

JAN 18 2013

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# 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 governor may find a statewide fair access  
6 commission useful, as it was when this type of commission was  
7 last convened in 1989. Moreover, the joint legislative access  
8 committee, statutorily created in 1996, has similar duties and  
9 thus is the most appropriate body to recommend ways to ensure  
10 fair access to legislative proceedings and information.

11           The purpose of this Act is to:

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

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



1        "§27- Fair access to state government. (a) The office  
2 of the governor shall be responsible to ensure that residents  
3 throughout the State have fair access to government information,  
4 services, and proceedings.

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

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

17       (d) The judiciary shall be responsible for ensuring fair  
18 access to information, services, and proceedings of the judicial  
19 branch; provided that the judiciary shall determine which  
20 records are not subject to disclosure under the provisions of  
21 chapter 92F."



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

3 "~~+~~§21D-6 Joint legislative access committee.~~+~~ There  
4 is established the joint legislative access committee which  
5 shall be composed of members of the legislature. The president  
6 of the senate and the speaker of the house of representatives  
7 shall each appoint a co-chair and two members or more to the  
8 committee, one of whom shall be a member of the minority party.

9 The committee shall:

- 10 (1) Oversee the staff and operations of the legislative  
11 broadcast project, and recommend policies for the  
12 project which shall be adopted by concurrent  
13 resolution; ~~and~~
- 14 (2) Review the operations of the public access room,  
15 legislative internet project, and other public access  
16 projects of the legislature and recommend policies for  
17 these projects to the president of the senate and the  
18 speaker of the house of representatives~~-~~; and
- 19 (3) Review, evaluate, and make recommendations to the  
20 presiding officers of the house and senate for  
21 improving the level of access to proceedings,



1           information, and services of the legislature by  
2           residents on the neighbor islands and in rural Oahu."

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

5           "**§27-1 Functions of statewide concern.** The purpose of the  
6 chapter is to fix responsibility for certain functions, which  
7 are of statewide concern, in the state government. These  
8 functions which are declared to be state functions are as  
9 follows:

- 10           (1) Planning, construction, improvement and maintenance of  
11           public school facilities and grounds and the  
12           transportation of school children; provided that  
13           nothing in this paragraph shall preclude the several  
14           counties from expending their own funds to supplement  
15           state funds;
- 16           (2) Burial of indigents;
- 17           (3) Planning, construction, improvement, maintenance, and  
18           operation of public hospitals and other public health  
19           and medical facilities;
- 20           (4) Rendering of medical treatment and hospitalization  
21           services to state and county pensioners;
- 22           (5) Administration and operation of district courts; and



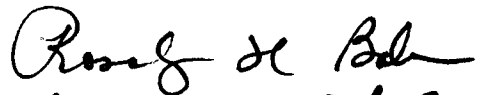
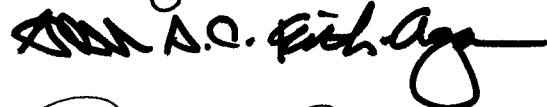

1 (6) Providing information [~~and~~], services, and access to  
 2 government proceedings to the public through joint  
 3 cooperation with the several counties[-] and a program  
 4 to ensure fair access for residents living on the  
 5 neighbor islands and in rural Oahu."

6 SECTION 5. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

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

9

INTRODUCED BY: 



# S.B. NO. 824

**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 fair access commission to review public access issues for the neighbor islands and rural Oahu.

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

