THE STRUCTURE OF

THE HAWAII STATE GOVERNMENT

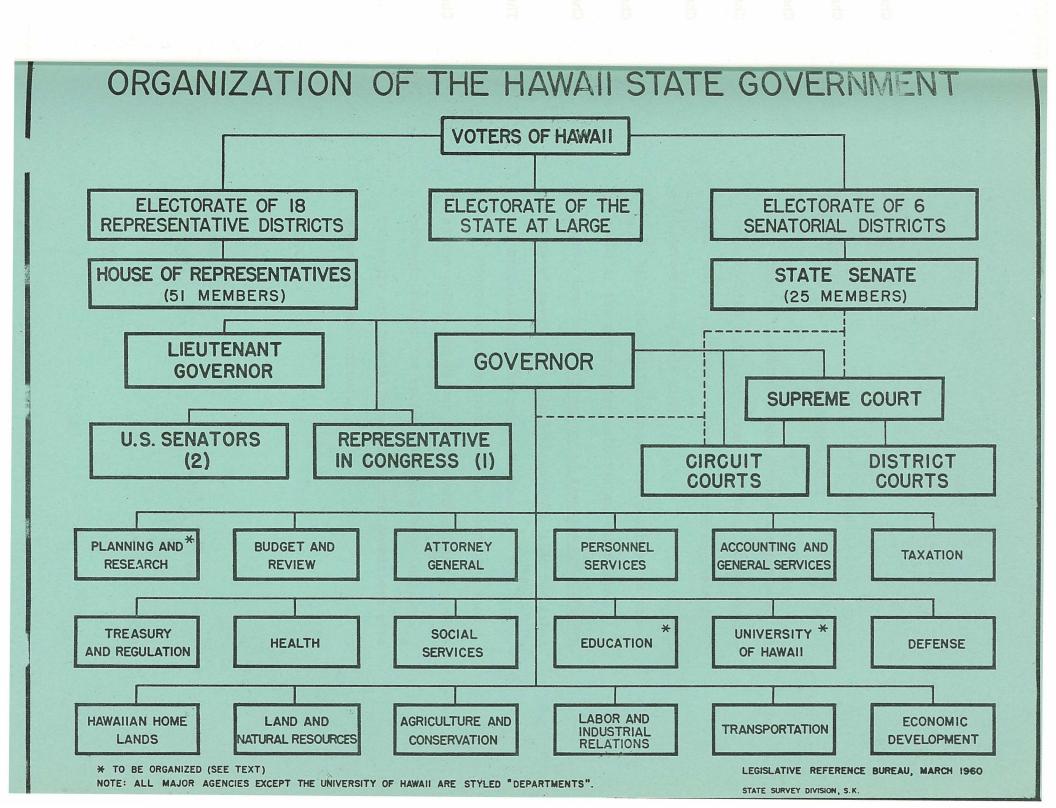
MI. University of Hawaii

Honolulu, Hawaii June 1960

Table of Contents

			Page
Introd	luctory	Note	1
The Le	egislatı	ure	2
How a	Bill Be	ecomes Law in Hawaii	4
The Ex	cecutive		5
Chart	I	Organization for Central Services - DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES	6
Chart	II	Organization for Agriculture and Conservation Administration - DEPARTMENT OF AGRICULTURE AND CONSERVATION	7
Chart	III	Organization for Legal Services - DEPARTMENT OF THE ATTORNEY GENERAL	8
Chart	IV	Organization for Fiscal Administration and Management Analysis - DEPARTMENT OF BUDGET AND REVIEW	9
Chart	V	Organization for Military Affairs and Civil Defense - DEPARTMENT OF DEFENSE	10
Chart	VI	Organization for Economic Development - DEPARTMENT OF ECONOMIC DEVELOPMENT	11
Chart	VII	Organization for Public Education DEPARTMENT OF EDUCATION	12
Chart	VIII	Organization for Hawaiian Homes Administration - HAWAIIAN HOME LANDS	13
Chart	IX	Organization for Public Health Administration DEPARTMENT OF HEALTH	14
Chart	X	Organization for Labor Administration - DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS	15
Chart :	XI	Organization for Administration of Natural Resources - DEPARTMENT OF LAND AND NATURAL RESOURCES	16
Chart :	XII	Organization for Personnel Administration - DEPARTMENT OF PERSONNEL SERVICES	17

		Page
Chart XIII	Organization for State Planning - DEPARTMENT OF PLANNING AND RESEARCH	18
Chart XIV	Organization for Social Services - DEPARTMENT OF SOCIAL SERVICES	19
Chart XV	Organization for Revenue Administration - DEPARTMENT OF TAXATION	20
Chart XVI	Organization for Transportation Administration - DEPARTMENT OF TRANSPORTATION	21
Chart XVII	Organization for the Regulation of Businesses, Trades and Professions - DEPARTMENT OF TREASURY AND REGULATION	22
Chart XVIII	Organization for Higher Education - UNIVERSITY OF HAWAII	23
Chart XIX	Future Organization for Agriculture and Resource	
	Administration - DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES	24
The Judician		25
Chart, Organ	nization of the Hawaii State Government	Following p. iii



INTRODUCTORY NOTE

This publication offers a quick look at the organization and functions of the Hawaii state government and is published to meet numerous requests for information of this kind.

With some modifications, this pamphlet is composed of the descriptive material and functional
charts used in the <u>Directory of Agencies and Officers</u>,
<u>State of Hawaii</u>, Interim Edition 1960, also published
by the Legislative Reference Bureau.

County boards appointed by the Governor, such as the police and liquor commissions and the boards of registration for voting, have not been included.

Temporary and special commissions and committees have generally been omitted.

THE LEGISLATURE

"The legislative power of the State shall be vested in a legislature, which shall consist of two houses, a senate and a house of representatives. Such power shall extend to all rightful subjects of legislation not inconsistent with this constitution or the Constitution of the United States."

... Section 1, Article III, Constitution of the State of Hawaii

The Senate consists of 25 members elected from six districts and the House of Representatives consists of 51 members elected from 18 districts. Senators serve for four-year terms, and the number of senators from each district, as well as the geographical extent of such districts, are fixed by the constitution. Representatives serve for two years, but the 51 representatives must be reapportioned among districts each ten years, and the boundaries of districts are to be changed whenever the representation to which any district is entitled falls below one-half a representative.

As a statehood transitional measure, all members of both houses were elected to new terms in 1959, and all will serve at least until the day of the general election in November, 1962. The first Senate was divided into two "classes" on the basis of votes received in the 1959 election. One class, consisting of 13 senators, was elected for terms expiring in 1964, while the other class (12 in number) has terms that will expire in 1962.

Legislative Sessions

Regular sessions of the Legislature are convened annually on the third Wednesday in February. Regular sessions in odd-numbered years are known as "general sessions" and are limited to sixty days, but with no limitation on subject matter. In even numbered years, the regular session is known as the "budget session," and legislators are limited to the consideration of the general appropriations bill for the succeeding fiscal year and related revenue and expenditure matters, proposed constitutional amendments and urgency measures deemed necessary in the public interest. Impeachment or removal of officers may also be considered.

The Governor may call the entire Legislature or the Senate alone in special sessions limited to thirty days. The Legislature may also convene in special session without call on the forty-fifth day following adjournment to consider any bills that the Governor has by proclamation given ten days notice that he plans to return with his objections.

Any session may be extended by the Governor for not more than thirty days.

The First State Legislature has held three sessions: the special session required by Section 16, Article XV of the constitution; a second special session of 1959; and the regular (budget) session of 1960. In February, 1960 the Senate was convened alone in special session to act upon Governor's nominations for department heads, boards and commissions. The next regular session of the Legislature will convene in February 1961.

