

STAND. COM. REP. NO. 12

Honolulu, Hawaii

FEB 06 2007

RE: S.B. No. 868
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Tourism and Government Operations, to which was referred S.B. No. 868 entitled:

"A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS,"

begs leave to report as follows:

The purpose of this measure is to prohibit an ex officio member of a board or commission from serving as chair of that board or commission.

Your Committee received no testimony on this measure.

Your Committee finds that an irreconcilable conflict of interest exists when an ex officio member of a board or commission, who is usually a department director, is also the chair of that board or commission. Your Committee believes that a board or commission should act independently of any department, and that having a department head as a board or commission chair serves to impede this independence.

Your Committee also finds that board or commission members who serve as interim appointees also should not serve as the chair of a board or commission, since doing so may disrupt the continuity and the efficient operation of the board or commission.

In light of this finding, your Committee has amended this measure by adding a prohibition for interim appointments to serve as chair or a board or commission.



Your Committee believes that the amended measure will ensure that boards and commissions are headed by a chair who is a permanent member.

As affirmed by the record of votes of the members of your Committee on Tourism and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 868, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 868, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Tourism and
Government Operations,

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



