

**ACT 123**

H.B. NO. 2429

A Bill for an Act Relating to the Board of Agriculture.

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

SECTION 1. The purpose of this Act is to provide flexibility to the ex officio voting members of the board of agriculture by allowing these members to send one designated representative each on their behalf to board of agriculture meetings when these members are unable to attend. It is not, however, the intent of the legislature that these ex officio voting members rely solely on the attendance of their designated representatives in carrying out their statutory duty to serve on the board of agriculture. In addition, it is the intent of the legislature that on occasions where a designated representative attends a meeting on behalf of the ex officio voting member, the designated representative be a person who has the agricultural background and experience necessary to actively participate in the discussion and decision making of the board of agriculture.

SECTION 2. Section 26-16, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

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“(a) The department of agriculture shall be headed by an executive board to be known as the board of agriculture. The board shall consist of ten members:

- (1) One who shall be a resident of the county of Hawaii;
- (2) One who shall be a resident of the county of Maui;
- (3) One who shall be a resident of the county of Kauai;
- (4) Four at large; and
- (5) The chairperson of the board of land and natural resources[;]; the director of business, economic development, and tourism; and the dean of the University of Hawaii college of tropical agriculture and human resources, or their designated representatives, who shall serve as [an] ex officio voting [member;] members.
- ~~[(6) The director of business, economic development, and tourism, who shall serve as an ex officio voting member; and~~
- ~~(7) The dean of the University of Hawaii college of tropical agriculture and human resources, who shall serve as an ex officio voting member.]~~

The majority of the members of the board shall be from the agricultural community or the agricultural support sector. The appointment, tenure, and removal of the members and the filling of vacancies on the board shall be as provided in section 26-34. The governor shall appoint a chairperson of the board from the members.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 15, 2012.)