

Honolulu, Hawaii

March 20, 2012

RE: S.B. No. 2737  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2737, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend the State's Sunshine Law to allow board and commission meetings to be conducted by any form of interactive conference technology that permits interaction by audio, or audio and visual means, provided that:

- (1) All members of the board and the public are able to interact with each other at least by audio communications;
- (2) The public is given notice of all the locations at which board members will be participating in the meeting and that the public may join members to participate in the meeting at those locations; and
- (3) An agenda item shall not be considered if any meeting location is connected by audio-only technology and copies of visual aids brought or required to consider that item are not available at all meeting locations within 15 minutes after audio-only technology is used.



The Department of the Attorney General; Office of Information Practices; Department of Business, Economic Development, and Tourism; Disability and Communication Access Board; Department of Planning and Permitting of the City and County of Honolulu; Americans for Democratic Action/Hawaii; and one individual testified in support of this measure. The Chamber of Commerce of Hawaii testified in support of the intent of this measure. The High Technology Development Corporation testified in support with amendments to this measure.

Your Committee has amended this measure by:

- (1) Clarifying that only public locations shall be identified for notice and public participation purposes;
- (2) Changing the effective date to July 1, 2012; and
- (3) 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 S.B. No. 2737, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2737, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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

  
GILBERT KEITH-AGARAN, Chair



State of Hawaii  
 House of Representatives  
 The Twenty-sixth Legislature

HSCR1144-12

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 2737 SD1	Committee Referral: JUD, FIN	Date: 3/15/12		
<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. KEITH-AGARAN, Gilbert S.C. (C)	✓			
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.				✓
5. CARROLL, Mele	✓			
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.				✓
8. ITO, Ken	✓			
9. LUKE, Sylvia	✓			
10. McKELVEY, Angus L.K.	✓			
11. SOUKI, Joseph M.				✓
12. TSUJI, Clift	✓			
13. FONTAINE, George R.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia	✓			
TOTAL (15)	12	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Karl Rhoads</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				