

ACT 287

S.B. NO. 2773

A Bill for an Act Relating to Heads of Departments.

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

SECTION 1. Section 87-11, Hawaii Revised Statutes, is amended to read as follows:

“§87-11 Composition of board. The board of trustees shall consist of nine trustees, three of whom shall be representatives from different organizations representing public employees, three from different private business organizations, a member of the clergy, a teacher, and the director of finance[.] or a designated representative.”

SECTION 2. Section 88E-4, Hawaii Revised Statutes, is amended to read as follows:

“[§88E-4] Composition of the board of trustees. The board of trustees shall consist of seven members as follows:

- (1) The director of personnel services of the State who shall serve as its chairperson;
- (2) The director of finance of the State[,] or a designated representative, ex officio;
- (3) Five other persons, three of whom shall be public employees and represent employee interests.”

SECTION 3. Section 226-53, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“§226-53 Policy council; composition; voting rights. (a) There is established a policy council whose membership shall include the following:

- (1) The planning director from each county.
- (2) Nine public members, being four from the city and county of Honolulu, one from the county of Kauai, and two from each of the counties of Maui and Hawaii; provided that in the case of the county of Maui, one such public member shall be from Molokai or Lanai and, in the case of the county of Hawaii, one public member shall be from west Hawaii and one from east Hawaii, appointed by the governor from a list of public persons from each county which shall through its mayor or council, submit no less than three names for each appointive public member to which the county is entitled. The governor shall request lists of public persons from the respective mayors for appointment to the policy council. Within thirty days following the date of the governor’s request, the mayor of the respective county shall submit the list to the council of the respective county for advice and consent. Within sixty days of the date of the governor’s request, the mayor shall submit the list of public persons, with the advice and consent of the council of the respective county, to the governor for appointment to the policy council. If the mayor fails to submit a list to the council within thirty days of the date of the governor’s request, the council shall submit a list to the governor within sixty days of the governor’s request. If a list of public persons is not submitted by either the mayor or the council to the governor within sixty days following the date of the request for such a list, the governor shall appoint the public members from that county in accordance with the applicable geographic representation set forth above without nominations from that mayor.
- (3) The directors or [chairmen] chairpersons from the departments of agriculture, budget and finance, [business and economic development,] land and natural resources, health, human services, transportation, and labor and industrial relations; the director of business and economic development or a designated representative; [from] the director [office] of environmental quality control; the superintendent of education; the president of the University of Hawaii; the executive director of the housing finance and development corporation; the executive officer of the land use commission; and the director of the office of state planning.

The director of the office of state planning shall serve as chairman of the council.

The terms of the nine members from the public shall be for four years; provided that the governor may reduce the terms of 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 such term shall commence on January 1 and expire on December 31; provided that the governor may establish the commencing and expiration dates of the terms of those initially appointed. No member from the public

shall be appointed consecutively to more than two terms; provided that membership shall not exceed eight consecutive years. No member from the public shall serve on any other public board or commission. The governor may remove or suspend for cause any member of the council after due notice and public hearing.

Expenses incurred by a state governmental member participating in policy council deliberations shall be borne by the member's respective governmental agency. Travel expenses incurred by planning directors participating in policy council deliberations shall be reimbursed by the office of state planning. A public member shall receive no compensation for the member's services, but each shall be reimbursed by the office of state planning for necessary expenses incurred in the performance of the member's duties."

SECTION 4. Section 201E-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The corporation shall be headed by a board of directors which consists of eight members, of whom six shall be public members appointed by the governor as provided in section 26-34. Two public members shall be appointed at large; the remaining public members shall be appointed from each of the counties of Honolulu, Hawaii, Maui, and Kauai. The director of [planning] business and economic development, or a designated representative, and the special assistant for housing shall be ex officio voting members."

SECTION 5. 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 business and economic development of the State, or a designated representative, 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 of four years, except that the governor may reduce the terms of 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 July 1 and expiring on 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 chairperson of the board.

If for any reason whatsoever any of the ex officio positions is 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 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved June 13, 1988.)