

# BY-LAWS KAUA‘I COUNTY COMMITTEE ON THE STATUS OF WOMEN

## ARTICLE I: NAME, ESTABLISHMENT AND LOCATION

SECTION 1. This Committee established by Chapter 367, H.R.S., shall be known as the Kaua‘i County Committee on the Status of Women. Its principal office shall be located at 4444 Rice Street, Suite 150, Līhu‘e, Kaua‘i, Hawai‘i, 96766.

## ARTICLE II: PURPOSES

SECTION 1. The purpose of the Committee shall be to develop such information concerning the status of women within the County of Kaua‘i as the State Commission on the Status of Women requires or as the Committee deems advisable. The Committee shall also perform such other appropriate duties and responsibilities as may be deemed necessary by the Commission.

## ARTICLE III. DEFINITIONS

SECTION 1. Whenever used in these By-Laws, these terms shall have the following meaning:

- (a) “By-Laws” mean the By-Laws of the Kaua‘i County Committee on the Status of Women.
- (b) “Commission” means the State Commission on the Status of Women.
- (c) “County” means the County of Kaua‘i.
- (d) “Committee” means the Kaua‘i County Committee on the Status of Women.
- (e) “Ex-Officio Member” means those persons required, pursuant to Section 367-4, Hawai‘i Revised Statutes, as amended, to become members of the Committee.
- (f) “H.R.S.” means Hawai‘i Revised Statutes, as amended.
- (g) “Mayor” means the Mayor of the County of Kaua‘i.
- (h) “Person” means individuals, corporations, firms, associations, societies and Federal, State and County departments and agencies.

- (i) "Proceeding" means any matter brought before the Committee over which it has jurisdiction.
- (j) "Regular member" means those persons appointed to the Kaua'i County Committee on the Status of Women by the Mayor, excluding any ex-officio members.

#### ARTICLE IV. ORGANIZATION AND OFFICERS

SECTION 1. Membership. The Committee shall consist of not less than seven (7) regular members who are appointed by the Mayor on the basis of their interest and knowledge of local conditions and their ability to make contributions to the solution of problems relating to the status of women within the County.

In addition to the regular members of the Committee, the County Attorney and the County representative of the State Commission on the Status of Women shall be ex-officio members without the power to vote or hold office.

All members of the Committee shall receive no compensation for their services.

SECTION 2. Terms. One third of the regular members shall be appointed initially for a term of four (4) years, one-third for a term of three (3) years and one-third for a term of two (2) years. Thereafter, the terms of each regular member shall be four (4) years.

SECTION 3. Officers. Officers consisting of a Chairperson, Vice-Chairperson, Secretary and Treasurer shall be elected annually.

SECTION 4. Election. The regular members of the Committee shall annually elect the officers for the ensuing year at the first meeting after December 1. Nominations may be made by a nominating committee or from the floor, provided that prior consent is obtained from any person nominated from the floor. The term of office of any elected officer shall be one (1) year and commence on the first meeting of each new calendar year.

SECTION 5. Officers Powers and Duties.

- (a) Chair: The Chair shall have all of the executive powers necessary to effect the purposes for which the Committee was formed, and such other powers as may from time to time be granted by the Committee. The Chair's powers shall include, but not be limited to:

- (1) Presiding over Committee meetings.

