

JAN 21 2011

A BILL FOR AN ACT

RELATING TO COMMUNITY ADVISORY BOARDS.

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

1 SECTION 1. Chapter 92, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§92- Meetings of community advisory boards. (a) A
5 community advisory board may receive public testimony, input, or
6 comments if the following are satisfied:

7 (1) The board minutes are recorded; and

8 (2) There is no deliberation and no vote taken at the
9 meeting on a matter that is not included on the
10 meeting agenda.

11 (b) A community advisory board under subsection (a), upon
12 a unanimous vote of the members present, may verbally amend a
13 notice for a meeting at that same meeting to add an item to the
14 agenda if:

15 (1) The public interest requires immediate action on a
16 matter that cannot wait until the next meeting and the
17 matter concerns health and safety; and



1 (2) The board was not reasonably able to place the item on
2 the noticed agenda before the meeting.

3 (c) Two or more members of a community advisory board, but
4 less than a majority of the community advisory board, may attend
5 meetings held by other organizations, provided that the
6 community advisory board members do not deliberate on matters
7 discussed by the other organizations that may come before the
8 community advisory board.

9 (d) All members of a community advisory board may attend
10 publicly noticed meetings and events on matters relating to
11 official board business, provided that the community advisory
12 board members do not deliberate on the matters discussed in the
13 public meetings and events that may come before the community
14 advisory board."

15 SECTION 2. Section 92-2, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§92-2 Definitions.** As used in this part:

18 [~~1~~] "Board" means any agency, board, commission,
19 authority, or committee of the State or its political
20 subdivisions which is created by constitution, statute, rule, or
21 executive order, to have supervision, control, jurisdiction or



1 advisory power over specific matters and which is required to
2 conduct meetings and to take official actions.

3 ~~[(2)]~~ "Chance meeting" means a social or informal
4 assemblage of two or more members at which matters relating to
5 official business are not discussed.

6 "Community advisory board" means an advisory board that is
7 created solely to solicit public input and citizen participation
8 in the decisions on government issues.

9 ~~[(3)]~~ "Meeting" means the convening of a board for which a
10 quorum is required in order to make a decision or to deliberate
11 toward a decision upon a matter over which the board has
12 supervision, control, jurisdiction, or advisory power.

13 "Publicly noticed meeting" means a meeting or event
14 sponsored by any organization whereby each of the following
15 occurs:

16 (1) The general public has been invited to the meeting or
17 event;

18 (2) The meeting or event is held at a public facility; and

19 (3) The notice of the meeting or event is announced and
20 generally distributed by a media outlet."

21 SECTION 3. Section 92-15, Hawaii Revised Statutes, is
22 amended to read as follows:



1 " [†]§92-15[†] Boards and commissions; quorum; number of
2 votes necessary to validate acts. (a) Whenever the number of
3 members necessary to constitute a quorum to do business, or the
4 number of members necessary to validate any act, of any board or
5 commission of the State or of any political subdivision thereof,
6 is not specified in the law or ordinance creating the same or in
7 any other law or ordinance, a majority of all the members to
8 which the board or commission is entitled shall constitute a
9 quorum to do business, and the concurrence of a majority of all
10 the members to which the board or commission is entitled shall
11 be necessary to make any action of the board or commission
12 valid; provided that due notice shall have been given to all
13 members of the board or commission or a bona fide attempt shall
14 have been made to give the notice to all members to whom it was
15 reasonably practicable to give the notice. This section shall
16 not invalidate any act of any board or commission performed
17 prior to April 20, 1937, which, under the general law then in
18 effect, would otherwise be valid.

19 (b) If a duly noticed meeting pursuant to section 92-7 is
20 held and if a quorum as required under subsection (a) is not
21 present for the meeting, the meeting may proceed if the
22 following are satisfied:



- 1 (1) The board minutes are recorded; and
- 2 (2) There is no deliberation and no vote taken on matters
- 3 presented at that meeting."

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: *[Signature]*
[Signature]
[Signature]
[Signature]

Report Title:

Community Advisory Boards; Public Testimony

Description:

Establishes requirements for community advisory boards when receiving testimony from the public and provides definitions for "community advisory board" and "publicly noticed meeting".

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

