

Honolulu, Hawaii

APR 03 2008

RE: H.B. No. 2730
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 Judiciary and Labor, to which was referred
H.B. No. 2730, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR
NEIGHBORHOOD BOARD MEETINGS,"

begs leave to report as follows:

The purpose of this measure is to prescribe certain
procedures to be followed in the conduct of business by Honolulu
county neighborhood boards and such other neighborhood boards as
may be created in other counties and overseen by a county-based
commission.

This measure:

- (1) Allows the written public notice of a neighborhood board meeting to include an opportunity for the board to receive public input on issues not specifically noticed for consideration at the forthcoming meeting; provided that decision-making on those issues is postponed to a later duly-noticed meeting;
- (2) Requires a quorum for a meeting of the board to conduct official board business and to vote;
- (3) Allows the board to receive information or testimony on a matter of official business without a quorum; provided that the board shall not make a decision on the issue



and the board members shall report the matters presented as information or testimony at the next board meeting;

- (4) Allows two or more members of a board, but fewer than the number necessary to constitute a quorum, to attend informational meetings or presentations on matters relating to official board business, including meetings of another entity, seminars, and community meetings; provided that the presentation is not specifically and exclusively organized for or directed toward members of the board;
- (5) Allows board members to participate in discussions, including discussions among themselves; provided that the discussions occur during and as a part of the informational meeting or presentation and that there is no commitment relating to a vote on the issue; and
- (6) Allows the board to discuss an unanticipated event that occurs after public notice of a board meeting has been issued but before the scheduled meeting, if timely action is necessary for the public health, safety, and welfare. At a duly noticed meeting, a board may take action on the unanticipated event in the public interest that is not on the agenda, as if the board held an emergency meeting.

Your Committee received testimony in support of this measure from the Honolulu Department of Planning and Permitting, the Honolulu Neighborhood Commission Office, the Honolulu Neighborhood Commission, Waipahu Neighborhood Board No. 22, and three individuals.

Your Committee notes that the current sunshine law in chapter 92, Hawaii Revised Statutes, is absent of specific provisions that apply to the conduct of neighborhood boards. Although neighborhood boards do not possess legislative authority, they are nonetheless a vital part of the democratic process and accessibility to government.

The intent of your Committee is to preserve the openness of deliberations and decision-making of neighborhood boards, and to improve the quality of those decisions. It is not the intent of your Committee for this measure to circumvent the sunshine laws.



As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2730, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

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


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 2730 HD1 SD1	Committee Referral: IGM, JDL	Date: 3-25-08
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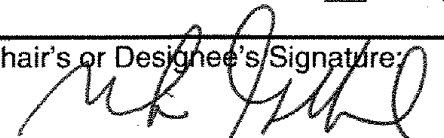
The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

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

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	✓			
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes