

STAND. COM. REP. NO. 3257

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2404
H.D. 1
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2404, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to improve public access to government.

Specifically, this measure:

- (1) Authorizes government agencies to publish notices electronically online, in addition to print publications;
- (2) Eliminates the requirement to post hard-copy notices of public meetings with the Lieutenant Governor's office;
- (3) Requires all government agencies, boards, commissions, and committees to post their agendas, minutes, and related meeting documents online, except in certain situations;
- (4) Encourages state agencies to broadcast their public proceedings online;
- (5) Appropriates an unspecified sum to the Office of Information Management and Technology for the



establishment of a centralized state website for the dissemination of public information; and

- (6) Appropriates an unspecified sum, to be expended by the Department of Education, to fund support services by the Hawaii State Public Library System for the public to information from the centralized website.

The Office of Information Practices and the High Technology Development Corporation submitted written comments in support of this measure.

Your Committee finds that the public increasingly turns to the Internet as a source of information on government affairs. Government agencies may increase public access, awareness, and participation in their meetings and other proceedings by posting notices of proceedings and related materials for the public to view online. Your Committee believes that the amendments to the public noticing laws contained in this measure will increase public awareness of government proceedings and facilitate greater community involvement.

However, your Committee recognizes that increasing emphasis on electronic noticing may have the unintended result of reducing access for persons who do not have access to a computer or the Internet. Accordingly, your Committee strongly encourages the relevant government agencies to address how they will ensure that all citizens continue to have access to public notices.

Your Committee has amended this measure by:

- (1) Removing from section 92-7, Hawaii Revised Statutes, the requirement for advance written notice to be provided for emergency meetings;
- (2) Changing the expending agency for the appropriation for support services by the Hawaii State Public Library System from the Department of Education to the Hawaii State Public Library System;
- (3) Changing the effective date from July 1, 2013, to January 1, 2014, for the provisions of the measure that relate to posting of notices on the centralized website of the State, to allow the Department of Accounting and General Services and the Office of Information



Management and Technology adequate time to establish the centralized website; and

- (4) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2404, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2404, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2404 SDI	EDT/JDL, WAM	4-2-12		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.				/
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado			/	
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai		/		
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	11	1	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes