

CHAPTER 367
STATUS OF WOMEN

Section

- 367-1 Findings and purpose
- 367-2 State commission on status of women: membership
- 367-2.3 Compensation
- 367-2.5 Executive director
- 367-3 Powers and duties of commission
- 367-4 County committees on status of women, membership,
organization, etc.
- 367-5 Commission on the status of women trust fund

Note

Affirmative consent task force to review University of Hawaii's executive policy on sexual harassment, sexual assault, etc.; report to 2016-2017 legislature (ceases to exist on June 30, 2017). L 2015, c 222.

" **§367-1 Findings and purpose.** The legislature finds that the work of the 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. 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. [L 1970, c 190, pt of §1; am L 2000, c 270, §2]

" **§367-2 State commission on status of women: membership.**

(a) There is created a state commission on the status of women for a special purpose within the department of human services for administrative purposes.

(b) The commission shall consist of thirteen members, which shall include:

- (1) Ex officio[,] nonvoting members the superintendent of education, the president of the University of Hawaii, the director of labor and industrial relations, the director of human resources development, the director of human services, and the director of health, or their respective designated representative; and
- (2) The remaining seven members shall be appointed by the governor in accordance with section 26-34, and shall serve as voting members.

(c) Of the appointed seven members there shall be one member from each of the counties of Hawaii, Maui, and Kauai, and four members from Oahu.

(d) The members shall be selected on the basis of their interests and knowledge in, and their ability to make contributions to, the solution of problems relating to the status of women. The chairperson shall be elected annually from the seven appointed members of the commission.

(e) A quorum to do business or to validate any act of the commission shall consist of a majority of the seven appointed members of the commission. [L 1970, c 190, pt of §1; am L 1972, c 162, §1; am L 1980, c 302, pt of §2; am L 1987, c 339, §4; am

L 1991, c 46, §2; am L 1994, c 56, §21; am L 1995, c 151, §3; am L 1998, c 74, §1; am L 2005, c 147, §3]

" **[§367-2.3] Compensation.** The members shall serve without compensation but shall be reimbursed for their necessary expenses in attending meetings of the commission and in the discharge of their duties. [L 1991, c 46, §1]

" **§367-2.5 Executive director.** The commission shall appoint an executive director for the proper administration and enforcement of this chapter without regard to chapter 76. [L 1984, c 74, §1; am L 1995, c 151, §4; am L 2000, c 253, §150]

" **§367-3 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) Create public awareness and understanding of the responsibilities, needs, potentials, and contributions of women and their roles in the changing society;
- (3) Recommend legislative and administrative action on equal treatment and opportunities for women;
- (4) Encourage a long-range program of education of women in their political rights and responsibilities, particularly with respect to their voting duties;
- (5) Maintain contacts with appropriate federal, state, local, and international agencies concerned with the status of women;
- (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;
- (7) Administer funds allocated for its work; be authorized to accept, disburse, and allocate funds 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
- (8) Submit an annual report with recommendations to the governor and the legislature. [L 1970, c 190, pt of §1; am L 1972, c 81, §1; am L 2000, c 270, §3]

Cross References

Reports to governor, see §93-12.

" **§367-4 County committees on status of women, membership, organization, etc.** The mayor of each county shall appoint a county committee on the status of women charged with the duty and responsibility of developing information as the state commission on the status of women requires or as the committee deems advisable concerning the status of women within the respective counties; and other appropriate duties and responsibilities as may be deemed necessary by each county. The committees shall submit to the state commission, plans and proposals affecting the status of women in the several counties. Each county committee shall endeavor to secure the widest possible citizen participation in its efforts and, for this purpose, may utilize existing public or private organizations. The membership of each county committee shall include, ex officio, the county attorney or corporation counsel and the county representative of the commission on the status of women. The other members shall be selected on the basis of their interest and knowledge in, and their ability to make contributions to, the solution of problems relating to the status of women within the county and their knowledge of local conditions. The chairperson shall be elected annually from the nongovernmental members of the committee. The terms of office of each member shall be four years. Each county committee shall meet at least four times a year. The members of the county committees shall receive no compensation for their services. The respective county legislative bodies are authorized to make appropriations to meet the necessary expenses of the committees. [L 1970, c 190, pt of §1; am L 1979, c 204, §2; gen ch 1993; am L 1995, c 151, §5; am L 1996, c 298, §6]

" **[§367-5] 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. [L 2000, c 270, §1]