

STAND. COM. REP. NO.

2512

Honolulu, Hawaii

MAR 03 2016

RE: S.B. No. 2121
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary and Labor, to which was referred S.B. No. 2121 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS,"

beg leave to report as follows:

The purpose and intent of this measure is to permit two or more members of a county council to jointly attend and speak at a community, educational, or informational meeting or presentation; provided the meeting or presentation is open to the public.

Your Committees received testimony in support of this measure from the Hawaii State Association of Counties, Hawaii County Council, and four individuals. Your Committees received testimony in opposition to this measure from the Office of Information Practices, League of Women Voters, Civil Beat Law Center for the Public Interest, Common Cause Hawaii, and four individuals.

Your Committees find that members of county councils have a duty to stay informed on developing policy issues throughout their respective counties. Attending public board and community group meetings helps county council members to fulfill that duty and better serve the public. However, your Committees recognize that Act 221, Session Laws of Hawaii 2014 (Act 221), already provides county council members the ability to attend such meetings; that Act 221 will be repealed on June 30, 2016; and that the intent of this measure would be better served by extending Act 221.

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Your Committees have therefore amended this measure by:

- (1) Removing proposed new language in section 92-2.5, Hawaii Revised Statutes;
- (2) Amending Act 221 to remove the sunset date;
- (3) Adding language to section 92-3.1, Hawaii Revised Statutes, requiring the county councils to submit annual reports to the Legislature on the effectiveness of the procedures provided in Act 221;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2121, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2121, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair


CLARENCE K. NISHIHARA, Chair