- (2) Directing the preparation of the agenda for meetings and authenticating all acts of the Committee as may be required by law and signing all instruments requiring execution or agreement by the Committee.
  - (3) Appointing of the Chair and members of any standing or special committees as may be created by the Committee. However, all such appointments shall be subject to ratification by the regular members of the Committee.
  - (4) Calling of special meetings which may be called by the required number of regular members of the Committee, and
  - (5) Representing the Committee or designating a member to so represent the Committee.
- (b) Vice-Chair. The Vice-Chair shall perform the duties of the Chair when the Chair is unable to serve. The Vice-Chair shall serve as an alternate to the Chair and shall assist in such matters as may be delegated by the Chair or the Committee.
- (c) Secretary. In the absence of staff support from the Office of Boards and Commissions, the Secretary shall be responsible for the minutes of the Committee and shall ensure that minutes are distributed to the officers, the members, the Mayor and to such persons as the Chair may direct.
- (d) Treasurer. The Treasurer shall be responsible for the fiscal affairs of the Committee, and shall work closely with the support staff from the Office of Boards and Commissions. The Treasurer's duties shall include, but not be limited to:
- (1) Preparing the annual budget of the Committee for review and approval by the Committee based on the fiscal allocation provided by the County.
  - (2) Working with support staff to prepare quarterly reports for the Committee or more frequently as may be deemed desirable or appropriate, and
  - (3) Working with support staff in the oversight of the budget and proper expenditure of funds as approved by the Committee.

SECTION 6. Vacancies. Vacancies in office shall be filled by an election at any duly scheduled meeting. The term of any vacancy shall be for the remaining unexpired period and commence immediately upon election.

SECTION 7. Expulsion. Any regular member of the Committee who is absent for three (3) consecutive meetings without the prior consent of the Chair shall be expelled from membership.

## ARTICLE V. MEETINGS

SECTION 1. Meetings. The Committee may schedule meetings as required; to be held at such time and place as may be designated by the Chair. Provided however, there shall be no fewer than four (4) regular meetings per calendar year. Except as provided in Sections 92-4 and 92-5, H.R.S., all Committee meetings shall be open to the public.

SECTION 2. Special Meetings. Special meetings of the Committee may be called by written request of the Chair or by a majority of all the regular members of the Committee. Such written request shall include an explanation of the purpose and business to be transacted at the special meeting.

SECTION 3. Quorum. A majority of all regular members to which the Committee is entitled shall constitute a quorum to do business. The concurrence of a majority of all the members to which the Committee is entitled shall be necessary to make any action valid.

SECTION 4. Minutes. The Committee shall keep written minutes of all meetings in accordance with Sections 92-9, H.R.S.

SECTION 5. Decisions and Orders. All decisions and orders of the Committee shall be made by a majority of those entitled to act on any matter and shall comply with Section 91-12, H.R.S. Committee members who have not heard and examined all of the evidence in any matter may vote on that matter only after Section 91-11 H.R.S. has been complied with.

- (a) Unless otherwise indicated in the decision and order, the effective date of a decision and order shall be the date the decision and order was rendered.
- (b) Official copies of decisions and orders and other Committee actions shall be signed by the Chair or by any other person authorized by the Committee.

SECTION 6. Removal of Persons from Meeting. The Committee may remove any person or persons for the reasons specified and in the manner provided in Section 92-3 H.R.S.

SECTION 7. Notice and Agenda. The Committee shall give written public notice of any regular, special, or rescheduled meeting, or any executive meeting when anticipated in advance, in the manner provided in Section 92-7, H.R.S.

- (a) All items to be placed on the agenda shall be submitted to the Chair no later than two (2) business days before the agenda notice is filed. The Chair may, at her discretion, place items submitted after any agenda deadline or the agenda of any future meeting. The Chair shall, consistent with Section 92-7, H.R.S. designate and approve the form and content of the agenda.

## ARTICLE VI: COMMITTEES

SECTION 1. Committees. The Committee may create such Standing or Special Committees as it deems necessary.

SECTION 2. Appointment to Standing or Special Committees. Appointments to any Standing or Special Committee shall be made by the Chair, subject to ratification thereof by the regular members of the Committee. The Chair, in making any Standing or Special Committee appointment, shall designate the chairs and members of the Standing or Special Committees. All appointments shall be co-terminus with the term of the Chair of the particular Standing or Special Committee.

SECTION 3. Transaction of Business. No Standing or Special Committee shall transact business unless a majority of the members who comprise the Standing or Special Committee are present.

SECTION 4. Participation of Non-Committee Members. Any Standing or Special Committee may enlist the participation of any person in its efforts, however, only duly appointed members of the Standing or Special Committee may vote on any matter pending before the Standing or Special Committee.

