



Testimony Reference : **HB2742**

Committee : JUD Rm 325

Date of Hearing: Feb 21

From: Hawaii Farmers Union United

OPPOSE

Testimony:

The Sun Shine law gives the barest of protection from business behind closed doors.

To remove the COUNTY level government is to hit the tax payers and the public below the belt.

It is the COUNTY that most directly and immediately effects the citizens of this state. To exempt them for above board and honest governing principles is a SHAME.

Please kill this legislation.

Thank you for the opportunity to speak for the family farmer in Hawaii.

Glenn Martinez
HFUU President
FYI:

Hawaii Farmer Union United is the largest agriculture organization in the State of Hawaii that represents the small family farmers at the exclusion of GMO and Mega Corporation mono- crop industrial farms. With small family farmers on every island Hawaii Farmers Union is the only Grassroots farm organization where the members have direct voice.

Any testimony given to the Legislature is vetted to the membership. Often the testimony is a blend of opinions voiced directly from membership. We also encourage all individual members to submit testimony directly, particularly where there voice is different then the majority, thus all farmer voices are heard, not just the loudest.



AMERICANS FOR DEMOCRATIC ACTION

| OFFICERS | DIRECTORS | | | MAILING ADDRESS |
|-------------------------------|------------------|------------------|-------------------------|-----------------|
| Guy Archer, President | John Bickel | Jan Lubin | | PO. Box 617 |
| Juliet Begley, Vice-President | Karin Gill | Stephen O'Harrow | Bart Dame (Alt) | Honolulu |
| Fritz Fritschel, Treasurer | Tom Horton | Barbara Polk, | Josh Frost (Alt) | Hawai'i 96822 |
| Chuck Huxel, Secretary | Nancy Bey Little | George Simson | Marsha Schweitzer (Alt) | |

February 19, 2012

TO: Chair Keith-Agaran, Vice-Chair Rhoads
Members of the House Judiciary Committee

FROM: Americans for Democratic Action/Hawaii
Barbara Polk, Legislative Chair

SUBJECT: OPPOSITION TO HB 2742 RELATING TO PUBLIC AGENCY
MEETINGS AND RECORDS.

Americans for Democratic Action/Hawaii, oppose this bill because it would exempt county councils from the Sunshine Law, the purpose of which is:

§92-1 Declaration of policy and intent. In a democracy, the people are vested with the ultimate decision-making power. Governmental agencies exist to aid the people in the formation and conduct of public policy. Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest. Therefore, the legislature declares that it is the policy of this State that the formation and conduct of public policy -the discussions, deliberations, decisions, and action of governmental agencies -shall be conducted as openly as possible. To implement this policy the legislature declares that:

- (1) It is the intent of this part to protect the people's right to know;
- (2) The provisions requiring open meetings shall be liberally construed; and
- (3) The provisions providing for exceptions to the open meeting requirements shall be strictly construed against closed meetings.

We believe that this intent clearly states why the County Councils should not be exempt from the Sunshine law.

In addition, we would point out that removing County Councils from the law would mean that not only could they meet and make decisions in secret, but they would not need to provide advance notice or agenda of meetings, provide any opportunity for written or oral testimony, nor to make public written minutes of meetings. This obviously violates the intent of "opening governmental processes to public scrutiny and participation" and "protecting the public's interest."

We urgently request that the committee defer this bill, in the interests of preserving democracy at the county level in Hawaii.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 7:02 PM

To: JUDtestimony

Cc: bigwavetomatoes@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Jeanne Vana

Organization: North Shore Farms LLC

E-mail: bigwavetomatoes@gmail.com

Submitted on: 2/20/2012

Comments:

STRONGLY OPPOSE excluding citizens from participating in the legislative process. We want transparency to mitigate any potential for wrong doing.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 8:08 PM

To: JUDtestimony

Cc: ChoonJamesHawaii@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Choon James
Organization: Country Talk Story
E-mail: ChoonJamesHawaii@gmail.com
Submitted on: 2/20/2012

Comments:

NO TO HB 2742

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

Report Title: Sunshine Law; Public Agency Meetings and Records; County Councils

Description: Exempts the county councils from the Sunshine Law.

Dear House Speaker Calvin Say and Committee Members:

We are vehemently opposed to House BILL 2742.

Basic Sunshine laws protect the general public and provide some sane semblance of good and honest goverance.

BILL 2742 is a very bad idea and should have never been even considered, for very obvious reasons.

HB 2742 grates against very thing democractic.

BILL 2742 will further disenfranchise citizens who are already having a hard time keeping up with city council affairs. Most of us work and have other obligations. We are not minute-man citizens.

Additionally, most of us do not live near Honolulu Hale. I personally have to take at least a 2-hour round trip to attend city council meetings. Including the waiting time; a visit to city hall could easily be half a day affair. To save gas and time, we also piggy-back other tasks to be done in and around Honolulu. This requires preparation and prior knowledge of schedules.

If your ill-thought HB 2742 is adopted, it will further throw another stumbling block into public participation and dialogue.

As honorable legislators, whose primary stewardship is to serve the public good and promote public enagement, you would want to make it as easy and convenient as possible for citizens to participate and not the other way around.

The City Council must not be exempted from sunshine laws. Otherwise, it would disintegrate into what the House and Senate is like today.

In my opinion, each state legislative session feels more and more like a Zoo to me.

Citizens and other organization are forced to hover around and constantly comb through each committee. Many are leery that potential laws may be adopted hastily and without transparency and due process.

This is very troubling. It should be an affront to transparent and orderly business that the public deserves. Many of us cannot keep up with this unwarranted disarray at the State Capitol.

I would suggest that you table this HB 2742 in perpetuity and craft a new bill that requires all other agencies to provide ample sunshine laws; to make it easier for the everyman citizen to catch a breath, study, and to participate.

Mahalo,

Choon James
Kahuku, Hawaii 96731
808 293 9111

ChoonJamesHawaii@gmail.com



LEAGUE OF
WOMEN VOTERS*

League of Women Voters of Hawaii

49 South Hotel Street, Room 314 | Honolulu, HI 96813

www.lwv-hawaii.com | 808.531.7448 | voters@lwvhawaii.com

House Committee on Judiciary

Chair Rep. Gilbert S.C. Keith- Agaran, Vice Chair Rep. Karl Rhoads

Tuesday 2/21/12 at 2:00 PM in Room 325

HB 2742 — RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS

TESTIMONY

Janet Mason, Vice-President, League of Women Voters of Hawaii

Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members:

The League of Women Voters cannot support this bill.

We believe the public is best served when all parties to county Council proceedings have an opportunity to learn of and participate in these important civic gatherings. We recognize that many essential services are provided by county-level governments and many important decisions such as land use and planning occur at the County level of government. For this reason it is not appropriate to either exclude interested citizens from such "Board" meetings or exclude notices and other records of the meetings from Section 92-2, Hawaii Revised Statutes. .

Citizens have a right to know about government operations and participate in government decision making. We believe this bill is so egregious that we cannot offer amendments, and we hope you will defer the measure.

Thank you for the opportunity to submit testimony.



Hawai'i County League of Women Voters
P.O. Box 4478, Kona, HI 96745
P.O. Box 665, Hilo, HI 96721

Judiciary Committee Chairman Keith-Agaran, Vice-Chair Rhoads
Tuesday, February 21, 2012 2:00 p.m. House Conference Room 325
HB2742 RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS

TESTIMONY

Susan Dursin, Co-president, Hawai'i County League of Women Voters

Chair Keith-Agaran, Vice-Chair Rhoads and Members of the Committee:

The League of Women Voters of Hawai'i County strongly opposes HB2742, which would exempt county councils from the sunshine law. We believe the law protects the public's right to know and encourages public confidence in government.

An informed public is the cornerstone of our democracy. The sunshine law ensures that government is accessible, accountable and open.

Please do not support HB2742.

Thank you for the opportunity to submit testimony.

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

February 18, 2012

TO: The Honorable Gilbert S.C. Keith-Agaran, Chair
House Committee on Judiciary

FROM: Danny A. Mateo
Council Chair

SUBJECT: HEARING OF FEBRUARY 21, 2012; TESTIMONY IN SUPPORT OF HB 2742,
RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to exempt the county councils from the Sunshine Law by expressly excluding them from the definition of "board" in Section 92-2, Hawaii Revised Statutes ("HRS").

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. The Sunshine Law's prohibition on communications among board members outside of a meeting have been interpreted to include serial communications, written communications, and attendance at public events, conferences, etc. These interpretations may be justified for appointed boards, who have little accountability to the public once appointed and a narrow scope of responsibilities. However, when applied to an elected board like a county council, who has direct accountability to the electorate and a broad range of responsibilities, these same interpretations unjustifiably interfere with the important legislative work of the county council. Recognizing these same concerns, the State Legislature was wise to exempt itself from the Sunshine Law, and should give the same consideration to the county councils.
2. The purpose of the Sunshine Law is to open up governmental processes to public scrutiny and participation. This is particularly important for boards with members who are appointed and not accountable to the electorate. The Sunshine Law's regulations significantly increase the accountability of an appointed board to the public. On the other hand, elected officials are directly accountable to the constituencies that elected them. If an elected official is conducting back-room deals, out of the eye of the public, then the official will not be re-elected. The Sunshine Law's regulations do not improve accountability enough to make it worth hindering the ability of members to make tough decisions.

3. An appointed board's responsibilities are narrow enough to limit opportunities for prohibited communications to arise. In contrast, county legislation can involve almost any topic. With the strict regulations of the Sunshine Law on prohibited interactions, council members have little or no opportunity to communicate outside of meetings to find areas of agreement and avoid misunderstandings.

For the foregoing reasons, I support this measure.

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.maui-county.gov/council

February 21, 2012

TO: Honorable Gilbert S.C. Keith-Agaran, Chair
House Committee on Judiciary

FROM: Joseph Pontanilla, Council Vice- Chair

A handwritten signature in black ink that reads "Joseph Pontanilla".

DATE: Tuesday February 21, 2012

SUBJECT: **SUPPORT OF HB 2742, RELATING TO PUBLIC AGENCY MEETINGS
AND RECORDS**

Thank you for the opportunity to testify in support of this measure. I provide this testimony as an individual member of the Maui County Council.

I **support HB 2742** for the reasons cited in testimony submitted by Maui County Council Chair Danny A. Mateo and urge you to support this measure.

12:02:21:kbm/JP: HB 2742

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.maui-county.gov/council

February 21, 2012

TO: Honorable Gilbert S.C. Keith-Agaran , Chair
House Committee on Judiciary

FROM: Robert Carroll
Council Member, East Maui

A handwritten signature in black ink that reads "Robert Carroll".

SUBJECT: **HEARING OF FEBRUARY 21, 2012; TESTIMONY IN SUPPORT OF HB 2742 ,
RELATING TO PUBLIC MEETINGS AND RECORDS**

I SUPPORT HB 2742 for the reasons cited in testimony submitted by the Maui County Council Chair
Danny Mateo and urge you to pass this measure.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 21, 2012 9:07 AM

To: JUDtestimony

Cc: don.couch@mauicounty.us

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Support

Testifier will be present: Yes

Submitted by: Councilmember Don Couch

Organization: Individual

E-mail: don.couch@mauicounty.us

Submitted on: 2/21/2012

Comments:

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 9:05 PM

To: JUDtestimony

Cc: bdshafer@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Benjamin Shafer

Organization: Individual

E-mail: bdshafer@gmail.com

Submitted on: 2/20/2012

Comments:

Aloha Kakou,

Less transparency is only better if your planning to hide something. What we need is an independent and separate auditor branch to report its finding publicly every six months. The branch they have now is hiding under the skirt of the Mayor and City Council.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 9:40 PM

To: JUDtestimony

Cc: inunyabus@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: elaine dunbar
Organization: Individual
E-mail: inunyabus@gmail.com
Submitted on: 2/20/2012

Comments:

HB2742 is a little unbelievable.

It is contrary to the intent and purpose of a county c o u n c i l whose members are supposed to be the voices of the people who elected them; the voices of the county.

You cannot apply this action selectively. It would have to applied across the board and extend to all government agencies. And remember the counties and their subsequent laws and ordinances are merely political subdivisions of the state.

So, exactly what is up here? Can you folks take LAW 101 or a crash course on the laws of the state you serve?

I don't like the undercurrent of this bill and similar ones that are attempts to render public servants as omnipotent beings.

Do not thwart the citizens' rights to a fair and open government that has been put into place through years of prudent and judicious research. Because it is bigger than you.

Why are you always trying to pass bills that end up in lawsuits against the State of Hawaii?

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 9:43 PM

To: JUDtestimony

Cc: hdoug@mac.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: Yes

Submitted by: Hiroshi Matsuoka

Organization: Individual

E-mail: hdoug@mac.com

Submitted on: 2/20/2012

Comments:

This bill would exempt the Honolulu City Council from "Sunshine laws." How does this serve the community? This is an absurdity, an outrage. I'm glad I found out about it.

I am strongly opposed to this bill.

Hiroshi Matsuoka

1560 Thurston Ave #1101

Honolulu HI 96822

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 9:09 PM**To:** JUDtestimony**Cc:** shaglund@hotmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Sue Haglund
Organization: Individual
E-mail: shaglund@hotmail.com
Submitted on: 2/20/2012

Comments:

I STRONGLY OPPOSE HB2742. Do not allow county councils to exempt themselves from our state's Sunshine Law. HRS Chapter 92-1 clearly states

§92-1 Declaration of policy and intent. In a democracy, the people are vested with the ultimate decision-making power. Governmental agencies exist to aid the people in the formation and conduct of public policy. Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest. Therefore, the legislature declares that it is the policy of this State that the formation and conduct of public policy - the discussions, deliberations, decisions, and action of governmental agencies - shall be conducted as openly as possible. To implement this policy the legislature declares that:

- (1) It is the intent of this part to protect the people's right to know;
- (2) The provisions requiring open meetings shall be liberally construed; and
- (3) The provisions providing for exceptions to the open meeting requirements shall be strictly construed against closed meetings. [L 1975, c 166, pt of §1]

In a democracy, county councils as legislative bodies are to abide and comply to the Sunshine Law. To overturn and change the vital part of this democratic process as described in Chapter 92-1 goes against the PUBLIC'S INTEREST. County Councils are PUBLIC SERVANTS. County Councils in this State of Hawaii must comply in an accountable, transparent democratic process and allows the protection of the people's right to know. The Sunshine Law is the only way we are assured to have an open government and a deliberative democracy at all levels of our legislative bodies: Federal, State and County. It is BAD PUBLIC POLICY to erase and exempt counties legislative bodies from Chapter 92. HB2742 disenfranchises and bifurcates voters' right to know and access to public meetings that involves and affects YOUR CONSTITUENTS STATEWIDE. HB2742 is bad public policy. HB2742 shuts the doors to the public's interest to attend public policy meetings that county officials engage year-round. Policy issues that is of the public's interest are land use, rail, and public transportation, waste management, appointments made by Mayors but confirmed by the counties' legislative bodies, counties' budget, public works, zoning ordinances, and most of all, real property tax rates--which affect all HAWAII RESIDENTS.

Think about your constituents and keep the lines of our democratic process open and

accessible at all governmental levels, state and counties.

I highly recommend the JUD committee to please OPPOSE HB2742 and to defer this measure.

Thank you kindly, Sue Haglund

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 9:46 PM

To: JUDtestimony

Cc: juslost1@hotmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Justin

Organization: Individual

E-mail: juslost1@hotmail.com

Submitted on: 2/20/2012

Comments:

I wanna know! All deserve to know whats happening around them!

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 10:29 PM

To: JUDtestimony

Cc: nimo1767@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Robert Petricci
Organization: Individual
E-mail: nimo1767@gmail.com
Submitted on: 2/20/2012

Comments:

Aloha

My name is Robert Petricci
PO box 2011 Pahoia 96778
808 936-5239

I am testifying in opposition to HB 2742.

It is already hard enough to participate or have any voice in county business with the minimal county notice we get.

Most of us work and need to schedule time to attend meetings as well as read and digest the bills and referendums that come before the council.

When government operates in secret it leaves itself open to corruption and the influence of special interest at the public's expense.

We are suppose to be an open government of the people by the people for the people. In reality with all the money in politics today the people are rarely able to have meaningful input.

I attend council meetings regularly and rarely feel like my testimony and efforts are appreciated or respected. In a free country the government must operate openly and with accountability. This bill is a terrible idea that will exclude the public's already limited ability to be heard.

The sunshine laws were passed for good reason, going back into the dark back rooms where secret deals are made without the public's ability to see or have a say is not in the public's interest.

We will be watching this type of legislation very carefully, and talking about how it was handled, in our community, on the internet, and on the blogs. This type of legislation will not go unnoticed by the voters.

Thank you for taking my views on this serious matter into consideration and thank you to all who oppose this bill.....

To: House Judiciary Committee

February 20, 2012

Re: Hearings on February 21, 2012, 2:00PM, Rm #325

Subject: Testimony regarding **HB2742** in **OPPOSITION**

Aloha Chair Keith-Aragan, Vice-Chair Rhoads and members of the Judiciary Committee-

As a citizen of the United States of America and the great state of Hawai'i- who actively participates in the system created to insure the rights and voices of the people; who encourages others to use their collective voices to be heard no matter what their beliefs or how they may differ from my own; who is increasingly appalled by the power of the special interest lobbyists who have wreaked havoc on our legislative and judicial systems; who firmly believes that the power and ability is within each and everyone of us to reclaim what our forefathers set out as our inalienable rights- **I STRONGLY OPPOSE HB 2722**. I am shocked that this bill is even getting a hearing given its' obvious and blatant assault on the rights of the citizens of our state. Closed meetings and the elimination of the 6-day notification will only result in increased corruption and abuse. How is the public a threat to the system and who would want to eliminate the rights of our citizens to participate in the process? Thank you for voting against HB 2742, and standing up for our citizens.

Sincerely-

Annie Suite
Kailua HI 96734

County Council Sunshine Laws

Charles Gallagher [gallaghec002@hawaii.rr.com]

Sent: Monday, February 20, 2012 11:18 AM

To: JUDtestimony

Please keep County Council deliberations and actions accessible by the voters.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 12:00 PM

To: JUDtestimony

Cc: iiawah@hotmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: Yes

Submitted by: Daniel Anthony

Organization: Individual

E-mail: iiawah@hotmail.com

Submitted on: 2/20/2012

Comments:

Are you kidding me. End sunshine law and allow back room deals! No way!



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 12:21 PM

To: JUDtestimony

Cc: boydready@hawaii.rr.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Boyd Ready
Organization: Individual
E-mail: boydready@hawaii.rr.com
Submitted on: 2/20/2012

Comments:

This is going in exactly the wrong direction. While there are a few situations where Council members ought to be able to meet privately, these could be defined and treated as allowed exceptions with public notice of the fact that they're meeting. But with the legislature exempt, and, with this bill, the County Council's suddenly exempt, the people will have less and less chance to hold anyone accountable for major decisions made affecting us all. You lay heavy burdens on Neighborhood Boards who have no real power, and then keep removing oversight and accountability (sunshine) from the powerful. Don't do this. Instead, extend more sunshine into the State legislature!



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 12:40 PM

To: JUDtestimony

Cc: hokuokekai50@msn.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Mary Lacques
Organization: Individual
E-mail: hokuokekai50@msn.com
Submitted on: 2/20/2012

Comments:

Aloha Chair Keith-Aragan, Vice-Chair Rhoads and members of the Judiciary Committee. I am submitting testimony is strong opposition to HB 2742. I see this bill as one of the most egregious attacks on our democratic process in the history of the Hawaii State Legislature. I am baffled as to how such a blatant assault on the public's constitutional rights could actually pass a first reading. I am also curious as to the motivation behind this very bad idea. It certainly follows a national trend towards secrecy and diminishing citizens right to know what the people they elected to serve, are doing. I find it particularly offensive that county councils would no longer be required to inform citizens of upcoming meetings by eliminating the six day advance notice. People that care to be engaged in our governmental process, or those that are becoming curious and may be willing to attend a hearing will have no idea when it is scheduled. It's difficult enough for citizens to ask for time off work, secure a babysitter



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 1:41 PM

To: JUDtestimony

Cc: dubieldesign@hotmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Rexann Dubiel
Organization: Individual
E-mail: dubieldesign@hotmail.com
Submitted on: 2/20/2012

Comments:

I want to live in a democracy. Open and transparent. This bill would diminish my rights as a citizen to be informed.

This bill is Anti-American. Freedom of speech and freedom to know are my rights.