Officers and Employees

Each house chooses its own officers and adopts its own rules. A President presides over the Senate and a Speaker is the presiding officer of the House. In each house, there is a Chief Clerk who is in charge of all legislative records, a Sergeant—at—Arms with varied duties, including the traditional one of maintaining order, and numerous other officers and employees who help to carry out the large volume of legislative business.

Standing Committees

Much of the work of the legislature is transacted by standing committees. During the First State Legislature the following standing committees functioned:

Senate Committees

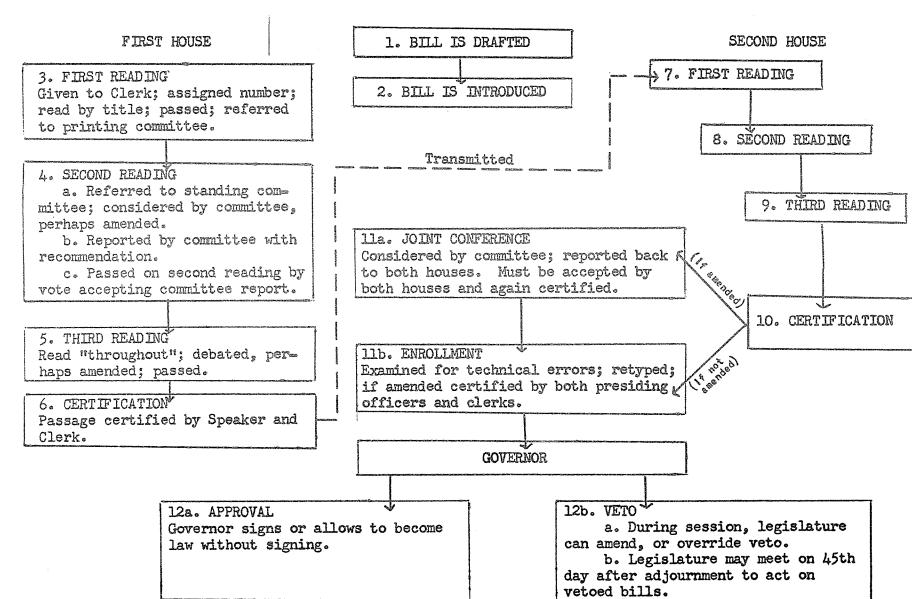
Accounts & Printing
Agriculture, Forestry &
Conservation
Economic Development & Tourism
Education
Government Efficiency,
Military & Housing
Judiciary

Labor
Lands
Natural Resources, Utilities &
Transportation
Public Employment
Public Health
Ways and Means

House Committees

Accounts
Agriculture
County & Municipal Affairs
Economic Development
Education
Finance
Government Efficiency
Harbors & Airports
Housing
Judiciary
Labor
Lands
Natural Resources

Printing
Public Employment
Public Health
Public Institutions
Public Utilities
Small Business
Tourism
Trade & Commerce
Transportation
Veterans, Police & Military
Affairs
Water Resources
Youth & General Welfare



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THE EXECUTIVE

"The executive power of the State shall be vested in a governor."

"There shall be a lieutenant governor, who shall have the same qualifications as the governor."

... parts of Sections 1 and 2, Article IV, Constitution of the State of Hawaii

The Governor and Lieutenant Governor are elected by the voters at large for concurrent four-year terms, and are the only elected officers in the executive branch of the state government. The first officers so elected serve slightly shortened terms that will end in December 1962, because of the transitional provisions in the constitution.

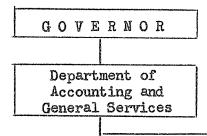
The Constitution (Article IV) provides the skeleton of organization in the executive branch. Among its provisions are: (1) all agencies (other than temporary commissions or agencies for special purposes) are to be organized into not more than 20 departments; (2) the heads of all departments are appointed by the Governor for terms to end at the next subsequent gubernatorial election; (3) appointments and dismissal of department heads are subject to confirmation by the state Senate; (4) department heads are to be single executives unless otherwise provided, the Governor appoints an administrative director to serve at his pleasure. In other articles of the Constitution two educational agencies are created, and the Legislature is required to establish "one or more executive boards or commissions" to administer natural resources.

The executive branch is currently in a state of transition from the territorial structure to the organization required by the Constitution. Act 1 of the Second Special Session of 1959 provides for general reorganization into 18 departments, and to date 15 departments have been officially created by executive order.

Of the remaining three, the Department of Planning and Research and the University of Hawaii will be officially organized with little change from their present structure or functions. Their organization may be deferred until early 1961. The Department of Education cannot be organized under existing law because no provision has been made for appointing a board as required by Article IX of the Constitution. Executive departments are shown on the organization chart of Hawaii state government and the principal functions of each department are shown on the charts which make up the bulk of this pamphlet.

CHART I

ORGANIZATION FOR CENTRAL SERVICES STATE OF HAWAII



Comptroller

Functions

- 1. Accounting and internal auditing services, including systems control
- 2. Purchasing and related services
- 3. Engineering, surveying and related services
- 4. Records preservation and management
- 5. Data processing
- 6. Administrative control of the celebration of Kamehameha Day

Kamehameha Day Celebration Commission

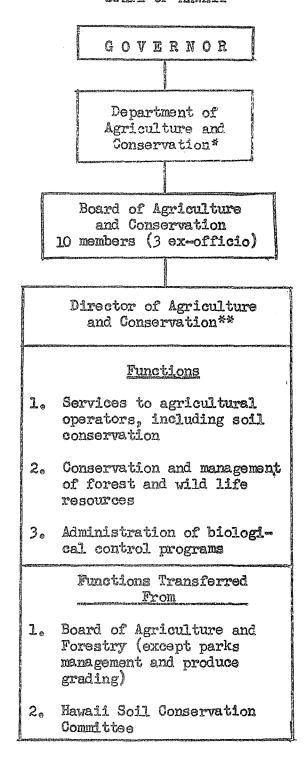
21 members

Function: Plan for celebration of Kamehameha Day, subject to control of the comptroller as defined in Section 6

Reference: Act 1, Section 12, 1959 Second Special Session.

CHART II

ORGANIZATION FOR AGRICULTURE AND CONSERVATION ADMINISTRATION STATE OF HAWAII



*To be abolished July 1, 1962 (see Chart XIX).

**Appointed by and serves as ex-officio member of Board of Agriculture and Conservation. Also serves as non-voting ex-officio member of Board of Land and Natural Resources.

Reference: Act 1, Section 22, 1959 Second Special Session.

CHART III

ORGANIZATION FOR LEGAL SERVICES STATE OF HAWAII

GOVERNOR

Department of the Attorney General

Attorney General

Functions

- 1. Legal services to all agencies of the state government
- Administrative control of subversive activities investigations

Commission on Subversive Activities

7 members

Function: Investigates subversive activities subject to control of the Attorney General as defined in Section 6.

Commission to Promote Uniform Legislation

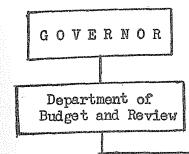
5 members

Function: Advisory to Attorney General

Reference: Act 1, Section 13, 1959 Second Special Session.

CHART IV

ORGANIZATION FOR FISCAL ADMINISTRATION AND MANAGEMENT ANALYSIS STATE OF HAWAII



Director of the Budget

Functions

- 1. Preparation and execution of the state budget
- 2. Management of state funds and debt
- 3. Review of management processes in all agencies of the state government
- 4. Administrative control of retirement system
- 5. Administration of children and youth program

Functions Transferred From

- 1. Budget Bureau (except purchasing and related functions)
- 2. Treasurer (cash and debt management)
- 3. Employees Retirement System
- 4. Commission on Children and Youth

Board of Trustees of the Employees Retirement System

(Exempt from termination provisions of Section 5)

7 members (1 ex-officio and 3 elected by members of the system)

Function: To administer retirement system, subject to control of director as defined in Section 6

Commission on Children and Youth

15-21 members (6 ex-officio*)

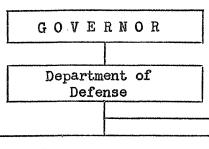
Function: Advisory to director and Legislature

*Some offices listed in Section 334-1 RLH 1955 are abolished by reorganization act.

Reference: Act 1, Section 14, 1959 Second Special Session.

CHART V

ORGANIZATION FOR MILITARY AFFAIRS AND CIVIL DEFENSE STATE OF HAWAII



Adjutant General*

Vice-Director of Civil Defense*

Functions

- 1. Administration of national guard, state militia and other military affairs.
- 2. Planning and administration of civil defense services

Civil Defense Advisory Council

7 Members

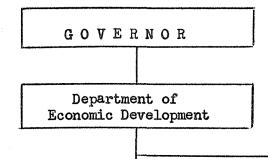
Function: Advisory to director in matters of civil defense

*Adjutant General is executive head of department; vice-director is immediate head of civil defense activities. Devolution of command is within military or civilian branches.

Reference: Act 1, Section 28, 1959 Second Special Session.

CHART VI

ORGANIZATION FOR ECONOMIC DEVELOPMENT STATE OF HAWAII



Director of Economic Development

<u>Functions</u>

- 1. Development and promotion of agriculture, industry, and tourism
- 2. Publishing of information and furnishing of consulting services
- 3. Administration of credit programs
- 4. Planning of fairs

Board of Economic Development

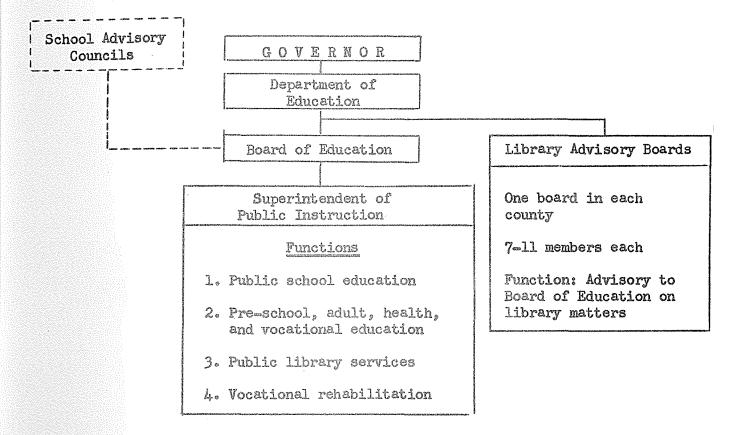
9 Members

Function: Advisory to director on all matters under his jurisdiction.

Reference: Act 1, Section 25, 1959 Second Special Session.

CHART VII

ORGANIZATION FOR PUBLIC EDUCATION STATE OF HAWAII

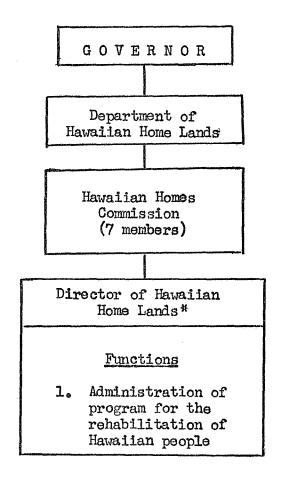


Local school advisory councils, whose constitutional function is to nominate members of the Board of Eduction, have not yet been established by the Legislature. Public education is at present being administered by the Department of Public Instruction under the Board of Commissioners and superintendent appointed by the Governor. Public libraries are administered by separate boards of trustees in each county.

Reference: Act 1, Section 18, 1959 Second Special Session. Constitution, Article IX, Sections 1-3.

CHART VIII

ORGANIZATION FOR HAWATIAN HOMES ADMINISTRATION STATE OF HAWAII

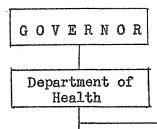


Reference: Act 1, Section 24, 1959 Second Special Session.

^{*}Appointed by Hawaiian Homes Commission.

CHART IX

ORGANIZATION FOR PUBLIC HEALTH ADMINISTRATION STATE OF HAWAII



Director of Health

Functions

- 1. General public health and sanitation services
- 2. Communicable disease control, including state administration of Hansen's disease program
- 3. Research and public service programs involving chronic diseases, mental health and dental health
- 4. Maternal and child health services, including services to crippled children
- 5. Promulgation and reinforcement of sanitation and other regulations
- 6. Administration of special public health projects
- 7. Operation of Waimano home and state hospital

Board of Health

10 members (1 ex-officio)

Function: Advisory to director on all matters under his jurisdiction

Reference: Act 1, Section 19, 1959 Second Special Session.

CHART X

ORGANIZATION FOR LABOR ADMINISTRATION STATE OF HAWAII

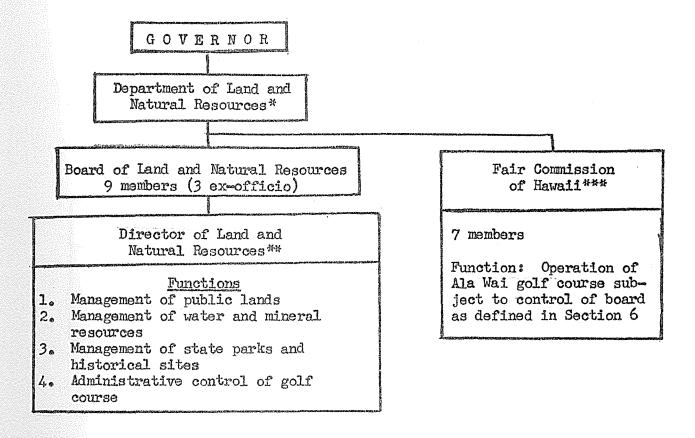
GOVERNOR Department of Labor and Industrial Relations Hawaii Employment Director of Labor and Industrial Relations Relations Board 5 members Functions Advisory Committee on Function: As pre-Labor and Industrial scribed by Ch. 90, l. Administration of workmen's Relations* RLH 1955, subject to compensation and employment supervision by direcsecurity laws Membership indefinite tor as defined in 2. Enforcement of wage and Section 27 Function: Advisory to hour laws director on all mat-3. Administration of apprenticeship program ters within his juris-4. Promotion of industrial Appellate boards diction within department for peace and enforcement of administrative purindustrial relations laws poses Apprenticeship 5. Administrative control of Council* employment relations and l. Labor and Indusappeal boards Existence and membertrial Relations ship optional with Appeal Board director 3 members 2. Industrial Acci-Function: Advisory to director on apprendent Boards ticeship programs 3 boards 3 members each Functions: As provided in Ch. 88 and 97, RLH 1955, subject to administrative control of director

*Appointed by director of labor and industrial relations.

Reference: Act 1, Section 27, 1959 Second Special Session.

CHART XI

ORGANIZATION FOR ADMINISTRATION OF NATURAL RESOURCES STATE OF HAWAII



*To be abolished July 1, 1962 (see Chart XIX).

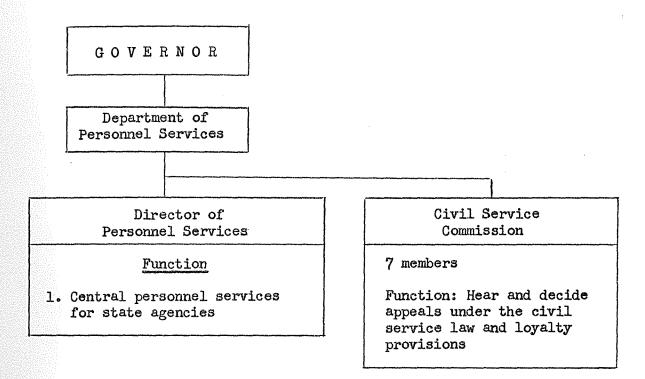
**Appointed by and serves as a member of the Board of Land and Natural Resources. Also serves as non-voting ex-officio member of Board of Agriculture and Conservation.