## ARTICLE VII: RELATIONSHIP WITH OTHER ENTITIES

SECTION 1. Office of the Mayor. The Committee shall advise the Office of the Mayor of its programs, project plans and achievements through the regular submission of meeting minutes and other relevant documents, reports, and materials.

SECTION 2. State Commission of the Status of Women. The Committee shall maintain a liaison relationship with the State Commission, shall offer cooperation and assistance in State endeavors aimed at matters involving the status of women, and shall seek to coordinate the County's status of women program with the State program.

## ARTICLE VIII: PUBLIC INFORMATION AND INSPECTION

SECTION 1. Obtaining Information. Any person may obtain information on matters within the jurisdiction of the Committee by inquiring during regular business hours, at the Office of Boards and Commissions, 4444 Rice Street, Suite 105, Līhu'e, Kaua'i, Hawai'i 96766.

SECTION 2. Public Information and Inspection Prohibited. Matters within the jurisdiction of the Committee, including confidential information or written statements of policy or

interpretations formulated, adopted or used by the Committee in the discharge of its functions, may be withheld from the public to the extent permitted by Chapter and general law.

#### ARTICLE IX: ADOPTION, AMENDMENT OR REPEAL OF BY-LAWS

SECTION 1. Method of Adopting, Amending or Repealing of By-Laws. By-Laws may be adopted, amended, or repealed pursuant to Chapter 91, H.R.S.

SECTION 2. Filing and Effective Date of By-Laws. Certified copies of by-laws adopted, amended or repealed by the county shall be filed and become effective pursuant to Section 91-4, H.R.S.

#### ARTICLE XI. DECLARATORY RULING BY COMMITTEE

SECTION 1. Who May Petition. Any interested person may petition the Committee for a declaratory ruling as to the applicability of any statute or ordinance in the manner provided in Section 91-8, H.R.S.

SECTION 2. Petition, Form and Contents of Petition. The petition and seven (7) copies thereof shall be submitted to the Committee and shall include:

- (a) The name, business or home address, and daytime telephone number of the petitioner,
- (b) A statement of the nature of the petitioner's interest, including reasons for the submission of the petition,
- (c) A designation of the specific provision, By-Law, decision or order in question,
- (d) A complete statement of the facts upon which the petition is based,
- (e) A statement of the position or contention of the petitioner, and
- (f) A memorandum of authorities, containing a full discussion of the reasons, includes any legal authority, in support of the position or contention.

Any petition which does not conform to the foregoing requirements may be rejected.

SECTION 3. Grounds for Refusal to Entertain Petition. The Committee may, in writing and for good cause, refuse to issue a declaratory ruling. Without limited the generality of the foregoing, the Committee may also refuse to issue a declaratory ruling when:

- (a) The question is speculative or purely hypothetical and does not involve existing facts, or facts which can reasonably be expected to exist in the near future.

- (b) the petition's interest is not the type which would give the petitioner standing to maintain an action if judicial relief were sought;
- (c) the ruling may adversely affect the interests of the County, or the Committee, or any of their officers or employees in any litigation which is pending or may reasonably be expected to arise; and
- (d) The matter is not within the jurisdiction of the Committee.

SECTION 4. Assistance of the County Attorney or Other Agencies. When any issue of law is involved, the Committee may refer the issue to the County Attorney. The Committee may also obtain the assistance of other agencies where necessary or desirable.

SECTION 5. Disposition of Petition. The petition shall promptly be informed in writing of the Committee's action regarding the petition.

- (a) Orders disposing of petitions shall have the effect permitted by law. Orders shall be applicable only to the facts alleged in the petition or set forth in the order. Such orders shall not apply to situations whose facts differ materially.

#### ARTICLE XIII: PARLIAMENTARY RULES

SECTION 1. Robert's Rules of Order. The rules contained in Robert's Rules of Order, Revised, shall govern the Committee's actions where applicable and consistent with these By-Laws.