

ACT 341

S.B. NO. 1052

A Bill for an Act Relating to California-Hawaii Cooperation.

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

**SECTION 1. Findings and Purpose.** The legislature finds that new industry development in the Pacific is vital to the overall growth of California, Hawaii, and our Asian and Pacific neighbors. The legislature further finds that California, Hawaii, and the Pacific nations can benefit from effective cooperation in such areas as: health promotion and health care systems; health research and development; environmental protection industries; and related information systems and technologies.

The legislature further finds that states and nations may benefit from the sharing of resources and the development of other coordinated responses to present obstacles in order to enhance participation in international trade and development. Cooperation will increase our financial resources for programs and projects of benefit to California, Hawaii, and our Asian and Pacific neighbors.

It is the intent of the legislatures to achieve the following goals:

- (1) Promote heightened cooperation between residents of Asia and the Pacific nations, with a special working relationship between California, Hawaii, Asia and Pacific nations;
- (2) Promote activities to provide continuing professional education and health personnel training;
- (3) Assist in the research and development of cost-efficient means to resolve major environmental and administrative health problems;
- (4) Provide assistance in the planning of long-range health systems; and
- (5) Extend technical outreach and health promotion efforts which fit the needs and cultural contexts of Asian and Pacific nations.

**SECTION 2.** Commission established; composition. There shall be established within the department of health, for administrative purposes only, the Cal-

ifornia-Hawaii cooperative commission which shall be incorporated as a nonprofit, public benefit corporation. The commission shall have the powers and duties of a nonprofit corporation under applicable California and Hawaii statutory law.

The governing body of the commission shall be composed of eight leading representatives of government and private industry from each state who can have the opportunity to share their knowledge and expertise and to jointly pursue policies and programs that can be utilized to promote the above goals.

The Hawaii commissioners shall be appointed in the following manner:

- (1) Four members shall be appointed by the governor of Hawaii;
- (2) Two members shall be appointed by the governor of Hawaii from a list of four nominees submitted by the president of the Hawaii state senate; and
- (3) Two members shall be appointed by the governor of Hawaii from a list of four nominees submitted by the speaker of the Hawaii state house of representatives.

The eight members from California shall be appointed in a manner consistent with California law.

The members shall be appointed before January 18, 1990. The commission shall elect one of its members to be the chairperson. The term of each member shall be four years. Each member shall hold office until a successor is appointed. Vacancies shall be filled for the remainder of any unexpired term in the same manner as the original appointments.

All members shall serve without compensation but shall be reimbursed for travel and other necessary expenses.

All commission meetings shall be open to the public to the extent required by the laws of Hawaii and California; provided that where the state statutes impose different requirements, the stricter provision shall apply.

**SECTION 3. Powers and duties of the commission.** (a) The commission shall:

- (1) Survey and evaluate the status of health and environmental conditions and industries in Asia and the Pacific nations, through existing data and ongoing studies with the goal of identifying areas of economic opportunity which are of mutual benefit to Hawaii, California, Asia, and the Pacific nations;
- (2) Identify areas of cooperation where California and Hawaii can develop reciprocal relationships for joint projects which are likely to enhance the competitiveness of California's and Hawaii's industries in the Pacific in the fields of: health promotion and health care systems; health research and development; environmental protection industries; and related information systems and technologies;
- (3) If feasible, develop joint projects of benefit to Hawaii, California, Asia, and the Pacific nations in the above areas;
- (4) Identify private industry, industry associations, foundations and agencies of the federal government capable of providing financial support for commission projects;
- (5) Perform such other functions as may be requested or required by either Hawaii or California law;
- (6) Adopt a seal, bylaws, and rules for its management and control;
- (7) Establish and maintain an office for the transaction of its business and meet at least once a year. The chair may, on the chair's initiative, or upon the request of a majority of the members, schedule additional meetings;

- (8) Submit a budget to the governors of Hawaii and California at such time and for such period as may be required by the laws of the respective states; and
- (9) Keep accurate books of account, showing in full its receipts and disbursements. The books of account shall be open at any reasonable time for inspection by the governors of Hawaii and California or the respective governor's designated representative. The commission shall provide for an independent annual financial audit.
- (b) The commission may:
  - (1) Accept grants, gifts, fees, and allocations from the states of California and Hawaii or their political subdivisions, the federal government, foreign governments, and any other private sources;
  - (2) Hire an executive officer, other staff, and any consultants deemed appropriate; and
  - (3) Enter into service contracts as necessary to carry out the purposes of this Act.

**SECTION 4. Commission plan.** The commission shall develop a plan identifying:

- (1) A process by which Asian and Pacific nations can participate in development of projects which meet their needs;
- (2) Potential benefits to participating California, Hawaii, Asia, and Pacific nation residents in the development and implementation of health-related programs, including, but not limited to, economic benefits and benefits to academic institutions, health care industries, health care professionals, and the overall health status of their residents; and
- (3) Projects which are important to the implementation of the commission's goals and objectives.

The commission shall not initiate projects without first receiving approval of the commission plan from each legislature by concurrent resolution.

**SECTION 5. Annual report.** On or before March 1 of each year, the commission shall provide to the governors and legislatures of both states a report of its activities for the past year and its proposed activities for each upcoming year.

**SECTION 6.** There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000, or so much thereof as may be necessary for fiscal year 1989-1990, to provide Hawaii's share of the funding for the commission created by this Act.

**SECTION 7.** In accordance with Section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined the appropriation contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1989-1990 to be exceeded by \$100,000, or 0.0043 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriation made in this Act is necessary to serve the public interest and to meet the needs provided for by this Act.

**SECTION 8.** The sum appropriated under section 8<sup>1</sup> shall be expended by the Department of Health to carry out the purposes of this Act.

**SECTION 9.** This Act shall take effect on July 1, 1989.

(Approved June 16, 1989.)

**Note**

1. So in original.