

Honolulu, Hawaii

FEB 14 2008

RE: H.B. No. 1512
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Intergovernmental and Military Affairs, to which was referred H.B. No. 1512, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify the open meetings requirements for neighborhood boards.

Your Committee received testimony in support of this measure from the Neighborhood Commission of the City and County of Honolulu; Waipahu Neighborhood Board No. 22; Mililani/Waipio/Melemanu Neighborhood Board No. 25; and two individuals. Comments were received from the Office of Information Practices.

This measure would:

- (1) Allow an entry in the written public notice for public input on issues not specifically noticed for consideration on the agenda, and allow discussion but postponing a decision to a later duly noticed meeting that includes the decision making on the agenda;
- (2) Allow two or more board members, but less than a quorum, to attend informational meetings or presentations on matters relating to official board business, with certain conditions on attendance; and



- (3) Allow for discussion only at a duly noticed meeting on an unanticipated event, if timely action on the matter is necessary for the public health, welfare, and safety, and if the event occurred after the posting of the notice for that meeting, with certain procedural conditions; provided that decision making occurs at a subsequent duly noticed meeting.

Your Committee finds that neighborhood boards, though without authority to pass legislation, nevertheless have significant influence on the legislative process of the counties. The boards are oftentimes the first to consider and discuss the most current critical issues even before a county council might consider it. Because such issues may arise after the posting of a notice of a board meeting, the board members should nonetheless be able to discuss that issue with decision making postponed to a later noticed meeting.

Your Committee further finds that board members should become knowledgeable about issues by attending informational meetings or presentations that are relevant to official board business. These meetings and presentations are held by other entities, including seminars and community meetings when those presentations are not specifically for or directed toward members of the board.

The intent of this measure is to facilitate the edification of neighborhood boards and to promote the timely response of neighborhood boards to current critical issues.

Your Committee has amended this measure by:

- (1) Adding a definition of "neighborhood boards" as referring to similar entities as established in the City and County of Honolulu, based on testimony that no other county has neighborhood boards and the fact that the City and County Charter does not define the term;
- (2) Clarifying that an agenda for a neighborhood board meeting may include an item for "Public Input" to permit the public to submit written information, or to present oral testimony about a matter not included under any other item on the agenda for that meeting, without a quorum present, but with decision making to occur at a subsequent duly noticed board meeting having a quorum;



- (3) Establishing requirements for board meetings to take action on unanticipated events;
- (4) Changing the effective date from January 1, 2112, to January 1, 2009, and adding a sunset date of December 31, 2013; and
- (5) Making technical, nonsubstantive amendments.

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

Respectfully submitted on
behalf of the members of the
Committee on Intergovernmental
and Military Affairs,


LORRAINE R. INOUÉ, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Intergovernmental and Military Affairs
IGM

Bill / Resolution No.:* HB 1512, HD 1	Committee Referral: IGM, JDL	Date: 2/11/08
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	/			
TSUTSUI, Shan S. (VC)	/			
HEMMINGS, Fred	/			
TOTAL	3	0	0	0

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes