

STAND. COM. REP. NO.

790

Honolulu, Hawaii

March 2, 2017

RE: H.B. No. 165

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 165 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS,"

begs leave to report as follows:

The purpose of this measure is to improve and promote the transparency of government operations and increase meaningful participation of the public by:

- (1) Providing the public prior to a meeting with access to documents that are compiled by a board and distributed to board members for use at the meeting;
- (2) Clarifying the requirements for public notice of regular and special meetings and requiring public notice of emergency meetings; and
- (3) Requiring posting of meeting minutes on State or county websites.

The League of Women Voters of Hawaii, Common Cause Hawaii, The Civil Beat Law Center for the Public Interest, Society of Professional Journalists - Hawaii Chapter, and an individual testified in support of the measure. The Professional and Vocational Licensing Division of the Department of Commerce and

HB165 HD1 HSCR JUD HMS 2017-2621



Consumer Affairs, Department of Taxation, Department of Land and Natural Resources, Office of Information Practices, and City and County of Honolulu Liquor Commission provided comments.

Your Committee has amended this measure by:

- (1) Establishing a working group to find solutions to the potential administrative burden that may be created by a public disclosure requirement of the board packet prior to the meeting. The working group would report to the Legislature prior to the Regular Session of 2018;
- (2) Clarifying the requirements for the electronic posting of board notices and agendas;
- (3) Replacing paper notices with electronic notices as the official filing method;
- (4) Providing the board with 40 days, instead of 30 days, to post meeting minutes on the Internet;
- (5) Making the effective date for the working group and meeting notice requirements take effect on July 1, 2018;
- (6) Changing the effective date of this measure to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 165, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 165, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SCOTT Y. NISHIMOTO, Chair



HSCR 790

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 165	Committee Referral: Jud	Date: 02/24/2017		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to:				
<input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom	/			
5. JOHANSON, Aaron Ling	/			
6. LEE, Chris	/			
7. MORIKAWA, Dee	/			
8. NAKASHIMA, Mark M.	/			
9. OSHIRO, Marcus R.	/			
10. McDERMOTT, Bob	/			
11. THIELEN, Cynthia	/			
TOTAL (11)	11			
The recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				