

S.B. NO. 2721

JAN 25 2010

A BILL FOR AN ACT

RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING
AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to ensure that the
2 board of directors of the Hawaii Public Housing Authority is
3 able to perform its duties in a timely and efficient manner by
4 reducing the number of board members required to constitute
5 quorum from seven to six members.

6 SECTION 2. Subsection 356D-3(c), Hawaii Revised Statutes,
7 is amended to read as follows:

8 "(c) [~~Seven~~] Six members shall constitute a quorum, whose
9 affirmative vote shall be necessary for all actions by the
10 authority. The members shall receive no compensation for
11 services, but shall be entitled to necessary expenses, including
12 travel expenses, incurred in the performance of their duties."

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New Statutory material is underscored.

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1 SECTION 4. This Act shall take effect upon approval.

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INTRODUCED BY:



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BY REQUEST

Report Title:

Public Housing; Board of Directors

Description:

Reduces the quorum requirement for the board of directors of the Hawaii Public Housing Authority.

JUSTIFICATION SHEET

DEPARTMENT: HUMAN SERVICES

TITLE: A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY.

PURPOSE: Aligns the quorum requirement for the board of directors of the Hawaii Public Housing Authority with that of other state boards.

MEANS: Amends subsection 356D-3(c), Hawaii Revised Statutes (HRS).

JUSTIFICATION: The Hawaii Public Housing Authority (HPHA) is overseen by an eleven member board of directors. Currently, subsection 356D-3(c), HRS, requires seven members of the HPHA board to be present for the board to meet, deliberate, and take action on board business. If less than seven members are present, the board may not proceed with its work.

The quorum requirement for the HPHA board of directors is in excess of the majority of its members. Many state boards, such as the Hawaii Housing Finance & Development Corporation board of directors, Board of Land and Natural Resources, and Board of Education, only require a majority of its board members to be present.

This bill reduces the number of HPHA board members that must be present to constitute a quorum, from seven to six members. This change will align HPHA's quorum requirement with that of other state boards. It will also ensure that the HPHA board is able to conduct business in a timely manner, while maintaining the spirit of Hawaii's Sunshine Law (Chapter 92, HRS) by requiring a majority of the HPHA board members are present.

Impact on the public: Ensures that the oversight of Hawaii's public housing facilities is carried out in a timely manner.

Impact on the department and other agencies: Improves the HPHA board of directors' ability to conduct board business.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: None.

OTHER AFFECTED
AGENCIES: Hawaii Public Housing Authority.

EFFECTIVE DATE: Takes effect upon approval.