***To be abolished September 1, 1960.

Reference: Act 1, Section 21, 1959 Second Special Session.

CHART XII

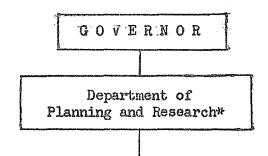
ORGANIZATION FOR PERSONNEL ADMINISTRATION STATE OF HAWAII



Reference: Act 1, Section 11, 1959 Second Special Session.

CHART XIII

ORGANIZATION FOR STATE PLANNING STATE OF HAWAII



Director of Planning*

Functions

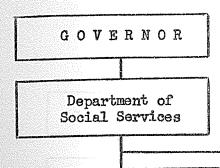
- 1. Preparation of general plan as long-range comprehensive guide for state physical and economic development, review of requests for public works, preparation of Governor's six-year capital improvement program, and other activities under Act 150, SLH 1957 (except tourism).
- 2. Research and statistical services.

*Reorganization of functions and appointment of director may be deferred until February, 1961, as provided in Section 40. Not reorganized at date of publication, but functions are essentially the same.

Reference: Act 1, Section 10, 1959 Second Special Session.

CHART XIV

ORGANIZATION FOR SOCIAL SERVICES STATE OF HAWAII



Director of Social Services

Functions

- 1. Public welfare and assistance services
- 2. Care and treatment of offenders
- 3. Family services, rehabilitation, and delinquency control
- 4. Public housing

Hawaii Housing Authority

6 members (director is exofficio chairman)

Function: Administration of public housing program, subject to control of director as defined in Section 6

Board of Pardons and Paroles

5 members

Function: Administration of pardon and parole statutes, subject to control of director as defined by Section 6

Board of Social Services

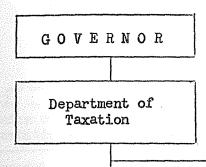
10 members (1 ex-officio)

Function: Advisory to director on all matters under his jurisdiction

Reference: Act 1, Section 20, 1959 Second Special Session.

CHART XV

ORGANIZATION FOR REVENUE ADMINISTRATION STATE OF HAWAII



Director of Taxation

Functions

- 1. Assessment and collection of state taxes and certain county taxes
- 2. Enforcement of tax laws

Tax Appeal Bodies

1. Tax Appeal Court

3 Members

Function: Original and appellate jurisdiction in matters of taxation

- 2. Boards of Review (one in each county)
 - 5 Members Each

Function: Original jurisdiction in tax appeal cases

Reference: Act 1, Section 16, 1959 Second Special Session.

CHART XVI

ORGANIZATION FOR TRANSPORTATION ADMINISTRATION STATE OF HAWAII

GOVERNOR

Department of
Transportation

Commission on Transportation

(To be created
July 1, 1961)

9 members
Function: Advisory
to director on all
matters within his
jurisdiction

Director of Transportation*

Functions 1. Construction and maintenance of federal-aid highways

- 2. Administrative control of airport and harbor operations
- 3. Operation of any future state-owned transportation facility

Hawaii Aeronautics Commission**

10 members (1 ex-officio)
Functions: Operate and
maintain airport facilities, subject to admininistrative control of director
as defined in Section 6

Board of Harbor Commissioners**

7 members (1 ex-officio)
Functions: Operate and
maintain harbor facilities,
and regulate use of shorelines and offshore waters,
all subject to administrative control of director as
defined in Section 6

Highway Commission**

9 members

Function: Advisory to director on highway matters

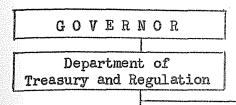
*Appointed by Governor. Serves as ex-officio chairman of Board of Harbor Commissioners and ex-officio member of Hawaii Aeronautics Commission and Highway Commission.

