

STAND. COM. REP. NO. 479

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 906

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 906 entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow interactive conference technology to replace videoconferencing as a permitted means of holding meetings of boards and commissions under the sunshine law.

Your Committee received testimony in support of this measure from the Governor's Office; Hawaii State Council on Developmental Disabilities; Disability & Communication Access Board; and The League of Women Voters of Hawaii. Comments were received from the Office of Information Practices. Written testimony presented to the Committee may be reviewed on the Legislature's website.

This measure defines "interactive conference technology" as any form of audio or audio and visual conference technology, including teleconference, videoconference, and voice over internet protocol, that facilitates interaction between the public and board members.

The intent of this measure is to amend the current videoconference meeting requirements by allowing public agency meetings that only use audio communications, by requiring that the meetings by audio communication without the use of video technology meet specific requirements that would enable the members of the board or commission and the public to participate



as fully as they may be able without being physically present at the meeting. The measure introduces a new definition entitled "interactive conference technology" to include different and more current technological means of communication, that allows meetings to take place even though one or more members of the board or commission is not meeting in the same location.

The measure retains all of the video conference requirements on quorum, voting requirements of the members on the board or commission, and notice of meetings and meeting location requirements.

Your Committee finds that this measure would facilitate the holding of public agency meetings without violating the spirit and intent of Hawaii's sunshine law. Members of boards and commissions and the public who reside on neighbor islands and who find it difficult to travel because of economic, health, or other reasons, would still be able to participate in meetings that are usually held in Honolulu.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 906 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

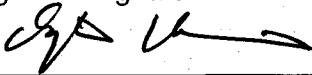
Respectfully submitted on behalf of the members of the Committee on Judiciary and Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 906	Committee Referral: JGO	Date: 2/10/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes