

The purpose of this bill is to amend the law relating to public agency meetings and records (the "sunshine" law) to allow a board to hold a meeting by videoconference, and to prescribe specific requirements for the conduct of such a meeting.

Specifically, this bill:

- (1) Requires the videoconference system used by the board to allow both audio and visual interaction between all members of the board participating in the meeting and the public attending the meeting, at any videoconference location;
- (2) Requires the written public notice of the board meeting to specify all locations at which board members will be physically present during a videoconference meeting, and requires that the public be allowed to attend the meeting at any such location;
- (3) Specifies that any board member participating in a meeting by videoconference shall be considered present at the meeting for the purposes of determining compliance with the quorum and voting requirements of the board;
- (4) Requires a meeting held by videoconference to be terminated if both audio and video communication cannot be maintained with all locations where the meeting is being held, even if a quorum of the board is physically present in one location; and
- (5) Requires each board to adopt rules regarding the use of and the procedures to be followed in a meeting held by videoconference, before the meetings are held.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee finds that this measure will enhance the efficiency and cost-effectiveness of boards by allowing them to meet by using modern communication technology while protecting the interests served by the sunshine law.

Your Committee has amended this bill by clarifying that the implementing rules adopted by the boards should be adopted pursuant to the Hawaii Administrative Procedure Act, and by making technical, nonsubstantive amendments for purposes of clarity and style.

Your Committee on Government Operations, Environmental Protection and Hawaiian Programs is in accord with the intent and purpose of H.B. No. 3302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3302, S.D. 1, and be referred to the Committee on Ways and Means.

Signed by all members of the Committee.