and with the advice and consent of the senate, appointed by the governor. The terms of such members shall be for four years. Each term shall commence on [January 1] July 1 and expire on [December 31.] June 30. No person shall be appointed consecutively to more than two terms, provided that such membership shall not exceed eight consecutive years. The director of commerce and consumer affairs shall be an ex officio nonvoting seventh member of the board and may designate a representative to sit in his stead.

Of the six appointed members, two shall be chiefs of police of any of the four counties, two shall be private citizens not engaged in any of the licensed practices, and two shall be persons actively engaged in any of the licensed practices; provided that one person shall be a licensed private detective and one person shall be a licensed guard.

The board shall examine applicants for private detective or guard licenses, grant licenses, and revoke or suspend licenses of licensees who violate this chapter.”

SECTION 4. Section 467-3, Hawaii Revised Statutes, is amended to read as follows:

“§467-3 Commission, appointments, qualifications, tenure. There shall be appointed in the manner provided by section 26-34, a commission to be known as the real estate commission, and to consist of nine members, at least four of whom shall be licensed real estate brokers who have been engaged in business as licensed real estate brokers or salesmen for three years immediately preceding their appointments, each of whom shall be a citizen of the United States and shall have resided in the State for at least three years preceding [his] appointment, and one of whom shall be designated by the appointing power as chairman. Four members shall be residents of the city and county of Honolulu, one shall be a resident of the county of Hawaii, one shall be a resident of the county of Maui, and one shall be a resident of the county of Kauai and two members shall be public members.

Appointments shall be made for a term of four years, commencing from the date of expiration of the last preceding term and shall be made to expire on [December 31.] June 30. Appointments shall be made so that at least one appointment shall be required each year.

Any vacancy shall be filled by appointment for the unexpired term. The members of the commission shall serve without pay. All expenses shall be paid out of the special fund provided in section 467-11.”

SECTION 5. Section 468E-6, Hawaii Revised Statutes, is amended by amending subsections (c) and (d) to read as follows:

“(c) Members shall serve for a term of three years, provided, that of the initial appointees, two shall serve for terms of one year; two shall serve for terms of two years; and three shall serve for terms of three years. Terms shall begin on the first day of the [calendar] fiscal year and end on the last day of the [calendar] fiscal year, except for the first appointed members, who shall serve through the last calendar year¹ of the year in which they are appointed before commencing the terms for which they are appointed as prescribed by this section.

(d) The board shall meet during the first month of each [calendar] fiscal year to select a chairman and for other appropriate purposes. At least one additional meeting shall be held before the end of each [calendar] fiscal year. Further meetings may be convened at the call of the chairman or the written request of any two board members. The board shall conduct its meetings and keep records of its proceedings in accordance with the provisions of chapter 92.”

SECTION 6. Notwithstanding any other provision of this Act, the terms of all members appointed to the boards and commissions affected by this Act, on or before the effective date of this Act, shall be extended from the ending date specified on the members' commissions through the next occurring June 30.

SECTION 7. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 8. This Act shall take effect upon its approval.

(Approved May 12, 1986.)

Note

1. So in original.