Testimony in Opposition to HB 2724

justine espiritu [espiritu.justine@gmail.com]

Sent: Monday, February 20, 2012 2:19 PM

To: JUDtestimony

House Judiciary Committee Chair Gilbert Keith-Agaran and Vice Chair Karl Rhoads,

Please vote no on HB 2724 that exempts county councils from the Sunshine Law. If we want to consider Hawaii a fair and transparent democracy, it is important that we continue to require that the county council's meetings are open to the public and posted 6 days in advance. These are important elements that allow citizens to know when important decisions are going to be made and how they are made. Don't let these important democratic tools be taken away from us!

Thank you,

Justine Espiritu
1611 Ua Drive
Honolulu HI
96816

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 3:01 PM

To: JUDtestimony

Cc: pamelaboyar@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Pamela Boyar
Organization: Individual
E-mail: pamelaboyar@gmail.com
Submitted on: 2/20/2012

Comments:

I oppose this unconstitutional bill.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 3:12 PM

To: JUDtestimony

Cc: drmlysukyo@yahoo.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Melissa L Yee
Organization: Individual
E-mail: drmlysukyo@yahoo.com
Submitted on: 2/20/2012

Comments:

TESTIMONY STRONGLY OPPOSED TO HB 2742

To the members of the Judicial Committee, I strongly oppose this bill which attempts to remove the public from participation in the decision making in County meetings and committee hearings. It is bad enough that the elected officials are for the most part put in office by corporate or government interests and the public votes them in unaware of who and whose money supported their candidacy. It is discouraging to attend hearings on both the county and state level and see that the decision has already been agreed upon, no matter the public opinion or testimony submitted. I begin to see that Hawaii government is more corrupt than I ever imagined it could be, and with the leaders we have now, it can only get worse. It is vital that we have the 6 day period to compose and prepare credible testimony to support or oppose a bill or ordinance. The Sunshine Law was created to make government more accessible to the people, but this bill blatantly attempts to make politics a back room deal controlled by special interests and politicians with a skewed agenda. If government and this committee has any scruples or morals, then this bill should not be allowed to pass, or it will make it very obvious that our supposed representatives have stooped to the lowest level ever and do not deserve the public trust, respect or confidence. Please do not pass this bill HB 2742.

Dr. Melissa L Yee
1480 Kinau Street
Honolulu, Hawaii 96814
808-292-1179

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 9:14 PM

To: JUDtestimony

Cc: joc213@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Jacque Raymond

Organization: Individual

E-mail: joc213@gmail.com

Submitted on: 2/20/2012

Comments:

End the federal/fractional reserve system creating the need of young kids and students such as I to be encumbered by un/secured credit to hold us down in debt and economic slavery.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 8:43 PM

To: JUDtestimony

Cc: drodrigues2001@yahoo.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Darlene Rodrigues

Organization: Individual

E-mail: drodrigues2001@yahoo.com

Submitted on: 2/20/2012

Comments:

I am writing to oppose this measure as it will remove important measure that provide public accountability. We must keep our sunshine laws on all levels of government. It is important for the democratic process. Mahalo.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 8:50 PM

To: JUDtestimony

Cc: ChoonJamesHawaii@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Choon James

Organization: Individual

E-mail: ChoonJamesHawaii@gmail.com

Submitted on: 2/20/2012

Comments:

In UNEQUIVOCAL OPPOSITION to HB 2742 to EXEMPTION COUNTY COUNCIL FROM SUNSHINE LAWS.

Aloha,

This is a continuation of my earlier testimony against this bill. May I gently ask what part of the Sunshine Law that this year's legislature should have problems with?

"In a democracy, the people are vested with the ultimate decision-making power. Governmental agencies exist to aid the people in the formation and conduct of public policy. Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest. The legislature declares that deliberations, decisions, and action of governmental agencies - shall be conducted as openly as possible." - Hawaii's Sunshine Law

Mahalo,

Choon James

Kahuku, Hawaii 96731

ChoonJamesHawaii@gmail.com

808 293 9111

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 8:50 PM

To: JUDtestimony

Cc: adecosta@hawaii.edu

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Andrea DeCosta

Organization: Individual

E-mail: adecosta@hawaii.edu

Submitted on: 2/20/2012

Comments:

Representing the citizens of the City and County of Honolulu is a privilege that demands the utmost in integrity and transparency from our elected and appointed officials. Any council member(s) who don't wish to serve the highest public benefit by operating a transparent government would better serve the public by immediately resigning from their council positions. Council members who don't believe in transparency are not needed in government office and should make way for individuals who wish to serve the public good with honor, integrity and transparency.

Testimony Submission for HB 2742

Hazel Ito [hazelito@hawaii.edu]

Sent: Monday, February 20, 2012 8:54 PM

To: JUDtestimony

Aloha,

I am writing to submit testimony regarding HB 2742, which I understand would exempt all county councils from the Sunshine Law, and would effectively mean that citizens are no longer given sufficient notice of meetings to be able to attend or provide comment. This would effectively silence our voices and be an affront to our democratic process.

Please kill this bill swiftly and definitely! The Sunshine Law is there to protect the right of citizens to partake in our democratic process, and anything which exempts the county councils from this must be stopped.

Mahalo,
Hazel Ito

Sunshine Law

Ronnie Huddy [vsoona@gmail.com]

Sent: Monday, February 20, 2012 10:07 PM**To:** JUDtestimony

My testimony is to bring attention to Honolulu City Council holding meetings without the public notification of important matters that should include everyones vote. This should not even be an issue, for we have a right to have a say in what happens in to our state, this is not a communist country. Have you council members forgotten that though we are seperated from the rest of the other states we are still part of the United States of America. That is our right to be apart to know what decisions you council people make for our state, so in closing of my testimony I would like to say God Bless America!

Sincerely,
Ronnie

I oppose HB2742

Denise Snyder [scott101@hawaii.rr.com]

Sent: Monday, February 20, 2012 8:18 PM

To: JUDtestimony

I oppose HB2742. The public has a right to know, what our County Councils are doing. Behind-door activities must not be allowed or tolerated

Denise Snyder
4952 Mana Place
Honolulu, Hawai'i 96816

Denise

Denise Snyder

Go Vegan – for the animals, for the planet, for your health. Learn more at: www.vsh.org

"When even one American -- who has done nothing wrong -- is forced by fear to shut his mind and close his mouth, then all Americans are in peril." Harry S. Truman

We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. – Elie Wiesel

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 8:30 PM

To: JUDtestimony

Cc: kamuela_vance@yahoo.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: vance

Organization: Individual

E-mail: kamuela_vance@yahoo.com

Submitted on: 2/20/2012

Comments:

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 8:32 PM
To: JUDtestimony
Cc: alyce.dodge@gmail.com
Attachments: testimony for Sunshine Law.doc (16 KB)

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Alyce Dodge
Organization: Individual
E-mail: alyce.dodge@gmail.com
Submitted on: 2/20/2012

Comments:

I oppose HB 2742 which would exempt all county councils from the Sunshine Law. We must uphold our Sunshine law, which requires that meetings be open to the public and prohibits members from secret discussions about official business. Please remember that this is suppose to be a government of the people, by the people and for the people.

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 7:06 PM

To: JUDtestimony

Cc: lisakasprzycki@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Lisa kasprzycki

Organization: Individual

E-mail: lisakasprzycki@gmail.com

Submitted on: 2/20/2012

Comments:

The sunshine law is in place to protect the people that the government is supposed to be working for. Why is this even up for question ???

To tamper with this basic law - more of a right of citizens than a law - is to admit deep, deep conceit.

To the person(s) proposing this bill: think, who ARE YOU, to take a basic standard of INTEGRITY away from the people of Hawaii ?

Truly, who do you think you are, and how dare you.

Stop yourselves, and turn toward the good of all: DO NOT PASS THIS BILL.

(sheesh !!!!!)

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 10:47 PM

To: JUDtestimony

Cc: Kealii8@hotmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Kealii Makekau

Organization: Individual

E-mail: Kealii8@hotmail.com

Submitted on: 2/20/2012

Comments:

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 10:47 PM

To: JUDtestimony

Cc: bkahana@hula.net

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Barbara Kahana

Organization: Individual

E-mail: bkahana@hula.net

Submitted on: 2/20/2012

Comments:

BAD idea. Council meetings are very important and should more transparency not less. This is yet another attempt to remove public oversight and input to actions that will affect us.

PLEASE vote against this effort to remove citizen involvement.

VOTE "NO";.

I oppose HB2742

Amy Farias [amynyvette@gmail.com]

Sent: Monday, February 20, 2012 11:49 PM

To: JUDtestimony

Whose bad idea is HB 2742 anyway? I cannot imagine anyone thinking that we should do away with the Sunshine Law for any good reason - except to make secrecy, hidden agendas, and shady dealings possible.

I am asking that you reject HB 2742.

Amy Farias

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 11:15 PM

To: JUDtestimony

Cc: ivy@nanihale.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Ivy McIntosh

Organization: Individual

E-mail: ivy@nanihale.com

Submitted on: 2/20/2012

Comments:

I am a mother trying to raise up a conscious family. We want to be active participants in our community nothing affecting our quality of life should held in secret!!

Let the sunshine in! HB 2742

Angela Videotron [angelavideotron@gmail.com]

Sent: Monday, February 20, 2012 11:02 PM

To: JUDtestimony

Dear Chair Gilbert Keith-Agaran and Vice Chair Karl Rhoads,

Some legislation is irredeemably damaging to democracy and HB 2742, the bill to exempt all county councils from the Sunshine Law, is a prime example of this. It shocks and disgusts me that lawmakers are trying to exclude the public from the political process. Anyone who wants HB 2742 to pass must have something to hide. Please kill this bad bill! We need more transparency in Hawaii government and HB 2742 only seeks to breed corruption in our County Councils.

Sincerely,

Angela Breene

59-272 Pupukea Road
Haleiwa, HI 96712



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 11:01 AM

To: JUDtestimony

Cc: rezentesc@aol.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Cynthia K.L. Rezentesc
Organization: Individual
E-mail: rezentesc@aol.com
Submitted on: 2/20/2012

Comments:
Aloha,

I am in strong opposition to allowing the County Councils being exempted from the Sunshine Law.

There are many important issues that come before all of the county councils and without having to comply with the Sunshine Law, there could be a potential of minimizing or eliminating public input by not filing hearing notices with enough notice for the community to respond to the issues that come before them.

As evidenced by the recent on-going debate of whether to accept a Sustainable Communities Plan for Wai`anae on the island of O`ahu. Without the City and County of Honolulu complying with the Sunshine Law and notice being given of when the



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 10:51 AM

To: JUDtestimony

Cc: bearinpuna@yahoo.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Rod Thompson
Organization: Individual
E-mail: bearinpuna@yahoo.com
Submitted on: 2/20/2012

Comments:

Dear Judiciary Committee members,

I am the retired former Big Island reporter for the Honolulu Star-Bulletin, a post which I held for 31 years. Prior to that, I was a radio news reporter for four years.

I find HB2742 to be astounding in its cynicism. Another measure in the current session of the Legislature would have reduced the time required for public notice of meetings of boards and commissions from six days to four days. The measure was flawed, but at least that proposal was based on an attempt at rational thinking. The current HB2742 has no basis in rational thought. If implemented, the proposal would allow any county council in the state to meet at any time, anywhere, with no notice, and would permit individual members of the various councils to communicate in any secret manner they pleased to undertake. This measure was not introduced to propose a serious, if flawed, adjustment of





Oppose HB2742

Nancy Davlantes [ndavlantes@aol.com]

Sent: Monday, February 20, 2012 10:21 AM

To: JUDtestimony

House JUD Committee - Tuesday 2/21 at 2PM, Room 325

Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads, and members of the committee:

Just the description of this bill -- Exempts the county councils from the Sunshine Law -- I find chilling. In this time of citizen skepticism and disillusionment with their elected governments at all levels, why on earth would anyone suggest that there should be less transparency?

What possible justification is there to have county councils no longer be required to post meeting notices 6 days in advance to inform citizens? Council members would be able to meet secretly on official business, and make major decisions behind closed doors, away from the watchful eyes of the public. Especially with all that's at stake at the city and county level -- rail, land use, you name it -- this proposal is a BAD idea and must be consigned to the dust bin.

Mahalo for considering my comments.

Nancy Davlantes
Kaneohe, HI

ndavlantes@aol.com

Bill to shield counties from Sunshine law co...

drjant@aol.com [drjant@aol.com]

Sent: Monday, February 20, 2012 9:11 AM

To: JUDtestimony

Strongly oppose this Bill (whatever the number is).
This attempt to turn the clock back is ill advised to say
the least. Kill it!

Jim Anthony, Ph.D.

drjant@aol.com

**HB 2742**

tim oconnor [t.oc.maui@gmail.com]

Sent: Monday, February 20, 2012 9:10 AM**To:** JUDtestimony

Please do not support this proposal, HB 2742, it is important to allow the people to be a part of our government, to keep transparency, and to prevent officials from acting in ways other than that which serves the public.

This proposal creates a divide between government and the people it serves. I feel this proposal undermines the cornerstone of democracy.

Tim O'Connor

--

Tim O'Connor
11 Maha Road
Makawao, Hawaii 96768
808.281.8122
t.oc.maui@gmail.com

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 9:01 AM

To: JUDtestimony

Cc: cherubbliss@hotmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Cherub Silverstein

Organization: Individual

E-mail: cherubbliss@hotmail.com

Submitted on: 2/20/2012

Comments:

I oppose HB2742. Please do not allow this bill to pass! The sunshine law gives citizens a voice in our democracy, please do not take this important right away. I want to know when County Council is meeting and what decisions they are making. I am a citizen who wants to stay involved, please oppose HB2742!
Thank you, Cherub Silverstein



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 7:47 AM

To: JUDtestimony

Cc: clk5356@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Carolyn Knoll
Organization: Individual
E-mail: clk5356@gmail.com
Submitted on: 2/20/2012

Comments:

The County Councils represent the voters/people. How can you possibly expect to represent us if you choose to hold meetings in secret. What are you afraid of? This bill is completely undemocratic. Do not pass this bill.

TO: Members of the Committee on Judiciary

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

HEARING: 2 p.m. Tuesday, February 21, 2012

SUBJECT: HB 2742 Sunshine Law - Exempt Councils (**OPPOSED**)

Aloha Chair and Committee Members,

Thank you for allowing me to provide testimony on HB 2742, which would exempt county councils from the sunshine law. It's hard enough for the public to find out how decisions are made in our county bureaucracy. Let's not make it harder.

I urge you to vote "no."



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, February 19, 2012 11:27 PM

To: JUDtestimony

Cc: blockard@iname.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Brodie Lockard
Organization: Individual
E-mail: blockard@iname.com
Submitted on: 2/19/2012

Comments:

HB 2742 would exempt all county councils from the Sunshine Law. This means that county councils would no longer be required to post meeting notices 6 days in advance to inform citizens. Council members would be able to meet secretly on official business, and make major decisions behind closed doors, away from the watchful eyes of the public.

Don't you understand what the Sunshine Law is for? Or are you just trying to circumvent its intent? How about some accountability from our elected representatives? Sunshine is the best disinfectant.



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, February 19, 2012 4:00 PM

To: JUDtestimony

Cc: steveolsen@hawaii.rr.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Steve Olsen
Organization: Individual
E-mail: steveolsen@hawaii.rr.com
Submitted on: 2/19/2012

Comments:

We need more openness in Government, not less. We need less corporate control of government, not more.



