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Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Judiciary
Wednesday, February 28, 2024
10:00 a.m.
Conference Room 016 and Videoconference**

**On the following measure:
S.B. 2172, S.D., 1, RELATING TO BOARDS AND COMMISSIONS**

Chair Rhoads and Members of the Committee:

My name is Ahlani Quiogue, and I am the Licensing Administrator of the Department of Commerce and Consumer Affairs' (Department) Professional and Vocational Licensing Division. The Department supports this bill.

The purpose of this measure is to prohibit staff members from assuming the authority and duties of the chairperson of a board or commission.

The Department supports this measure, and notes the boards, commissions, and committees administratively attached to the Division comply with Hawaii Revised Statutes section 436B-6(a), which states, "...the board shall elect one member as chair and member as vice-chair. In the absence of both the chair and vice-chair to preside at a meeting, the members present shall select a chair pro tem."

Additionally, these same boards/commissions generally follow the Robert's Rules of Order, which is the foremost guide on parliamentary procedures. The Robert's Rules of Order recommends that in the absence of the presiding officer/chairperson, the vice

chairperson is next. If neither are present, a member of the board calls the meeting to order and conducts an election for chairperson pro tem. Neither of these procedures appear to allow staff members to assume the authority and duties of the chairperson of a board or commission.

Thank you for the opportunity to testify on this bill.