

# OFFICE OF INFORMATION PRACTICES

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To: House Committee on Economic Development and Business

From: Cheryl Kakazu Park, Director

Date: February 8, 2013, 9:00 a.m.  
State Capitol, Conference Room 312

Re: Testimony on H.B. No. 1271  
Relating to Business Development

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Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices (“OIP”) takes no position on the substance of this bill, which establishes a Twenty-Four Hour Marketplace Task Force. OIP seeks a clarifying amendment to bill section 2(b), at page 3, lines 6-8.

That section, among other things, states: “Meeting notices shall be posted by the task force as required under chapter 92, Hawaii Revised Statutes, and public testimony shall be accepted by the task force.” The task force, since it would be created by an Act, would fall within the definition of a “board” under section 92-2, Hawaii Revised Statutes, and as such would automatically be required to post meeting notices, accept public testimony, and otherwise comply with the requirements of the Sunshine Law, part I of chapter 92, Hawaii Revised Statutes (“Sunshine Law”). For this reason, it is unnecessary for this bill to specify that the Sunshine Law’s notice and testimony requirements apply, and doing so may in fact cause confusion as to whether the Legislature intended for **only** those specified Sunshine Law requirements to apply to the task force. **OIP therefore recommends that this committee simply delete the sentence at bill page 3,**

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**lines 6-8, which reads, “Meeting notices shall be posted by the task force as required under chapter 92, Hawaii Revised Statutes, and public testimony shall be accepted by the task force.”**

Thank you for the opportunity to testify.

## edbtestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 05, 2013 5:28 PM  
**To:** edbtestimony  
**Cc:** inunyabus@gmail.com  
**Subject:** Submitted testimony for HB1271 on Feb 8, 2013 09:00AM

### **HB1271**

Submitted on: 2/5/2013

Testimony for EDB on Feb 8, 2013 09:00AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elaine D.	Individual	Oppose	No

Comments: HB1271 Once again this legislature intends to exploit the culture YET fails to include cultural participants on the board or task force! It is easy to see the intent here, to further utilize anything and everything that has Hawaiian culture attached to it for the purpose of profits and generating revenue. This is another mendacious agenda. Exclude the Chamber of Commerce. Allow kanaka maoli to tend to this aspect of business because, no doubt, you intend to encroach on Hawaiian Government Lands to carry this to fruition. Otherwise, please kill this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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