**To be abolished July 1, 1961.
Reference: Act 1, Section 26, 1959 Second Special Session.

CHART XVII

ORGANIZATION FOR THE REGULATION OF BUSINESSES, TRADES, AND PROFESSIONS

STATE OF HAWAII



Treasurer

Functions

- 1. Regulation of banks, insurance companies, and other financial institutions
- 2. Administrative control of regulatory activities of the Public Utilities Commission and various licensing boards and commissions

Boards and Commissions within Department For Administrative Purposes**

Regulatory and licensing bodies concerned with**

2. 3. 4. 5. 6. 7. 8.	Abstract makers Accountants Barbers Beauty culture Boxing Chiropractors Collection agencies Contractors	3*** 7 5 5 5 5 7 7
	Dentists	7
LU.	Engineers, archi- tects, surveyors	11
77	Massage	
	Medicine	3 7 3 5 3 3 5 5 5
	Naturopathy	3
	Nurses	5
	Opticians	3
	Optometry	3
	Osteopathy	3
	Pharmacy	5
	Photography	5
	Private detectives	3###
21.	Public utilities	5
22.	Real estate	
23.	Veterinarians	7 5
24.	Vehicle dealers	3 -5

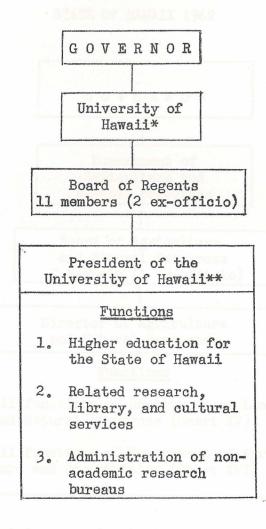
*Subject to the administrative control of the Treasurer (as defined in Section 6), the functions, duties, powers, and composition of each board or commission remain unchanged, except as otherwise indicated in Section 15.

**Numbers following boards and commissions indicate membership of the body.
***Some or all members ex-officio.

Reference: Act 1, Section 15, 1959 Second Special Session.

CHART XVIII

ORGANIZATION FOR HIGHER EDUCATION STATE OF HAWAII



*Reorganization of functions and appointment of Board of Regents and president may be deferred until February, 1961, as provided in Section 40.

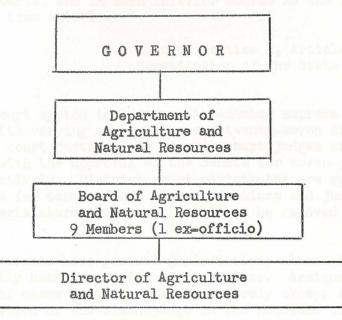
**Appointed by and serves as ex-officio member of Board of Regents.

Reference: Act 1, Section 17, 1959 Second Special Session. Constitution, Article IX, Sections 4, 5.

CHART XIX

FUTURE ORGANIZATION FOR AGRICULTURE AND RESOURCE ADMINISTRATION

STATE OF HAWAII 1962



Functions

- 1. All functions of Department of Land and Natural Resources (Chart XV)
- 2. All functions of Department of Agriculture and Conservation (Chart XVI)

Reference: Act 1, Section 23, 1959 Second Special Session.

THE JUDICIARY

"The judicial power of the State shall be vested in one supreme court, circuit courts, and in such inferior courts as the legislature may from time to time establish."

... part of Section 1, Article V, Constitution of the State of Hawaii.

The state court system includes a five-member supreme court, four circuit courts with varying membership, and twenty-seven district courts. Supreme court justices and circuit court judges are appointed by the Governor with the approval of the Senate for seven-year and six-year terms respectively. District court magistrates are appointed by the chief justice for terms of two years. Justices and judges may be removed by the Legislature, but magistrates may be removed by the Supreme Court.

The circuit courts have general jurisdiction, although certain judges may actually hear cases of a special class. Assignments to various classes of cases are made administratively except for the statutory designation of the sixth judge in the Honolulu circuit as juvenile court judge.

The constitution gives the supreme court the power to promulgate rules and regulations for all civil and criminal proceedings, and designates the chief justice as administrative head of the courts. The chief justice is to appoint an administrative director, with the approval of the supreme court.