

**ACT 260**

H.B. NO. 161

A Bill for an Act Relating to Collective Bargaining.

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

SECTION 1. Section 89-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The board shall be composed of three members of which ~~[(4)]~~ one member shall be representative of management, ~~[(2)]~~ one member shall be representative of labor, and ~~[(3)]~~ the third member, the chairperson, shall be representative of the public. All members shall be appointed for terms of six years each in accordance with the following procedures:

- (1) The representative of management shall be appointed by the governor, who may first consider any names submitted by the counties; provided that each county may submit no more than one name;
- (2) The representative of labor shall be a person who is appointed by the governor [from a list of three nominees submitted by mutual agreement from a majority of the exclusive representatives;] and whose name has been submitted to the governor to serve as the representative of labor by the exclusive representatives certified pursuant to section 89-8. The process to determine the nominee whose name is to be submitted to the governor shall be determined by a simple majority of the exclusive representatives certified pursuant to section 89-8. The governor shall transmit the name of the person nominated to serve as the representative of labor to the senate for advice and consent; and
- (3) The representative of the public shall be appointed by the governor.”

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 Statutory material to be repealed is bracketed and stricken.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

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

(Became law on July 11, 2023, without the Governor’s signature, pursuant to Art. III, §16, State Constitution.)