

STAND. COM. REP. NO.

3114

Honolulu, Hawaii

MAR 20 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 Intergovernmental and Military Affairs, to which was referred H.B. No. 2730, H.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 at neighborhood board meetings, including the information that may be included in the written public notice, the information that the board may discuss pursuant to the public input agenda, the quorum requirements, and matters related to unanticipated events.

Your Committee received testimony in support of this measure from the Planning and Permitting Department of the City and County of Honolulu, the Neighborhood Commission, the Downtown Neighborhood Board, the Waipahu Neighborhood Board, the Kalihi Valley Neighborhood Board, the Hawaii Kai Neighborhood Board, the Waikiki Neighborhood Board, the Neighborhood Commission Office of the City and County of Honolulu, and two private individuals. The League of Women Voters of Hawaii and The Chamber of Commerce of Hawaii submitted testimony with their comments. The Office of Information Practices submitted testimony expressing its concerns.

Your Committee finds that the neighborhood board meeting is important in that it provides the public with a forum to raise and obtain solutions to issues of neighborhood concern. In this

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regard, the "Sunshine Law", chapter 92, Hawaii Revised Statutes, as it applies to board activities and processes, has provided protection of a citizen's right to know and to have access to open meetings. However, it has also created barriers that in certain instances may delay or prevent a board from fulfilling its responsibilities.

This measure removes the barrier that prevents community leaders and the public from participating in planning for their communities at public information meetings and workshops for the various city and county plans. It also allows the boards to receive information even if there is no quorum at a board meeting, which is important under certain circumstances, such as when time-sensitive announcements are involved. The measure also authorizes a board to take action on an unanticipated event in the public interest that is not on the agenda in the same manner as when the board holds an emergency meeting to take action on an issue.

Your Committee has amended this measure by:

- (1) Deleting the requirement of a quorum for discussions prior to and related to voting to address a comment raised by the Office of Information Practices; and
- (2) Requiring board members to report matters presented without a quorum, at the next neighborhood board meeting as information or as testimony.

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. 2730, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2730, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

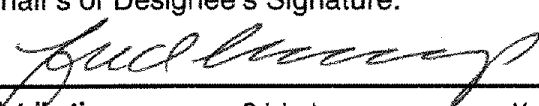
Respectfully submitted on
behalf of the members of the
Committee on Intergovernmental
and Military Affairs,


LORRAINE R. INOUYE, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Intergovernmental and Military Affairs
IGM

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2730, HD 1	IGM, JDL	3/17/08
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310
<input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
INOUYE, Lorraine R. (C)	✓	
TSUTSUI, Shan S. (VC)		✓
HEMMINGS, Fred	✓	
TOTAL	2	0
0	0	1
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
Goldenrod Committee File Copy		

*Only one measure per Record of Votes