

ACT 358

S.B. NO. 1027

A Bill for an Act Relating to the Office of Hawaiian Affairs.

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

SECTION 1. The legislature finds that, in accordance with Act 318, Session Laws of Hawaii 1992, an advisory commission on the compensation for the members of the board of trustees for the office of Hawaiian affairs was appointed by the governor to study and to make recommendations to the legislature on the matter of compensation for board members. The members of the advisory commission were selected from nominations submitted by native Hawaiian organizations.

The legislature further finds that the needs and priorities of the Hawaiian community have expanded and changed since the 1978 constitutional convention. The legislature also finds that the office of Hawaiian affairs itself has undergone tremendous expansion.

The legislature believes that it is beneficial to provide a salary to the members of the board of trustees so that they may better concentrate on meeting the needs of their beneficiaries.

SECTION 2. Chapter 10, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

“**§10- Audit and report.** The auditor shall conduct an audit of the office at least once every four years and shall submit a report on findings and recommendations to the governor and the legislature on or before the convening of the next immediate legislative session. The first audit report shall be submitted no later than January 15, 1996.

§10- Salary commission; established. (a) There is established a salary commission for the members of the board of trustees for the office of Hawaiian affairs. The salary commission shall consist of seven members appointed by the governor on or before November 30, 1996, and every four years thereafter. The members of the salary commission shall be selected from nominations submitted by native Hawaiian organizations as defined in section 673-2(c). The members shall serve without compensation, but shall be entitled to reimbursement for necessary expenses while in the discharge of their duties and responsibilities.

(b) Before the fortieth legislative day of the 1997 regular session and every four years thereafter, the salary commission shall study and make recommendations for the salary of the members of the board of trustees for the office of Hawaiian affairs, and then shall be dissolved. The recommended salary shall be effective as of the date of the recommendations unless the legislature disapproves the recommendation by adoption of a concurrent resolution prior to adjournment sine die of the legislative session in which the recommendation is submitted.”

SECTION 3. Section 10-9, Hawaii Revised Statutes, is amended to read as follows:

“§10-9 [Compensation;] Salaries; benefit; expenses. Members of the board [shall be allowed]:

- (1) [Compensation at the rate of \$100 a day for each day's actual attendance at meeting;] Shall receive an annual salary which shall be paid:
 - (A) Exclusively from revenue under section 10-13.5; and
 - (B) In equal amounts, beginning with the first pay period for state employees in November of the year the member of the board is elected.Effective July 1, 1993, and until the salary commission makes recommendations for salary, the salary of the chairperson of the board shall be \$37,000 a year and the salary of other members of the board shall be \$32,000 a year. Any provision of law to the contrary notwithstanding, all members of the board shall be included in any benefit program generally applicable to officers and employees of the State except for benefit programs relating to retirements;
- (2) [Transportation] Shall be allowed transportation fares between islands and abroad; and
- (3) [Personal] Shall be allowed personal expenses at the rates specified by section 78-15, while attending board meetings or while on official business as authorized by the chairperson, when [such] those board meetings or official business shall require a member to leave the island upon which the member resides[.]; and
- (4) Shall be allowed a protocol allowance to cover expenses incurred in the course of a member's duties and responsibilities.”

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$146,500, or so much thereof as may be necessary for fiscal year 1993-1994, and the sum of \$146,500, or so much as may be necessary for fiscal year 1994-1995, to carry out the purposes of this Act; provided that no funds shall be made available under this Act unless the sums appropriated are matched by funds derived from the office of Hawaiian affairs' pro rata share of the revenues generated by the public land trust. The sums appropriated shall be expended by office of Hawaiian affairs.

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 6. This Act shall take effect upon its approval; provided that SECTION 4 shall take effect on July 1, 1993.

(Approved July 1, 1993.)

Note

1. Edited pursuant to HRS §23G-16.5.