

ACT 187

S.B. NO. 661

A Bill for an Act Relating to the Commission on the Handicapped.

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

SECTION 1. Chapter 348E, Hawaii Revised Statutes, is amended by amending the title to read as follows:

“COMMISSION ON [THE HANDICAPPED] PERSONS WITH DISABILITIES”

SECTION 2. Section 348E-1, Hawaii Revised Statutes, is amended to read as follows:

“[§348E-1] Definitions. As used in this chapter, unless the context clearly requires otherwise:

“Commission” means the commission on [the handicapped.] persons with disabilities.

“Members” means the members of the commission on [the handicapped.] persons with disabilities.”

SECTION 3. Section 348E-2, Hawaii Revised Statutes, is amended to read as follows:

“§348E-2 Commission on [the handicapped.] persons with disabilities. There is established the commission on [the handicapped] persons with disabilities within the department of health for administrative purposes, to be composed of fifteen members to be appointed by the governor for staggered terms subject to section 26-34. The members of the commission shall include at least nine persons [who are either handicapped persons representative of] with various [handicapping] disabling conditions, parents, or guardians of [handicapped] persons[.] with disabilities. The directors of health, human services, labor and industrial relations, personnel services, transportation, the comptroller, the superintendent of education, and the president of the University of Hawaii or their representatives shall be ex officio nonvoting members. The members appointed shall include at least one resident from the counties of Honolulu, Hawaii, Maui, and Kauai. Eight voting

members shall constitute a quorum to do business and a concurrence of the majority of the voting members of the quorum shall be necessary to validate any act of the commission.

The members shall serve without compensation but shall be reimbursed their necessary and reasonable expenses incurred in the performance of their duties, including travel expenses. The [chairman] chairperson shall be elected annually by the members; provided that only nongovernmental members shall be elected [chairman;] chairperson; and provided further than no member may serve as [chairman] chairperson for more than two consecutive years."

SECTION 4. Section 348E-3, Hawaii Revised Statutes, is amended to read as follows:

"[§348E-3] Powers, duties, functions of the commission. The commission shall have and perform the following powers, duties, and functions:

- (1) Serve as a central coordinative clearinghouse of public and private activities relating to [the handicapped] persons with disabilities and as repository and disseminator of activities and information relating to [the handicapped.] persons with disabilities.
- (2) Review and assess the problems and needs, and the availability, of adequate services and resources for [the handicapped] persons with disabilities in the State with regard but not limited to employment, education, health, social services, recreation, civil rights, public facilities, housing, vocational training and rehabilitation, and other matters pertinent to the well-being and independence of [the handicapped.] persons with disabilities.
- (3) Conduct research, studies, [and other appropriate] data collection, and planning activities designed to provide additional information on [the handicapped] persons with disabilities, with particular reference to specific needs of [the handicapped] persons with disabilities, and to publicize the results thereof[.]; to the extent that these functions do not duplicate or supplant activities provided by other federal, state, or county agencies.
- (4) Advise and make recommendations to the State and the counties on matters relating to [the handicapped,] persons with disabilities, and on matters which affect [the handicapped,] persons with disabilities, including legislative matters.
- (5) Develop short- and long-term goals in fulfilling the needs of [the handicapped,] persons with disabilities, to be undertaken by the commission in facilitating the coordination of services and programs for [the handicapped.] persons with disabilities.
- (6) Educate the public and [the handicapped] persons with disabilities on the problems, needs, potentials, and rights of [the handicapped] persons with disabilities through affirmative public education programs.
- (7) Seek improvements in existing systems to recognize specific needs of [the handicapped.] persons with disabilities.
- (8) Serve as public advocate of [the handicapped.] persons with disabilities.
- (9) Seek and receive funds and other forms of assistance from public and private sources to be used in providing improved circumstances for [the handicapped] persons with disabilities in Hawaii.
- (10) Initiate and maintain contact with public and private, local and national organizations, agencies, and individuals generally engaging in activities relating to [the handicapped,] persons with disabilities, or oth-

- erwise interested in the general or specific well-being of [the handicapped.] persons with disabilities.
- (11) Administer funds allocated for its work, including disbursement and allocation of funds which may be available from public and private sources; provided that such disbursement and allocation shall be consistent with specific requirements thereof, or in the absence of designated requirements, consistent with the purpose of this chapter. The commission may require, in its discretion, matching participation by the recipients of disbursements and allocations hereunder.”

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved June 7, 1989.)