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# 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 festival of  
4 pacific arts originally scheduled to be held in Hawaii in June  
5 2020. Due to the outbreak of the coronavirus disease 2019  
6 (COVID-19), the Pacific Community, the international custodian  
7 of the festival, notified the State that it is postponing the  
8 festival to 2024. Therefore, the temporary commission, which  
9 was to cease to exist on June 30, 2021, must be extended to  
10 fulfill its duties to plan the thirteenth festival of pacific  
11 arts 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



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

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 Statutory material to be repealed is bracketed  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

8 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 meeting at least once a month and discusses the progress of the permitted interaction matter at the next meeting. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

