

JAN 25 2006

A BILL FOR AN ACT

RELATING TO VETERANS' SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 363-3.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) There shall be a policy advisory board on veterans'
4 services[~~-~~] within the office of veterans' services. The board
5 shall consist of [~~seven~~] twelve members, eight of which shall be
6 appointed by the governor as provided in section 26-34. Five
7 members shall be veterans, and there shall be at least one
8 member residing in each of the counties [~~except~~] of Maui and of
9 Kauai; two members residing in the county of Hawaii, provided
10 that one member must reside in east Hawaii and one member must
11 reside in west Hawaii; and four members residing in the city and
12 county of Honolulu. No member shall be appointed to represent
13 Kalawao county. The director of health, the director of human
14 services, the director of labor and industrial relations, and
15 the adjutant general shall serve as ex-officio members. The
16 chairperson of the board shall be elected by the majority of the
17 board. The members shall serve without compensation but shall
18 be allowed their actual and necessary expenses incurred in the
19 performance of their duties."

S.B. NO. 2305

1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

JUSTIFICATION SHEET

SB. NO. 2305

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO VETERANS' SERVICES.

PURPOSE: To increase representation on the policy advisory board and to expressly place the board within the Office of Veterans' Services in the Department of Defense.

MEANS: Amend section 363-3.5(a), Hawaii Revised Statutes (HRS).

JUSTIFICATION: Section 363-3.5(a) specifies that the policy advisory board will consist of seven appointed members with representation from each of the counties except Kalawao county. This amendment would increase Hawaii county's representation from one to two members, thereby increasing the board's size to eight appointed members. This is necessary to ensure adequate representation for the separate and distinct veteran populations in east and west Hawaii.

Section 6 of article V of the State Constitution requires that "[a]ll executive and administrative offices, departments and instrumentalities of the state government ... shall be allocated by law among and within not more than twenty principal departments." The policy advisory board on veterans' services is not expressly placed within a principal department. Expressly clarifying that the board is within the Office of Veterans' Services should meet the constitutional requirement, because the Office of Veterans' Services is expressly established in the Department of Defense by section 363-2(a), Hawaii Revised Statutes.

Impact on the public: If section 363-3.5(a) is not amended, Hawaii county will continue to be under-represented.

Impact on the department and other agencies:
None.

GENERAL FUND: If section 363-3.5(a) is amended, the annual incremental cost is approximately \$3,500.00, which includes monthly airfare, per diem and airport parking expenses. Present level of funding is sufficient for this additional expense.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: DEF 112.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.