

## ACT 270

S.B NO. 2607

A Bill for an Act Relating to the Commission on the Status of Women.

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

SECTION 1. Chapter 367, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§367- Commission on the status of women trust fund.** (a) There is established a commission on the status of women trust fund. All funds contributed to the trust fund, including income and capital gains earned therefrom, shall be used exclusively for commission programs as defined in the articles, bylaws, resolutions, and other instruments executed on behalf of the commission on the status of women or any nonprofit organization established thereunder. The trust fund may receive any and all types of private contributions, and the income and capital gains earned by the fund; provided that funds or properties donated for the commission’s use shall be deposited and accounted for in accordance with policies and procedures adopted by the comptroller. The trust fund shall be subject to the following restrictions:

- (1) All funds, and the income and capital gains earned by investment of those funds, shall be expended only for the support of the commission or its nonprofit organization’s programs; and

(2) Other restrictions imposed by the legislature with respect to the transfer or appropriation of funds.

(b) Any funds deposited in the trust fund, and any income and capital gains earned therefrom, not used for the commission or its nonprofit organization's programs, shall be invested in accordance with the provisions of the articles, bylaws, resolutions, or other instruments executed on behalf of the commission or its nonprofit organization, and in a manner intended to maximize the rate of return on investment of the fund.

(c) If the trust fund is terminated or the commission or its nonprofit organization is dissolved, all funds, including the income and capital gains earned by the investment of funds, shall be distributed in accordance with the articles and bylaws of the commission or its nonprofit organization.

(d) The commission shall require an annual audit of the trust fund, the results of which shall be submitted to the department of budget and finance not more than thirty days after receipt by the commission. The commission shall retain for a period of three years, any documents, papers, books, records, and other evidence that are pertinent to the trust fund, and permit inspection or access thereto by the department of budget and finance, the department of accounting and general services, state legislators, and the auditor, or their duly authorized representatives.

(e) The trust fund shall be subject to the terms and conditions provided in this section. The trust fund shall not be placed in the state treasury and the State shall not administer the fund nor be liable for its operation or solvency. The fund shall be a private charitable trust fund administered by a private trust company as trustee.

(f) Subsections (a) to (e) shall take effect upon the creation of a commission on the status of women foundation, a tax-exempt, nonprofit foundation that is subject to the terms and conditions provided in this section."

SECTION 2. Section 367-1, Hawaii Revised Statutes, is amended to read as follows:

"**[§367-1] Findings and purpose.** The legislature finds that the work of the [governor's] state commission on the status of women, established by the governor by executive order on May 15, 1964, demonstrates the need for a continuing body to aid in the implementation of its recommendations, to develop long-range goals, and to coordinate research planning, programming, and action on the opportunities, needs, problems, and contributions of women in Hawaii [in (1) education, (2) homemaking, (3) civil and legal rights, (4) labor and employment, and (5) expanded community horizons]. It is the purpose of this chapter to provide for a statewide program, on a permanent and continuing basis, on the status of women in Hawaii."

SECTION 3. Section 367-3, Hawaii Revised Statutes, is amended to read as follows:

"**§367-3 [Duties] Powers and duties of commission.** The commission shall:

- (1) Act as a central clearinghouse and coordinating body for governmental and nongovernmental activities and information relating to the status of women;
- (2) Accumulate, compile, and publish information concerning instances of actual discrimination, and discrimination in the law, against women;
- (3) Cooperate with the department of labor and industrial relations and other state departments and agencies and appropriate federal offices and agencies in correcting unlawful employment practices, in public and private employment, involving discrimination because of sex;

- (4) (2) Create public awareness and understanding of the responsibilities, needs, potentials, and contributions of women [as homemakers, workers, and active participants in community life and of the importance of each of these] and their roles in the changing society;
- [(5)] (3) Recommend legislative and administrative action on equal treatment and opportunities for women;
- [(6)] Seek improvements in educational and counseling programs and policies to meet the needs of girls and women in order better to prepare them for their roles in the home and community;
- (7) (4) Encourage a long-range program of education of women in their political rights and responsibilities, particularly with respect to their voting duties;
- [(8)] (5) Maintain contacts with appropriate federal, state, local, and international agencies concerned with the status of women;
- [(9)] (6) Cooperate and collaborate with national groups on the status of women and arrange for participation by representatives of the State in White House conferences and other national conferences from time to time;
- [(10)] (7) Administer funds allocated for its work; be authorized to accept, disburse, and allocate funds [which] that may become available from other governmental and private sources; provided that all such funds shall be disbursed or allocated in compliance with any specific designation stated by the donor and in the absence of such specific designation, such funds shall be disbursed or allocated on projects related to any of the purposes of this chapter; and
- [(11)] (8) Submit an annual report with recommendations to the governor and the legislature.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval.

(Approved June 20, 2000.)

**Note**

1. Edited pursuant to HRS §23G-16.5.