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, February 19, 2012 7:34 AM

To: JUDtestimony

Cc: paul.mckimmy@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Paul McKimmy

Organization: Individual

E-mail: paul.mckimmy@gmail.com

Submitted on: 2/19/2012

Comments:

Exempting councils from the sunshine law is counter to everything we hold dear about public government. Its sponsors ought to be ashamed

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, February 20, 2012 4:31 PM

To: JUDtestimony

Cc: jyhta@hawaii.rr.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Jeanne Ohta
Organization: Individual
E-mail: jyhta@hawaii.rr.com
Submitted on: 2/20/2012

Comments:

I oppose excluding county councils from the requirements of the sunshine laws. Citizens must have the opportunity of advance notice so that they can prepare and attend the meetings as may be necessary. Council members are elected officials; their decisions should be made in public and should not be made in closed door meetings. Citizens deserve that decisions affecting their lives are made in as transparent manner as possible.

February 20, 2012

Re: HB 2742, Relating to Public Agency Meetings and Records.
Committee on Judiciary: February 21, 2012, 2:00 PM, Conference Room 325.

Dear Chair Keith-Agaran, Vice-Chair Rhoades, and Judiciary Committee members:

Thank you for the opportunity to submit testimony regarding HB 2742.

I strongly **oppose** this bill.

Chapter 92 of the *Hawaii Revised Statutes* implements "the policy of this State that the formation and conduct of public policy--the discussions, deliberations, decisions, and action of governmental agencies--shall be conducted as openly as possible." [§92-1]

It is proposed in HB 2742 to exempt the county councils from public participation of this sort. But of course the Sunshine Law covers these important decision-making bodies, which are subdivisions in the sense of §92-2. This has been affirmed in Attorney General Opinion 86-5.

The intent of the Sunshine Law is well articulated at §92-1, which reads in part:

In a democracy, the people are vested with the ultimate decision-making power. Governmental agencies exist to aid the people in the formation and conduct of public policy. Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest.

I trust that you will protect the public interest, by maintaining the transparency of government at all levels, and eschewing all such efforts to draw the shades on our democratic process.

Please do not pass HB 2742.

Sincerely,

R. Elton Johnson, III

Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 21, 2012 4:06 AM

To: JUDtestimony

Cc: flint.jayson@ymail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Jayson Flint

Organization: Individual

E-mail: flint.jayson@ymail.com

Submitted on: 2/21/2012

Comments:

Sunshine Laws serve a vital function of the people's protection from abuse of government processes and power. Without them governmental bodies would operate in secrecy, or at least in a selectively secret mode, shutting citizens out of their own government as those bodies saw fit. If the process of governance to remain transparent, accountable and truly "above board" this proposed exemption cannot be granted.



Testimony for HB 2742 on 2/21/12 @2pm

Cinnie Frith [cfrith@fbsmgt.com]

Sent: Tuesday, February 21, 2012 6:23 AM

To: JUDtestimony

Cc: Cinnie Frith [cfrith@fbsmgt.com]

It is difficult to believe that our state legislators could be spending their time trying to implement laws that create less transparency than we have now. Is there no sense of the current attitude of so many voters that we as citizens have little if any recourse when it comes to ethics in government?

This awakening of the electorate concerning this lack of ethics at all levels of government cannot be tolerated, let alone encouraged by HB 2742. I stongly oppose the passage of this bill and would suggest that the legislators turn their collective energy toward our real problems:

| | |
|--|-----------|
| Unfunded pension and health care debt- | 20Billion |
| Infrastructure/sewer mandate | - 5 " |
| Rail | -7 " |

We as a state and nation are sinking in debt, and this is the best our legislators have to offer-HB 2742? Who are they protecting and what needs to be hidden?

Mahalo for your time,
Cynthia
42-128 Kooku Place
Kailua-96734
262-0878



Testimony for HB2742 on 2/21/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 21, 2012 8:15 AM

To: JUDtestimony

Cc: Phylfrus@gmail.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Phyllis Frus
Organization: Individual
E-mail: Phylfrus@gmail.com
Submitted on: 2/21/2012

Comments:

To the House JUD Committee:

HB 2742 is a terrible bill. Its purpose is to keep citizens in the dark about matters of significance to them. Why should county councils be able to keep their meetings on the down low when they discuss matters like transit, opala, how land will be used--issues of importance to us? Please reject this attempt to block the sunshine provided by notice of meetings and ample hearings by residents.
Phyllis Frus

**Testimony for HB2742 on 2/21/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 21, 2012 9:08 AM**To:** JUDtestimony**Cc:** OccupyHiloMedia@yahoo.com

Testimony for JUD 2/21/2012 2:00:00 PM HB2742

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Kerri Marks
Organization: Individual
E-mail: OccupyHiloMedia@yahoo.com
Submitted on: 2/21/2012

Comments:

My name is Kerri Marks and I live on the Big Island of Hawaii. I am testifying in opposition to HB 2742.

Government must conduct it's business openly and honestly to adequately serve the needs of the people. It's very difficult for the average citizen to keep up with legislative changes as it is, and efforts should be made to encourage open communication with the public, not squelch it. It seems fairly obvious that this is an effort to exclude the public entirely from the decision making process and deny any accountability by those making the decisions.

This shameful bill should never have been presented. It's a slap in the face to your entire electorate. Please, for the love of decency, do NOT pass this bill.