

JAN 27 2021

A BILL FOR AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 269-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§269-3 Employment of assistants. (a) The chairperson of
4 the public utilities commission may appoint and employ
5 professional staff and other assistants for the public utilities
6 commission as the chairperson finds necessary for the
7 performance of the commission's functions and define their
8 powers and duties. Notwithstanding section 26-35(a)(4) to the
9 contrary and subject to applicable personnel laws, the
10 employment, appointment, applicable salary schedules, promotion,
11 transfer, demotion, discharge, and job descriptions of all
12 officers and employees of or under the jurisdiction of the
13 commission shall be determined by the chairperson and may be
14 delegated to the executive officer appointed and employed
15 pursuant to subsection (b); provided that determinations
16 concerning personnel matters made by the chairperson or the
17 executive officer, as delegated by the chairperson, may be



1 reviewed by the director of commerce and consumer affairs for
2 completeness and for compliance and conformance with applicable
3 administrative processes and procedures of the department of
4 commerce and consumer affairs. The chairperson may appoint and,
5 at pleasure, dismiss a chief administrator and attorneys as may
6 be necessary, and who shall be exempt from chapter 76. The
7 chairperson may also appoint other staff, including a fiscal
8 officer and a personnel officer, with or without regard to
9 chapter 76.

10 (b) The chairperson of the commission shall appoint an
11 administrative assistant, a research assistant, and legal
12 counsel to assist each of the other members of the public
13 utilities commission with commission duties. Staff assigned
14 under this subsection shall report to the commissioner to whom
15 they are assigned and, notwithstanding any law to the contrary,
16 the chairperson shall not dismiss or re-assign any assigned
17 staff member without prior written approval of the affected
18 commissioner.

19 ~~(b)~~ (c) The chairperson of the commission shall appoint,
20 employ, and dismiss, at pleasure, an executive officer who shall
21 be responsible for managing the operations of the commission.



S.B. NO. 1386

1 The responsibilities of the executive officer shall include
 2 management and recruitment of personnel, budget planning and
 3 implementation, strategic planning and implementation,
 4 procurement and contract administration, and implementation of
 5 administrative programs and projects. The executive officer
 6 shall be exempt from chapter 76.

7 ~~[(e)]~~ (d) Notwithstanding section 91-13, the commission
 8 may consult with its assistants appointed under authority of
 9 this section in any contested case or agency hearing concerning
 10 any issue of facts. Neither the commission nor any of its
 11 assistants shall in such proceeding consult with any other
 12 person or party except upon notice and an opportunity for all
 13 parties to participate, save to the extent required for the
 14 disposition of ex parte matters authorized by law."

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

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

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INTRODUCED BY: Michelle D. Stedani



S.B. NO. 1386

Report Title:

PUC; Appointment of Staff

Description:

Requires the chairperson of the public utilities commission to appoint an administrative assistant, a research assistant, and legal counsel to assist each member of the public utilities commission with commission duties. Prohibits the chairperson from dismissing or re-assigning appointed staff members without the prior written approval of the affected commissioner.

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