

Honolulu, Hawaii

March 1, 2007

RE: H.B. No. 1512

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1512 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS,"

begs leave to report as follows:

The purpose of this bill is to clarify the application of the sunshine law to neighborhood board meetings by:

- (1) Setting forth requirements for public input and decisionmaking on matters that are considered by a neighborhood board that are not noticed in the agenda;
- (2) Providing that a quorum is required to conduct official board business, discussion and voting required to validate an act of the board as part of official board business, or decisionmaking, but not to receive information;
- (3) Allowing two or more neighborhood board members, but less than a quorum, to attend informational meetings or presentations on matters relating to board business;
- (4) Requiring neighborhood board members to report attendance to and matters discussed relating to official board business at informational meetings and presentations they take part in; and



- (5) Allowing neighborhood boards to take action on unanticipated events in the public interest concerning public health, safety, or welfare that arise between the time the public notice is issued and the scheduled meeting.

The Hawaii State Teachers Association, Mililani Mauka/Launani Valley Neighborhood Board No. 35, Aliamanu/Salt Lake/Foster Village Neighborhood Board No. 18, Kuli'ou'ou/Kalani Iki Neighborhood Board No. 2, Mililani/Waipio/Melemanu Neighborhood Board #25, Liliha/Puunui/Alewa/Kamehameha Heights Neighborhood Board No. 14, the Chair of the Downtown Neighborhood Board No. 13, and several concerned individuals testified in support of this bill. The Office of Information Practices and several concerned individuals provided comments.

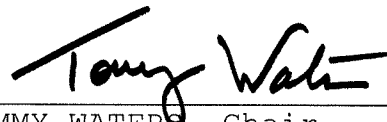
Your Committee has amended this bill by:

- (1) Clarifying that the law allowing public input at neighborhood board meetings on matters not specifically noticed for consideration on the public notice apply to neighborhood boards overseen by the neighborhood commission of the City and County of Honolulu;
- (2) Allowing neighborhood boards to conduct decisionmaking on a matter originally raised as part of a public input agenda at any later meeting, as long as the agenda gives notice of decisionmaking on the matter, instead of requiring the matter to be continued to a reasonable day and time;
- (3) Including testimony as another type of input the neighborhood boards may receive on a matter of official board business without a quorum;
- (4) Changing the effective date to January 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1512, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1512, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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TOMMY WATERS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

**HSCR 803**

**Record of Votes of the Committee on Judiciary**

<b>Bill/Resolution No.:</b> <div style="text-align: center;">H . B . 1512</div>		<b>Date:</b> <div style="text-align: center; font-size: 1.2em;">2/20/07</div>		
<b>Committee Referral:</b> <div style="text-align: center;">JUD</div>		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
<b>The recommendation is to:</b> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 45%;"> <input type="checkbox"/> Pass, unamended  <input type="checkbox"/> Hold         </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Pass, with amendments  <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration         </div> </div>				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	✓			
2. OSHIRO, Blake K. (VC)	✓			
3. CALDWELL, Kirk				✓
4. EVANS, Cindy	✓			
5. GREEN, Josh, M.D.	✓			
6. ITO, Ken	✓			
7. LUKE, Sylvia	✓			
8. McKELVEY, Angus L.K.				✓
9. MORITA, Hermina M.	✓			
10. SONSON, Alex M.	✓			
11. SOUKI, Joseph M.				✓
12. TSUJI, Clift	✓			
13. YAMANE, Ryan I.	✓			
14. YAMASHITA, Kyle T.	✓			
15. MARUMOTO, Barbara C.	✓			
16. PINE, Kymberly Marcos				✓
17. THIELEN, Cynthia				✓
TOTAL	12			5
<b>The recommendation is:</b> <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted  <input type="checkbox"/> Not Adopted         </div> <p style="margin-top: 10px;">If joint referral, _____ did not support recommendation.  <small style="margin-left: 100px;">committee acronym(s)</small></p>				
<b>Vice Chair's or designee's signature:</b> <div style="text-align: center; margin-top: 10px;"> </div>				
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