



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

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Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
Thursday, February 10, 2022
9:00 AM
State Capitol, Conference Room 325

in consideration of
HB 1810
RELATING TO THE ENVIRONMENTAL ADVISORY COUNCIL.

Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection.

The Office of Planning and Sustainable Development (OPSD) **supports** HB 1810.

The bill sets forth new text in section 341-5.5, HRS, to establish quorum as a “majority of all of the members currently appointed to the environmental advisory council.” The bill further establishes that the “concurrence of a majority of all the members currently appointed to the environmental advisory council shall be necessary to make any action of the council valid.”

There have been many instances where the Environmental Advisory Council has not had its full complement of fifteen members, due to term expirations. The minimum number of board members required for quorum is eight members. In some instances, meetings have had to be cancelled because of the inability to meet the quorum count due to having a number of members be much less than the fifteen the council is entitled to.

In short, we believe that the proposed revisions to section 341-5.5, Hawai'i Revised Statutes, will allow the Environmental Advisory Council to function more efficiently.

Thank you for the opportunity to testify on this measure.

Puananionaona Patria Thoene

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Thursday, February 10, 2022

9:00 am

via videoconference

Testimony of Puananionaona P. Thoene before the
**HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL
PROTECTION**

providing **TESTIMONY IN SUPPORT** of
HOUSE BILL (HB) 1810
RELATING TO THE ENVIRONMENTAL ADVISORY COUNCIL

February 8, 2022

Aloha e Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy & Environmental Protection,

I am the current Chair of the Environmental Advisory Council (EAC), however, I submit this testimony in **support** of HB 1810 in my individual capacity.

Hawai‘i Revised Statutes (HRS) Chapter 341, which governs the EAC, does not currently establish special quorum requirements for the EAC. Accordingly, quorum for the EAC is set by HRS § 92-15 applying to all boards and commissions whose enabling statutes do not specify the number of members necessary to constitute a quorum to do business or validate acts, which provides that the number of members required to establish a quorum is a majority of all members to which the board or commission is *entitled*.

HB 1810 would amend HRS § 341-5.5 to (1) establish quorum for the EAC as a "majority of all of the members currently *appointed* to the environmental advisory council"; and (2) establish that a "concurrence of a majority of all the members currently *appointed* to the environmental advisory council shall be necessary to make any action of the council valid." (Emphases added.)

Under HRS Chapter 341, the EAC is entitled to have up to fifteen members, which means that quorum is achieved only when a minimum of eight members are present. There are currently only eleven members appointed and confirmed to the EAC due to resignations, changes in positions, and term expirations. Meeting quorum over the last year has been challenging on occasion and in some instances, meetings have had to be cancelled.

The amendments proposed by HB 1810 would assist the EAC by lowering the minimum number of members required to constitute a quorum and allow the EAC to do business on a regular basis. For these reasons, I am in strong support of HB 1810.

Mahalo for the opportunity to testify on this measure and for your consideration.