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GOVERNOR

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To: House Committee on Finance

From: Cathy L. Takase, Acting Director

Hearing: February 28, 2011, 12:30 p.m.  
State Capitol, Room 308

Re: Testimony on H.B. 549, H.D. 1  
Relating to Public Agency Meetings

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Thank you for the opportunity to submit testimony in support of H.B. No. 549, H.D. 1.

OIP believes that this bill would result in easier access for the public to board notices and agendas under the Sunshine Law and in more efficient government. The bill would substitute electronic filings on the state calendar maintained on the designated central state Internet website for filings in hard copy with the Office of the Lieutenant Governor. The H.D. 1 version added a similar provision for county filings. This would allow easy access for the public by Internet for all board meeting notices required under the Sunshine Law. It would create greater government efficiency by eliminating staff time spent and resources used to receive and post hard copies or in rejecting untimely filed notices, all of which would be performed electronically.

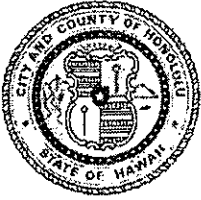
Under the Governor's Executive Memorandum No. 08-06, state boards are currently directed to post their regular meeting notices on the state calendar.

Thus, this bill would also eliminate the current duplicate filings by these boards on the state calendar and in the Office of the Lieutenant Governor. (OIP is not aware of an equivalent mandate for electronic notice by the counties.)

OIP believes that the statute as amended has adequate safeguards to protect access by members of the public who do not have Internet access. Physical notices would still be required to be posted at the board's office and at the site of the meeting whenever feasible. Further, boards would still be required to mail copies of notices to persons who request notification in such form.

OIP further believes that the proposed amendment has adequate safeguards to protect access in the event of an interruption in Internet service. In addition to notices available in the board's office and at the meeting site whenever feasible, notices filed when the electronic system is not in service would be available in OIP's office or the appropriate county clerk's office because boards would be required to file their notices with OIP or the clerk when electronic posting is unavailable. OIP or the clerk would then be responsible for the electronic posting as soon as Internet service is restored.

Thank you for the opportunity to testify.



**BERNICE K.N. MAU**  
CITY CLERK

## **OFFICE OF THE CITY CLERK**

CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 100  
HONOLULU, HAWAII 96813-3099  
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### TESTIMONY OF

**BERNICE K. N. MAU, HONOLULU CITY CLERK  
CITY AND COUNTY OF HONOLULU**

**TO THE HOUSE COMMITTEE ON FINANCE  
ON**

**HOUSE BILL 549, HD1  
RELATING TO PUBLIC AGENCY MEETINGS**

**February 28, 2010**

Chair Oshiro and Vice-Chair Lee and Committee and Members of the House Committee on Finance, thank you for the opportunity to provide testimony in support of H.B. 549, HD1 relating to public agency meetings.

The Office of the City Clerk supports the intent of H.B. 549, HD1, as it is a worthy attempt to modernize the posting of notices from filing with the Office of the City Clerk to filing directly by electronic posting on the county calendar maintained on the designated county internet website.

The Office of the City Clerk would like to request that H.B. 549, HD1 be further amended to incorporate the following amendments before final passage of this measure.

The first amendment is to the language found on page 2, lines 1 and 2 of the bill which states "(1) File the notice in the board's office for public inspection." Realistically, not all boards have offices in which to file their notices; for example, the City's Neighborhood Boards or the various boards and commissions established by the City Council or the City Administration do not have individual offices, but are affiliated with a designated support agency or department. In lieu of the existing language, we request that the paragraph be revised to state as follows:

- (b) The board shall post the notice at the site of the meeting whenever feasible. In addition, at least six calendar days before the meeting, the board shall:

(1) File the notice in the board's office or the office of the support agency or department of such board for public inspection."

We further request that the language on page 2, lines 18 through 20 be revised. In the event of an interruption to the internet web service, H.B. 549, HD 1, requires the board to file its notice with the county clerk's office for public inspection instead of by electronic posting. The Office of the City Clerk supports this requirement which requires the filing of notices with the county clerk's office for public inspection in the event the internet web service is unavailable. However, we would like the responsibility of electronically posting the notice once the electronic service is restored to be assigned to the board or the board's support agency or department which filed the original notice. Thus, we request that the language on page 2, lines 18 through 20 be revised to state:

- (3) In the case of a county board, file the notice by electronic posting on the county calendar maintained on the designated county internet website; provided that if a county board is unable to file the notice because of an interruption in service that prevents access to the county calendar, the board shall file the notice in the appropriate county clerk's office ~~[, which shall then post the notice on the county calendar as soon as service is restored]~~. As soon as service is restored, the appropriate board or support agency or department of such board, shall then post the notice on the county calendar."

Thank you for the opportunity to testify and submit our suggested amendments to H.B. 549, HD 1.

**Natalie J. Iwasa, CPA, Inc.**  
**1331 Lunalilo Home Road**  
**Honolulu, HI 96825**  
**808-395-3233**

TO: Committee on Finance

HEARING

DATE: Monday, February 28, 2011, 12:30 p.m.

RE: HB 549, HD1 Public Agency Meeting Notices - SUPPORT

Aloha Chair Oshiro, Vice Chair Lee and Members of the Committee,

This bill would require boards and agencies to post notices on their websites rather than the office of the Lieutenant Governor. In certain instances, the public must be notified of meetings via telephone or "requested method of notification." Please vote "yes" on this measure.

We have the technology available to save paper and mailing costs and inform the public in a timelier manner of up-coming meetings. **Consideration should also therefore be given to requiring boards to set up automatic agenda notifications via email**, similar to the City and County of Honolulu email subscription list, [https://www1.honolulu.gov/honolulu\\_list/optin.asp?form\\_id=45](https://www1.honolulu.gov/honolulu_list/optin.asp?form_id=45).

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**ent:** Saturday, February 26, 2011 1:18 AM  
**To:** FINTestimony  
**Cc:** swartzg001@hawaii.rr.com  
**Subject:** Testimony for HB549 on 2/28/2011 12:30:00 PM

Testimony for FIN 2/28/2011 12:30:00 PM HB549

Conference room: 308  
Testifier position: support  
Testifier will be present: No  
Submitted by: gregory swartz  
Organization: Individual  
Address:  
Phone:  
E-mail: [swartzg001@hawaii.rr.com](mailto:swartzg001@hawaii.rr.com)  
Submitted on: 2/26/2011

**Comments:**

This bill will provide better notice. Actually, combination of the State and county calendars into a single website, you make it even easier for interested parties. Thank you.