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To: Senate Committee on Government Operations

From: Carlotta Amerino, Director

Date: February 3, 2026, 3:00 p.m.
State Capitol, Conference Room 225

Re: Testimony on S.B. No. 2397
Relating to Neighborhood Boards

Thank you for the opportunity to submit testimony on this bill, which would amend the quorum requirement for neighborhood boards of the City and County of Honolulu. The Office of Information Practices (OIP) takes no position on this bill, but offers comments.

Part VII of chapter 92, Hawaii Revised Statutes, which sets out several provisions specific to neighborhood boards and community outreach boards, is not part of the Sunshine Law, part I of chapter 92, and thus not administered by OIP. Nonetheless, a board's quorum requirement affects the applicability of several Sunshine Law requirements. The Sunshine Law requires a board to have a quorum of members present to be in a meeting, so calculating quorum to require a majority only of filled seats, rather than all seats to which a neighborhood board is entitled, will make it easier for neighborhood boards to meet and do business. It will also mean that for the Sunshine Law's permitted interactions (situations in which members can discuss board business outside a meeting), most of which are limited to less than a quorum of members, the number of neighborhood board members who

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February 3, 2026
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can discuss board business under a particular permitted interaction may be smaller due to this amendment than under current law.

Thank you for considering OIP's testimony.

SB-2397

Submitted on: 1/31/2026 1:45:25 PM
Testimony for GVO on 2/3/2026 3:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| Jacob Wiencek | Individual | Support | Written Testimony Only |

Comments:

Aloha Committeemembers,

I appreciate the intent of this bill and it seems grounded in commonsense. I urge the committee to **SUPPORT** this bill!

SB-2397

Submitted on: 2/2/2026 11:14:31 AM
Testimony for GVO on 2/3/2026 3:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|----------------------|--------------|--------------------|------------------------|
| Aria Juliet Castillo | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair McKelvey, Vice Chair Gabbard, and Members of the Committee,

Over the past year and a half, I've attended more than 25 different neighborhood board meetings, many of them multiple times. It's been frustrating to repeatedly see basic governance, like approving meeting minutes or advancing resolutions, delayed for action, not because of disagreement, but because boards can't reach a quorum due to vacancies and absences.

Allowing quorum to be based on filled seats helps neighborhood boards function as intended while maintaining transparency and accountability.

This bill would make neighborhood boards more effective and responsive to their communities. Please support.

Mahalo.

Aria Juliet Castillo

Kailua HI

SB-2397

Submitted on: 2/2/2026 12:12:29 PM
Testimony for GVO on 2/3/2026 3:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Ross Isokane | Individual | Support | Written Testimony Only |

Comments:

I support this bill. It will make it a lot easier for Neighborhood Boards to make their voices heard on issues that are important to those who care enough to show up.

Neighborhood Boards have no official power (and are only advisory), but are one of the few opportunities for ordinary citizens to communicate their views in a way that has a better chance of actually being seen/heard by elected officials. But so many boards (given these are volunteer positions with no official power) struggle to get citizens to fill their board seats and there are many vacancies or no shows at meetings.

In my own volunteer advocacy efforts on specific issues, I've toured Neighborhood Boards pitching draft resolutions that boards can adopt to throw their support in on key legislative bills. It's enough of a time commitment as these board meetings are in the evening and can be long (again, I'm just a volunteer advocate, I don't get paid for this). So it feels very deflating to spend hours at a neighborhood board meeting and, although the present board members (who care enough to actually show up) support the resolution, they aren't able to adopt it because they can't achieve quorum or the high hurdle voting requirements to adopt a resolution.

SB-2397

Submitted on: 2/2/2026 1:26:02 PM
Testimony for GVO on 2/3/2026 3:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| Keoni Shizuma | Individual | Support | Written Testimony Only |

Comments:

As member for a neighborhood board for the last 3 years, I fully support this bill. It has been difficult to make quorum based on the number of seats there are, given many vacancies. All neighborhood boards are volunteer-based, making it difficult to fill vacancies, given people's schedules and demands of everyday life. Thus, a neighborhood board shouldn't be held back by the lack of volunteers in a community, especially when the Neighborhood Board Commission doesn't have the resources to publicly push, market, or recruit community members to be join the board. Since the position is volunteer based, it is easy to understand why there are often many vacancies on board.

This bill helps the boards continue to do the work they are tasked to do, and not held back by a lack of volunteers.

One possibly amendment I would suggest for this bill is that the number of board members be larger than the number of vacancies for this bill to take effect (essentially, there must be more board members than vacancies for the quorum number to be based on number of members on the board).

SB-2397

Submitted on: 2/2/2026 1:56:56 PM
Testimony for GVO on 2/3/2026 3:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Ken Stover | Individual | Support | Written Testimony Only |

Comments:

support

LATE

TO: Senator Angus McKelvey, Chair, and Members
Senate Committee on Government Operations

FROM: Tom Heinrich, Attorney at Law tomheinrich808@gmail.com

RE: **Testimony in SUPPORT of SB 2397:**
Relating to Neighborhood Boards

TO BE HEARD: Tuesday February 3, 2026 3:00 PM at CR 225

Aloha Chair McKelvey and Government Operations Committee Members!

I submit this testimony **IN SUPPORT of Senate Bill 2397** in my individual capacity.

I am a Honolulu resident and attorney at law admitted to practice in Hawaii in 1987. I am fortunate to have considerable experience with the City and County of Honolulu Neighborhood Board System established by Article XIV of the Revised Charter of Honolulu, having served for many years as a member and presiding officer of the Manoa Neighborhood Board No. 7 (17 seats), a member of the Neighborhood Commission (9 seats), and as Executive Secretary to the Neighborhood Commission – responsible as the Director of the Neighborhood Commission Office (17 staff members) and Administrator of the Neighborhood Board System (33 boards on Oahu with about 434 members) – under Mayor Peter Carlisle.

Section 14-101 of the Revised Charter of Honolulu states that the purpose of the neighborhood boards is “to increase and assure effective citizen participation in the decisions of government.” Adopted by the electorate in 1972, the original limitation to “city” government decisions was repealed in 1984, making all decisions and their processes of the counties, state, and federal governments open to consideration. Based on the New England town hall meeting model, the neighborhood boards serve as effective community forums to facilitate dialogue on issues of the day and communicate input from that community to the elected officials and appropriate agencies of all branches of government.

In the State of Hawaii, the Neighborhood Board System is unique to the City and County of Honolulu, and a formal part of city government due to its creation by Article XIV of the Charter. Accordingly, Chapter 92, Hawaii Revised Statutes – the “Sunshine Law” --, applies to the Neighborhood Commission and neighborhood boards.

Also unique to the neighborhood boards is the fact that, except for their internal operations, they serve in an advisory capacity only and have absolutely no authority. Due to that distinction, some flexibility for the elected representatives serving on neighborhood boards to conduct their community forum role was provided by adding Part VII to HRS Chapter 92 in 2008 (Act 153, Session Laws of Hawaii 2018).

Senate Bill 2397 proposes to further address a difficulty long experienced by the neighborhood boards: what should constitute quorum and what should the denominator and numerator be to determine the necessary voting majority required to validate an act of the board as part of official board business pursuant to HRS Section 92-81(d)(3)?

HRS Section 92-15, Revised Charter of Honolulu Sections 13-103.1(i) and 14-102, and Sections 2-11-102 and 2-11-308 of the Rules and Procedures of the Neighborhood Commission clearly apply to the **Neighborhood Commission** and state that the affirmative vote of a majority of the entire membership shall be necessary to take any action. Section 2-11-102 states: ““Quorum” means a majority of the total authorized number of members to which the commission, board, or any committee of the commission or board is entitled.”

That principle has been consistently applied to the **neighborhood boards** through the Neighborhood Plan established pursuant to Sections 14-101 and 14-103, Revised Charter of Honolulu. Section 2-14-114 of the Neighborhood Plan states:

“§2-14-114 Quorum and majority vote. (a) The presence of a majority of all the members to which the board is entitled shall constitute a quorum to do business.

(b) The vote of not less than the majority of the entire membership to which the board is entitled shall be necessary to take any official action, unless otherwise specifically provided by this plan or by law.

(c) A board member who is present at the meeting shall be counted for the purpose of determining quorum.”

But the Charter itself does NOT set forth the quorum required for the Neighborhood Plan that provides the primary governance of the neighborhood boards.

Senate Bill 2397 proposes the preferred recommendation of amending HRS Section 92-81(d) in Part VII of HRS Chapter 92 to address the unique circumstances of the City and County of Honolulu Neighborhood Boards by:

(1) changing the determination of the quorum **denominator**

from: the total number of authorized members (a static number),
to: the number of seats presently filled at the time of the vote on any official action (a variable number that reflects any vacancies); and

(2) changing the basis of making any act of the neighborhood board’s official board business valid (the **numerator**)

from: the concurrence of a majority of all the members to which the board is entitled,
to: the concurrence of a majority of all members present at a meeting at which quorum is established.

These changes would well address the situations often faced by the advisory only neighborhood boards that experience numerous vacancies or absences at each properly noticed meeting and are therefore unable to conduct official business by virtue of not attaining the necessary majority of ALL the members to which the board is entitled.

Especially inappropriate is that a member's absence counts as a *de facto* NO on any question presented for vote, making some members "more equal than others" under different circumstances.

In short, the Robert's Rules of Order Newly Revised, 12th Edition standard as proposed in Senate Bill 2397 is more appropriate and reasonable for the City and County of Honolulu Neighborhood Boards!

If enacted, the Neighborhood Commission can then amend the Neighborhood Plan appropriately for conformance.

Accordingly, I respectfully urge the Senate Committee on Government Operations to move SB 2397 forward for passage on Second Reading and referral to the Committee on Judiciary.

Mahalo for your consideration of my testimony!

Tom Heinrich