
A BILL FOR AN ACT

RELATING TO THE FESTIVAL OF PACIFIC ARTS.

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

1 SECTION 1. The legislature finds that Act 104, Session
2 Laws of Hawaii 2017, created the temporary commission on the
3 thirteenth festival of pacific arts to plan the thirteenth
4 festival of pacific arts and culture originally scheduled to be
5 held in Hawaii in June 2020. Due to the outbreak of the
6 coronavirus disease 2019 (COVID-19), the Pacific Community, the
7 international custodian of the festival, notified the State of
8 its intent to postpone the festival to 2024. Therefore, the
9 temporary commission, which was to cease to exist on June 30,
10 2021, must be extended to fulfill its duties to plan the
11 thirteenth festival of pacific arts and culture in 2024.

12 The legislature further finds that although previous
13 festivals have had a contractor to carry out the hands-on
14 details of planning a festival, there is currently no contractor
15 to fill this role. To ensure a successful festival, the
16 commission members themselves have had to carry out the
17 responsibilities of planning several components of the festival
18 in a hands-on manner, including fundraising, communicating with



1 the foreign delegations, scheduling events, organizing
2 volunteers, and securing housing, transportation, meals,
3 security, and medical services. To carry out and coordinate
4 these responsibilities between the scheduled meetings, smaller
5 groups of commission members must be able to communicate
6 expeditiously and outside of the confines of chapter 92, Hawaii
7 Revised Statutes. At the same time, the legislature finds that
8 the commission is committed to fulfilling the policy and intent
9 of chapter 92, Hawaii Revised Statutes, including by holding
10 regularly scheduled open meetings and posting notices and
11 minutes. The commission has been holding its meetings every two
12 weeks and is committed to continuing to regularly meet on that
13 schedule. Thus, the legislature finds that a permitted
14 interaction allowing groups of less than a quorum of commission
15 members to work on commission business between its regular
16 meetings, while still requiring the commission to hold those
17 meetings subject to the Sunshine Law, will balance the public
18 interest in access to government decision-making under the
19 Sunshine Law with the commission members' need to carry out the
20 hands-on portion of running a festival between the regularly



1 scheduled meetings at which the commission considers larger
2 issues and makes decisions regarding the festival.

3 The purpose of this Act is to:

4 (1) Extend the date on which the temporary commission on
5 the thirteenth festival of pacific arts shall cease to
6 exist to August 31, 2025; and

7 (2) Permit less than a quorum of commission members to
8 discuss matters relating to official board business
9 outside a commission meeting as a permitted
10 interaction under part I of chapter 92, Hawaii Revised
11 Statutes, to enable them to perform their duties
12 faithfully; provided that the commission shall hold a
13 meeting at least once a month.

14 SECTION 2. Act 104, Session Laws of Hawaii 2017, is
15 amended by amending section 4 to read as follows:

16 "SECTION 4. The commission shall cease to exist on
17 [~~June 30, 2021.~~] August 31, 2025."

18 SECTION 3. Less than a quorum of members of the temporary
19 commission on the thirteenth festival of pacific arts may
20 discuss matters relating to official board business outside of a
21 properly noticed public meeting in the course of planning the



1 festival, and those discussions shall be a permitted interaction
2 under section 92-2.5, Hawaii Revised Statutes; provided that the
3 commission shall hold a public meeting noticed pursuant to part
4 I of chapter 92, Hawaii Revised Statutes, at least once a month,
5 at which time it shall report its progress in the matters
6 discussed outside a meeting pursuant to this section.

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

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



Report Title:

Festival of Pacific Arts; Temporary Commission

Description:

Extends the date on which the temporary commission on the thirteenth festival of pacific arts shall cease to exist to August 31, 2025. Permits less than a quorum of commission members to discuss matters relating to official board business outside a commission meeting as a permitted interaction under part I of chapter 92, Hawaii Revised Statutes, to enable them to perform their duties faithfully, provided that the commission holds a properly noticed meeting at least once a month and discusses the progress of the permitted interaction matter at the next meeting. (CD1)

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