
A BILL FOR AN ACT

RELATING TO STATE GOVERNMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that a centralized system
2 of state government provides for efficient coordination of
3 government functions and services, especially for a population
4 spread out over separate islands. However, issues relating to
5 accessibility and delivery of government information, services,
6 and proceedings to residents living on the neighbor islands as
7 well as rural Oahu remain an ongoing challenge, in part because
8 of the centralized location of state government in Honolulu's
9 urban core.

10 The legislature further finds that the residents of Hawaii,
11 Maui, Molokai, Lanai, Kauai, Niihau, and rural Oahu are
12 disadvantaged because of their location away from the seat of
13 government in Honolulu. This is true even though advancements
14 in technology, especially in the field of telecommunications,
15 have significantly reduced physical distance as a limitation on
16 the ability of these residents to access government information,
17 personnel, and proceedings.



1 The legislature believes it is the responsibility of
2 government, through its executive, legislative, and judicial
3 branches, to ensure that the residents of all islands have fair
4 access to government information, services, and proceedings. To
5 this end, the legislature finds that a statewide fair access
6 commission, such as the one convened in 1989, may prove
7 beneficial in providing recommendations to the governor.
8 Moreover, the joint legislative access committee, statutorily
9 created in 1996, has similar duties and thus is the most
10 appropriate body to recommend ways to ensure fair access to
11 legislative proceedings and information.

12 The purpose of this Act is to:

- 13 (1) Authorize the governor to establish a statewide fair
14 access commission; and
- 15 (2) Require both the statewide fair access commission and
16 the joint legislative access committee to review,
17 evaluate, and make recommendations for improving the
18 level of access by neighbor island and rural Oahu
19 residents to proceedings, information, and services of
20 government.



1 SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§27- Fair access to state government. (a) The office
5 of the governor shall be responsible for ensuring that residents
6 throughout the State have fair access to government information,
7 services, and proceedings.

8 (b) Pursuant to subsection (a), the governor may appoint a
9 statewide fair access commission composed of representatives
10 from all the islands in the State to review, evaluate, and make
11 recommendations for improving the level of access to government
12 by residents on the neighbor islands and rural Oahu.

13 (c) The legislature shall be responsible for ensuring fair
14 access to information, services, and proceedings of the
15 legislative branch through programs that enable residents
16 statewide to have access to audio and video broadcasts of
17 legislative proceedings, legislative documents, and public
18 education and other services through technologies that allow
19 access by residents on all islands in the State.

20 (d) The judiciary shall be responsible for ensuring fair
21 access to information, services, and proceedings of the judicial
22 branch; provided that the judiciary shall determine which



1 records are non-administrative records of the judiciary and thus
2 not subject to disclosure under the provisions of chapter 92F."

3 SECTION 3. Section 21D-6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 " ~~[+]~~ **§21D-6 Joint legislative access committee.** ~~[+]~~ There
6 is established the joint legislative access committee which
7 shall be composed of members of the legislature. The president
8 of the senate and the speaker of the house of representatives
9 shall each appoint a co-chair and two members or more to the
10 committee, one of whom shall be a member of the minority party.

11 The committee shall:

12 (1) Oversee the staff and operations of the legislative
13 broadcast ~~[project,]~~ program, and recommend policies
14 for the project which shall be adopted by concurrent
15 resolution; ~~[and]~~

16 (2) Review the operations of the public access room,
17 legislative internet project, and other public access
18 projects of the legislature and recommend policies for
19 these projects to the president of the senate and the
20 speaker of the house of representatives ~~[+]~~; and

21 (3) Review, evaluate, and make recommendations to the
22 presiding officers of the house of representatives and



1 the senate for improving the level of access to
2 proceedings, information, and services of the
3 legislature by residents on the neighbor islands and
4 in rural Oahu."

5 SECTION 4. Section 27-1, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§27-1 Functions of statewide concern.** The purpose of the
8 chapter is to fix responsibility for certain functions, which
9 are of statewide concern, in the state government. These
10 functions which are declared to be state functions are as
11 follows:

12 (1) Planning, construction, improvement and maintenance of
13 public school facilities and grounds and the
14 transportation of school children; provided that
15 nothing in this paragraph shall preclude the several
16 counties from expending their own funds to supplement
17 state funds;

18 (2) Burial of indigents;

19 (3) Planning, construction, improvement, maintenance, and
20 operation of public hospitals and other public health
21 and medical facilities;



- 1 (4) Rendering of medical treatment and hospitalization
- 2 services to state and county pensioners;
- 3 (5) Administration and operation of district courts; and
- 4 (6) Providing information [~~and~~], services, and access to
- 5 government proceedings to the public through joint
- 6 cooperation with the several counties[-] and a program
- 7 to ensure fair access for residents living on the
- 8 neighbor islands and in rural Oahu."

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.



Report Title:

State Government; Fair Access Commission

Description:

Requires the Governor, Legislature including the Joint Legislative Access Committee, and Judiciary to ensure public access to information, services, and proceedings of the executive, legislative, and judicial branches, respectively. Authorizes the Governor to convene a statewide Fair Access Commission to review public access issues for the neighbor islands and rural Oahu. (HB361 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

