STAND. COM. REP. NO. 2500

Honolulu, Hawaii

FEB 1 6 2024

RE: S.B. No. 2172

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 2172 entitled:

"A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the priority of who may assume the authority and duties of a chairperson of a board or commission in the chairperson's and all co-chairperson's absence at a hearing or meeting of a board or commission; and
- (2) Prohibit staff members from assuming the authority and duties of the chairperson of a board or commission.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Board of Regents of the University of Hawai'i.

Your Committee finds that when a chairperson or cochairperson is absent from a hearing or meeting of a board or commission, it is necessary to ensure that the most qualified or experienced individual assumes their authority and duties. This measure will ensure that only the most qualified individual will assume the authorities and duties of a chairperson of a board or commission in the absence of the chairperson or all cochairpersons from the meeting or hearing by establishing the priority of succession in statute.

Your Committee notes that boards and commissions generally follow the Robert's Rules of Order, which provides for lines of succession among committee members themselves upon the absence of the presiding chairperson. Notwithstanding, your Committee finds that there are valid reasons to expressly prohibit staff members from assuming control of the meetings. Accordingly, there is a need to amend this measure to address this matter.

Your Committee has amended this measure by:

- (1) Deleting language that would have established the priority of individuals who may assume the authority of duties of a chairperson of a board or commission in the absence of the chairperson or all co-chairpersons from a hearing or meeting of the board or commission;
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2172, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2172, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Government Operations,

ANGUS L.K. MCKELVEY, Chair

## The Senate Thirty-Second Legislature State of Hawaiʻi

## Record of Votes Committee on Government Operations GVO

Bill / Resolution No.:*  58272	Committee Referral:  Date:  2/8/24				
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
MCKELVEY, Angus L.K. (C)					
GABBARD, Mike (VC)				·	
SAN BUENAVENTURA, Joy A.					
WAKAI, Glenn					
AWA, Brenton					
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TOTAL		-7			2
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Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes